

GENERAL OPTICAL COUNCIL**Minutes of the 225th Public meeting of Council held on
Wednesday 28 February 2018 at 10:00 at 10 Old Bailey, London, EC4M 7NG**

Present: Gareth Hadley (Chair), Helen Tilley (Senior Council Member), Sinead Burns, Josie Forte, Mike Galvin, Rosie Glazebrook, Scott Mackie, Clare Minchington, David Parkins, Roshni Samra, Glenn Tomison and Selina Ullah.

GOC attendees: Alistair Bridge, Tony Duong (paragraphs 8699 to 8701), Marcus Dye (paragraphs 8696 to 8698), Nicola Ebdon, Simon Grier, Safia Iman, Lisa Harmshaw (minutes), Natalie Heppenstall (paragraphs 8696 to 8698), Philippa Mann (paragraphs 8705 to 8706), Anita Phillips (paragraph 8704), David Reeder (paragraphs 8699 to 8700), Batool Reza (paragraphs 8699 to 8701), Keith Watts (paragraphs 8699 to 8700) and Mark Webster.

Welcome

8687. The Chair **welcomed** members, employees and those in the public gallery to the 225th public meeting of Council. The Chair also **noted** the pleasure with which Council had received the news that London South Bank University had awarded David Parkins the degree of Doctor of Optometry for his thesis *An investigation into the decision-making of primary care optometrists and whether contemporary continuing education and training (CET) improves referral practice.*

Apologies

8688. Apologies were **received** from Vicky McDermott (Chief Executive and Registrar).

Declaration of members' interests

8689. The following declarations of interest were **noted**:

- Helen Tilley and Josie Forte **declared** an interest in the 'approach to business standards' as they are registrant members who are either a director/shareholder of or connected with a body corporate registered with the GOC and therefore likely to be directly affected in their non-GOC roles by the outcome of this work; and
- all members of Council **declared** their interest in the 'draft 2018/19 budget' as this paper included recommendations in relation to their own remuneration.

8690. All members had received un-redacted papers and Council were **content** that none of the declarations presented a direct conflict and therefore the members were permitted to participate in the discussion and make decisions.

Minutes of the last meeting held on 15 November 2017

8691. Council **approved** the minutes of the meeting held on 15 November 2017 as an accurate record of the meeting.

Updated Actions – C01(18)

8692. Council **noted** the action points.

Matters Arising

8693. There were no matters arising.

Chief Executive and Registrar's report – C02(18)

8694. Council **noted** the report and:
- registration – 52 per cent of registrants had renewed their registration and over 10k registrants responded to the additional information requests around education, insurance and EDI, which was encouraging. Council **welcomed** the planned weekly reminders and **requested** an update in May 2018 of the final numbers of registrants who had responded. Council also **extended thanks** to the Registration Team for their work at this particularly busy time of year;
 - FTP (in-house advocacy) – the three advocates had been very successful and coupled with the in-house resource had provided valuable team learning. It was hoped they would become permanent as part of the 2018/19 budget discussions;
 - FTP (Defence Stakeholder Group) – **requested** that registrants who had been involved in the FTP process also be included in order to glean their feedback on their experience;
 - non-european economic area (EEA) route to registration for optometrists – applicants' expectations were continuing to be managed and it remained the intention to be able to invite new applications from March 2018; and
 - **approved** the external auditor (Haysmacintyre) fee of £14,400 + VAT to enable them to undertake the 2017/18 audit.

Chair's report – C03(18)

8695. Council **noted** the report and:
- the Chair had since met with George Jenkins (Chair of the Professional Standards Authority (PSA)) and visited a Boots franchise practice in Balham, South West London;
 - appointments had now been made to the roles of Registered Medical

Practitioner on the Companies, Investigation, Education and Standards committees – Dr. Imran Jawaid (Education), Dr. Cecilia Fenerty (Standards) and Dr. Wayne Lewis (Companies and Investigation) would take up their roles as of 1 March 2018 for a period of four years;

- a response had not yet been received from the Department of Health following the GOC's (and other healthcare regulators) responses to the consultation on healthcare professional regulation in the United Kingdom; and
- **agreed** that, with effect from 1 April 2018, Mike Galvin would be appointed as a member of the Education committee, demitting his appointment to Companies committee from that date but remaining a member of the Standards committee.

Approach to business standards – C04(18)

8696. Council **considered** the work undertaken so far in relation to development of draft standards for optical businesses prior to proceeding with the planned public consultation and additionally **noted**:

- the Council Chair had attended two of the statutory advisory committee meetings where this had been discussed and the Council Champion all three and that the quality of the debate had been constructive, provided confidence in the contribution of the committees in providing assistance in policy development, and demonstrated that all were acting within their remit;
- it was the intention that the standards would also apply to non 'bricks and mortar' practices including domiciliary care and telemedicine, which would allow them to be future-proofed and accessible as eye care delivery channels changed; and
- the Executive was also exploring the possibility of compelling business registration by way of the General Ophthalmic Services (GOS) contract and that, whilst this activity fell outside the scope of this project it, would be pursued in the context of the GOC's review of its need for legislative reform. Council **noted** that the contract extended into areas such as medical, advanced services and the lower end of ophthalmology which would be taken into account.

8697. In discussion, Council **requested**:

- consistency with terminology with a preference for not using the term 'business registrants' (as this could be confusing, especially to those who were not currently registered and therefore might consider that this did not apply to them) but instead using the term 'optical businesses';
- the terms 'patient' and 'customer' be used together as it was considered that just using the term 'patient' on its own had the potential to cause confusion;
- engagement with NHS England on the GOS contract as soon as possible (as well as with the devolved nations' commissioning bodies)

- and an update provided to Council in May 2018 on progress made; and
- sight of the draft standards presented to the committees so Council could see what had developed as a result of the discussions.

8698. Council subsequently:

- **approved** the proposed approach to public consultation and engagement with stakeholders; and
- **delegated authority** to Chair and Chief Executive and Registrar to sign off the final version of the consultation document, a copy of which would be sent to Council members.

Fitness to Practise (FTP) update – C05(18)

8699. Council **received** a presentation directed at: enhancing its understanding of FPR performance measurement processes; and updating it both on performance since Council approved new Key Performance Indicators (KPIs) in May 2017 and on expected progress to achieve the end-to-end KPI.

Council additionally **noted**:

- new processes were 'live' and subject to continual review which would be balanced to avoid having an adverse impact on the achievement of timescales;
- 22 new independent expert witnesses had now been inducted;
- 'frontloading' meant getting a case hearing ready at an earlier stage. Early indications showed that it was assisting Case Examiners in closing cases earlier and that, by front loading cases correctly, stage three of the process could be broadly eliminated;
- a dedicated Triage Officer had been appointed in December 2017 which was working well;
- all Hearing Panel members had been asked to increase their availability to 30-40 days as part of their term extension and multiple/parallel hearings were being considered;
- sharing best practice with fellow healthcare regulators would continue, but benchmarking timescales was not possible due to the differing statutory time limits between regulators;
- the intention to include work in the 2018/19 business plan on sharing learning from FTP cases and feeding this back into the education system; and
- the intention to seek legislative change through a Section 60 Order aimed at shortening statutory timescales (of which the GOC had one of the longest), introduce smaller panels (or which, at 5 members required for a substantive decision, the GOC has the largest), and remove the cap on how many panellists could be appointed.

8700. In discussion, Council:

- **were encouraged** to see the progress made;
- **agreed** resources needed to be targeted and mobile so that they could

be appropriately shifted to the stages where they were most needed;
and

- **welcomed** the level of detail provided and the glide path which would be used to monitor performance going forward.

Performance report: quarter three 2017/18 – C06(18)

8701. Council **received** the performance report and **noted** progress made during the last quarter. In relation to specific areas Council:

- **requested** more information on the new registration indicator (accuracy of new entries to the register) be included in future reports in order to provide assurance that the minimum 10 per cent audit/dip sift was being achieved;
- **suggested** the Executive review David Parkins' PhD thesis to inform thinking on how best to develop the CET scheme to do more to promote continuing professional development and this also be discussed with the CET Reference Group;
- **welcomed** the assurance provided that the challenging education accreditation and quality assurance visit schedule was on track and considered low risk;
- **congratulated** the Executive on the successful IT migration and **noted** work still to be undertaken in order to ensure compliance with the General Data Protection Regulations (GDPR);
- **noted** the introduction of a board member portal system was on hold whilst the Executive explored a more comprehensive solution with Celerity (the Council's IT contractor); and
- **noted** the extent of engagement undertaken with education providers in relation to the Education Strategic Review many of which were keen to participate in further discussions which signalled an aspiration to drive forward change. Council **recognised** that a challenge for the GOC would be to follow this through and allow education providers the freedom to innovate whilst resisting the temptation to be overly prescriptive in its quality assurance role.

Financial performance reports: nine months financial performance to 31 December 2017 – C07A(18) and quarter three forecast to 31 March 2018 – C07B(18)

8702. Council **noted** the nine month financial performance report, quarter 3 forecast report and actions planned to achieve financial targets for 2017/18 and help ensure robust financial performance delivery for the year ended 31 March 2018 and:

- **expressed concern** regarding forecast project spend by year end which Council **considered** was overly ambitious; and
- **noted** the more rigorous approach to commissioning research in future which was **welcomed**.

Outline 2018/19 budget – C08(18)

8703. Council **considered** the proposed 2018/19 budget and:
- **noted** the financial analysis supporting the budget, including the impact on reserves and budget assumptions;
 - **noted** that the working capital would run out before renewal income started to be collected and therefore it would be necessary to withdraw some of the funds under investment and that this was likely to become an annual occurrence while targeted project expenditure continued over and above business as usual. Council **agreed** to potentially draw down on the GOC's Investment portfolio with Brewin Dolphin and **delegated authority** to the Chair of ARC and the Director of Resources to discuss the appropriate amount and mechanics with the investment managers;
 - **noted** the assurance provided by the Executive that payroll would not be affected by cash flow;
 - **noted** that any legislative change effected in 2018/19 was unlikely to have a significant impact on the budget;
 - **noted** that any cost in respect of the 'integrity of the register' project would be absorbed into business as usual (BAU) costs during 2018/19, instead of as a separate project;
 - **agreed** that it was a prudent assumption that there would be no delay in filling established posts and that any delay could have a positive impact on costs but a negative impact on business plan achievements;
 - **questioned** the level of cost challenge throughout the organisation before the budget had been put to Council and **noted** that it had gone through four iterations and three reviews by the Senior Management Team (SMT) plus individual presentations by budget holders which Council **considered** to be sufficient;
 - **welcomed** the consultancy being undertaken to review the GOC website and use of associated social media, and that Council would be approached for resources to undertake any required work once the review was completed;
 - **approved** the member fees for 2018/19 (which would be increased as reflected in the budget submission) as recommended by the Remuneration committee, which Council **agreed** was consistent with the agreed approach to member fee setting;
 - **approved** the 2018/19 draft budget and **delegated authority** to the Chief Executive and Registrar to finalise the budget for publication; and
 - **noted** the areas of work to be included in the 2018/19 business plan and **delegated authority** to the Chief Executive and Registrar to finalise the plan for publication.

Accreditation and quality assurance: Ulster university – C09(18)

8704. Council **considered** the recommendations of the Education committee and **granted** provisional approval to the Masters in Optometry pathway at Ulster

University to commence in September 2018 and **agreed** to incorporate the Masters in Optometry pathway into the next scheduled BSc in Optometry visit due to take place in April 2019.

Equality, diversity and inclusion (EDI) monitoring report 2016/17 – C10(18)

8705. Council **considered** the 2016/17 EDI monitoring report. In relation to how the GOC could support registrants to improve behaviours on EDI issues in order to improve patient care, Council **provided** the following feedback:
- the GOC should encourage the membership organisations to issue practical guidance to registrants;
 - some membership organisations provided safeguarding training, however this was not mandatory and take up was poor for some;
 - **suggested** EDI could be better embedded within both university education and CET;
 - robust induction by organisations was essential;
 - there was a need to identify ‘exemplars’ and use them as case studies;
 - return to work was an important area and it was **suggested** that consideration be given to establishing a small focus group to consider this further;
 - care should be taken when benchmarking to ensure appropriate comparability; and
 - a third of FTP complainants were self-identifying as disabled and **suggested** consideration be given to how the GOC could use this information to support them.
8706. Council **suggested** the following areas on which the next report should include analysis on:
- service length and working pattern of registrants; and
 - gender pay gap for employees.

Council forward plan – paper C11(18)

8707. Council **noted** the forward plan for 2018/19.

Any other business

8708. There was no other business for discussion.
8709. The meeting closed at 13:30.

Date and time of next meeting

8710. The next public meeting of Council would be held on **Wednesday 09 May 2018** at 10 Old Bailey, London, EC4M 7NG. The time of the meeting was to be confirmed.