

COUNCIL

Chief Executive's Report

Meeting: 13 November 2019

Status: For noting

Lead responsibility and paper authors Lesley Longstone (CEO & Registrar)

Council Lead(s): Gareth Hadley

Purpose

1. To provide Council an update on recent developments.

Recommendations

2. Council is asked to note the CEO & Registrar's report.

Strategic objective

3. This work contributes towards the achievement of all parts of the 2020 Strategic Plan and our 2019/20 Business Plan.

Background

4. The last report for Council was provided on 10 July.

Analysis

5. One of the highlights of the past few months was receiving the report of our latest Professional Standards Authority (PSA) review, where we met 22 of their 24 standards. We came out with a clean bill of health in relation to Standards and Education, having met all of the standards in these areas for more than 5 years running. We also met five of the six standards for Registration and nine of the 10 standards for Fitness to Practise (FTP). Particularly pleasing was the fact that we passed a standard that we had failed last time, which was related to triage. This review was useful in highlighting issues in relation to registration, which have now been addressed.
6. While we are still not meeting the standard in relation to timeliness, we are pleased to see good progress in key leading indicators, with the investigation caseload for example, continuing to fall. Our Director for Casework and Resolution advised previously that there would be a short-term increase in duration as older cases worked through the system. The fact that we have now secured changes to the rules relating to hearing panels means that we are ahead of the game in terms of recruiting and training new members to deal with these cases and minimise the time they spend in the final stages.

7. Discussions regarding the development of our 6-year strategy 2020-25, including re-visiting our core purpose and the organisation's values have continued and are presented in today's first draft for public consultation. I've been pleased to welcome Council Members to several small group discussions with staff. We have also had the benefit of input from several sector CEOs and our new Advisory Panel.
8. In an accompanying paper, we will be presenting next steps in relation to our Education Strategic Review. The team have continued to engage with a wide range of stakeholders through our Expert Advisory Groups (EAGs), which started in September, and the results of this, including new Education Standards and Learning Outcomes will come back to Council in May. All these discussions have been incredibly important and will help us make some further decisions to frame the next steps for this work.
9. Our work on EDI is progressing well, with groups to support women, LGBTQ+, BAME and disabilities all now off the ground and some of them forging ahead with great work, raising awareness of EDI issues and celebrating difference. We had a wonderful evening tour of the V&A museum led by our very own Governance Manager Nadia Denton, called "African Gaze". As well as being welcomed by staff, I've had positive feedback on our EDI work from our visitors, inspired by some of the stories posted in our facilities areas.
10. Since Council's last meeting we have welcomed Derek Hart, our new Head of IT, who is already making a great contribution to our thinking in this area and Marc Archbold our new Interim Communications Manager. We've also said goodbye to Lucy John-Emele. I would like to place on record my appreciation for the excellent work Lucy did for us during her tenure, not least the development of our Business Standards microsite.

Standards

11. We successfully launched our new **Standards for Optical Businesses**, which came into effect on 1 October 2019. A dedicated standards website was launched on the same day to support their introduction, providing a wealth of information about our standards and supporting guidance, as well as videos, interviews and a blog. All Fitness to Practise (FTP) staff have now received training on the new business standards, along with FTP Panel members.
12. We also made our first foray into Continuing Education & Training (CET), hosting a **webinar for business owners** and practitioners, providing guidance on how to apply the business standards. We were grateful for the help of Council Members, Helen Tilley and Josie Forte in running the webinar and look forward to feedback and a decision as to whether we should do more. Still to come is an animation (to be launched in November) that will help to raise awareness of the business standards further.

13. We have been analysing the data from our consultation on new draft guidance for registrants: **Disclosing confidential information about patients**, including where they may not be fit to drive. We have also gained feedback from our Advisory Panel and are now developing a revised draft that will be finalised for publication in the new year.

Education

14. We are looking forward to discussing next steps regarding **Education Strategic Review (ESR)** implementation plan and its associated impact assessment, separately.
15. The first cycle (2017/18) of the refreshed **Annual Monitoring and Reporting (AMR)** process concluded with publication of the sector report in October 2019. We had excellent compliance and engagement from providers and the findings have previously been discussed with Council. You will recall that we identified several differences in how the College of Optometrists calculate and report attainment for the Optometry Scheme for Registration, compared to University providers.
16. This is primarily due to the structure and timing of the programme. Working alongside staff at the College, we identified two key student attainment metrics: an 18-month pass rate for the 2016/17 enrolment year, and a 27-month pass rate for the 2016/17 enrolment year. The 27-month data is used as students have a maximum of 27 months to pass the Scheme for Registration. The data will never be completely comparable with that of the universities, but this gives a better comparison than the information we had used previously.

College of Optometry Scheme for Registration 2016/17 Enrolment year	Pass Rate
27- month pass rate	96.10%
18 - month pass rate	70.70%

17. The second year of the cycle (2018/19) commenced in October 2019 and features several refinements to the process including: an increased focus on strategy and risk, and new questions relating to EDI and widening participation. The 2018/19 cycle is expected to conclude in June 2020. We continue to work with all providers to identify additional student attainment metrics and will consult on this matter in Q4 2019/20.
18. We have launched the **Education Visitor Panel (EVP)** mentor system in which all new members have been allocated an existing member who will provide first line support and guidance. Education and FTP also teamed up to deliver training for non-registrant members outlining the educational journey of our registrants. The training was delivered to both staff and new lay EVPs and was well received.
19. The Education team has recently held two events, an **EVP workshop** and

Education Provider Forum; both events proved to be hugely beneficial and well received. The EVPs learned about the landscape of apprenticeships and discussed how to gather student feedback more effectively. The Provider Forum discussed risk management within the sector and implementation of the ESR.

20. In early September we imposed a condition on the **University of Portsmouth** to restrict student intake for this year. The University has been managing the impact of this, using its Student Protection Plan and we continue to work with the Office for Students to ensure we have a joined-up approach to addressing our concerns. We are in regular communication with the University and a meeting was held on 22 October to discuss the programme and its progress. A quality assurance visit is planned for late November.
21. We published our **risk research** on 10 October incorporating and responding to further comments from Council and our Advisory Panel. The outcomes will be instrumental in informing our policy thinking and regulatory interventions across all our functions beginning with the CET Review.
22. Following the extensive consultation on our **Continuing Education & Training (CET)** reforms and in line with Council's steer in September, SMT have given the go-ahead for further work on changes to take effect in 2022: mandatory reflective practice, underpinning CPD with our Standards of Practice, rather than undergraduate competencies, rebranding CET as CPD, additional support for supervisors, and support for transition into practice (including mentoring).
23. We have begun to identify registrants who are not on track to meet their **annual CET targets**. The first of three email reminders was sent out to 9337 registrants on 2 October 2019, to encourage completion before the year end. This represented slightly more than 40% of our overall 22915 registrants. Of the specialties, around one in three Contact Lens Opticians and one in four Therapeutic Prescribers respectively have not completed their CET requirements for this year.
24. Following previous discussion of the findings, we have now published our **evaluation of the 2016-18 CET cycle** on our website.
25. We are working with other healthcare regulators on the implications of work on **Advanced Clinical Practice (ACP)**. Health Education England are leading a consultation to explore how this might be defined for the healthcare professions and what this might mean for education and training of the existing and future workforce. We are talking to them and the Council of Deans for Health about its application in the optical sector and its implications for eye care service delivery in primary and secondary care settings. This work will feed into HEE's wider work on workforce.

Registration

26. The focus over the past few months has been two-fold. First, follow-up to the

renewal process, with additional information, including education history to be reviewed for more than 1,500 registrants. Second, the new student applications process. 1,332 applications were processed by the end of October. These processed faster and more efficiently than previously through adoption of new processes, closer tracking of applications and intervention where necessary.

Casework & Resolution

27. Open case volumes are down by 24% since the start of the reporting year, 17% since the end of Q1. Because fewer new cases are being started, the average age of existing cases will rise and so as anticipated, we are still seeing a rise in the average age of open cases. The overall volume of cases is nevertheless a good leading indicator, giving us confidence that we are starting to make some real inroads to the issue of **FTP timeliness**.
28. The enhanced **Triage pilot** has been well received by defence bodies and although new cases have been limited this period, we have utilised the time to embed the process and review legacy concerns. The number of Case Examiner decisions is also picking up and all of the cases “on hold” at Council’s last meeting have now been rescheduled; the reasons for delay being largely outside the GOC’s control.
29. The **FTP decisions audit report** continues to provide a good level of assurance with confirmations of ‘substantial compliance’ with the Council’s statutory obligations. They also demonstrate ‘compliance’ with the Council’s own procedural requirements and guidance. The learning points are being taken forward with decision makers and staff and a summary of the actions taken will be presented to ARC in due course.
30. We are about to tender for a new **OCCS contract** having retained the existing provider for over five years. The new contract will start in April 2020 and will provide an important avenue for customer complaints that do not meet our acceptance criteria.
31. The median time in **Hearings** is consistent with the KPIs but four substantive cases have gone part-heard meaning we are below the anticipated number of case closures. The teams in investigations and hearings are working together to identify ways of improving our forecasts of time needed. This includes the proposed implementation of a Case Management Meeting process that will encourage the GOC and registrants/their representatives to work constructively together in advance of FTPC hearings to ensure that all preliminary issues have been resolved, that efficiencies have been identified and acted upon (for example, expert witnesses meeting to narrow the issues in dispute) and therefore to ensure that time estimates for FTPC hearings are accurate, and adhered to.

32. The induction of new **Hearings panel members** has commenced following a massive recruitment exercise for registrant and lay members, in readiness for the surge in hearings expected toward the end of Q4.

Resources

33. Council will receive a separate financial report, but overall, we are progressing well against our financial plans. Our efficiency programme is generating a good mix of smaller short-term savings and slightly larger, longer-term savings. Making progress on our CRM system is critical to that and while incremental improvements continue to be made, our new Head of IT is reviewing the overall IT Strategy and the scheduling of different pieces of work needed over the next year or two to ensure maximum value for money.
34. A consultation on the proposition that we make the Education Directorate a permanent feature of the GOC has now closed and I have published my response internally. I have also announced plans to restructure the Governance team and create a new Secretariat serving both Council and SMT in readiness for a possible move toward a Unitary Board.
35. We are currently finalising mid-year performance reviews and are preparing to undertake an equal pay review. Alongside this, we have set up a policy review group and a “like it or strike it” group to review a range of internal policies (beginning with HR). The former group is to review content and the latter presentation. Our aim is to revisit all our policies over time, to make them more succinct and easier to understand.
36. We continue to make progress against the staff action plan and at our last all-staff meeting focussed on behaviours that align with our values, so that we can ask about them as we design a bespoke 360-degree feedback questionnaire for leaders and eventually all managers at the GOC.

Strategy

37. The legislative change that removed the cap on the number of Hearings Panel members we can appoint came into effect on 1 September. More broadly, we have continued to engage with the Government’s proposals for **legislative reform**, the focus being on fitness to practise and governance. The timetable for the legislative change is uncertain, but we are developing our plans to implement the changes and exploring how we can collaborate with other regulators in doing so. We are also developing proposals for reforming our system of business regulation.
38. We have reviewed and updated our preparations for **exiting the European Union**, updating the ‘Frequently Asked Questions’ on our website and planning the communications that would be necessary in the event of the UK leaving the EU without a withdrawal agreement.

39. As part of our Governance review changes, Council's four statutory advisory committees met for the first time on 10 October 2019 as an **Advisory Panel**. The new format worked well, with members providing input on a range of issues, including the Education Strategic Review, CET Review and our draft guidance on confidentiality, as well as providing advice on the development of our next strategic plan.

External Developments

40. The Secretary of State for Education, Gavin Williamson, has published his letter to Michael Barber, CEO of the Office for Students (OfS), setting out the Ministerial priorities. Key points to highlight are:
- where there are courses and providers that are not delivering value for students, for example, where there are unacceptable levels of failure to equip students with qualifications that are recognised and valued by employers, the OfS will be supported to use the full range of monitoring and enforcement powers
 - these will include imposing enhanced monitoring requirements; requiring providers to undergo a full quality and standards review; suspending a provider's registration; applying additional and specific registration conditions; and imposing financial penalties
 - an independent review of the Teaching Excellence Framework (TEF) for universities will lead to the implementation of a new TEF model which is expected to contribute to the overall regulation of quality of provision
 - there will be more emphasis on supporting students as empowered consumers by enabling them to make choices based on clear, comparable, and relevant information about what is being offered- and have contractual terms and conditions that are fair, as well as clear and transparent.
 - There will be a continued focus on part-time and flexible learning through a set of ambitious plans to deliver real choice and flexibility throughout working lives, and in response to the needs of business. This includes raising awareness of, and incentivising, accelerated (2 year) degrees, a diversity of flexible provision that utilises innovation and technological solutions, and funding arrangements surrounding it.
41. We have been feeding into several working groups, including an inter-regulatory group to develop joint principles for **remote prescribing**, an inter-regulatory '**Just Culture**' group looking at how to ensure effective implementation of recommendations from recent healthcare inquiries, and a group led by the Parliamentary and Health Service Ombudsman (PHSO) to develop a **complaints-handling framework** for frontline NHS workers.

External stakeholder engagement

42. Since the last council session, I have had introductory meetings with some of our **major employers**, where I discussed a range of issues, including emerging thinking in relation to our new strategy. They included meetings and/or store/factory visits with:
- *New Medica / Specsavers: Giles Edmonds and Paul Carroll*
 - *Boots: Claire Slade and James Arrow*
 - *Vision Express: Onur Koksal, Nick Coton and Francisco Lobbosco*
 - *ASDA: Sarah Joyce, Tim Belser, Lizzy Massey, Stuart Wiggans.*
43. I also visited an Opticians in Winchester, named Rawling's Opticians that claims to be one of, if not "the" oldest, family related optical business in the country. I was delighted to meet practice manager, Sally Hake along with three of the current Directors, Richard Rawling, Helen Short and Claire Shipway and to have the opportunity to talk about a range of current issues from the perspective of a **small independent** business.
44. I accompanied the Chair to two meetings, the first a meeting over dinner of **professional regulators' Chairs and Chief Executives**, where we discussed legislation, workforce and options for greater collaborative work. The second was a meeting with George Jenkins and Alan Clamp, the Chair and CEO respectively, from the **Professional Standards Authority (PSA)**, where we discussed our latest review and strategic developments in both organisations. I had two further meetings with the PSA, one to discuss their fees proposals and another to discuss our experience of taking part in the pilot of new PSA standards.
45. The Chief Executives Steering Group (CESG), which brings together the CEOs of all health-care regulators met for its final time in October, before moving to a new format and new name, Chief Executives of Regulatory Bodies. Duncan Rudkin, CEO of the General Pharmaceutical Council will be standing down as Chair and I have offered to pick up the baton as Chair of the new CEORB. Duncan and I have also begun to discuss potential areas for bi-lateral collaboration and will be continuing this over the coming months.
46. Continuing the theme of learning from other regulators, I also enjoyed a trip to Dublin to visit the health care regulator, **CORU** and meet its Chief Executive Ginny Hanrahan and several members of her team. We discussed a broad range of issues related to regulation of our optical sectors and the potential impact of Brexit on our two regulatory systems.
47. In terms of sector meetings, I reinstated a regular meeting with the **Chief Executives of ABDO, the College for Optometrists, the Association of Optometrists and FODO**. These joint meetings will enable us to consider sector-wide issues, sharing our different perspectives. I was pleased to be able to present

emerging thoughts regarding the six-year strategy. We also discussed workforce issues and education funding among other matters.

48. I have had further meetings with individuals at **ABDO** and the **College of Optometrists**, to discuss education related matters, which included the opportunity to observe an OSCE examination and also attend the College President's dinner. I also met with Henrietta Alderman of the **AOP**.
49. The Director of Education and I also met with several **Professors** who were signatories to the letter to Council regarding ESR. We discussed the issues raised in their correspondence and we set out our rationale for giving the advice we had and our plans to address some of the issues that they foresaw. We welcomed their offer to engage in the re-working of the education standards and learning outcomes and invited them to nominate a member for the Expert Advisory Group (EAG).
50. The Director of Education and I met with Professor Wendy Reid, Director of Education and Quality at **Health Education England (HEE)** to discuss the funding of optical education and training, one of the issues referred to above. It was a very positive meeting with some important outcomes, including agreement that HEE will host a roundtable event in the New Year to discuss funding of optical education in England, inviting key representatives from across the health sector including those with expertise in workforce planning.
51. The Director of Education also met with the **Optometric Advisors from the 4 Nations** to explore the existing system of funding of undergraduate education and CET and how it might need to change to meet the requirements of the ESR and the new CPD programme. We explored the future of the pre-registration grant for supervisors and the allocation of the CET grant.
52. She met with the **Royal College of GPs Ophthalmology Lead**, Dr. Waqaar Shah, to explore how our professionals could play a more prominent role in primary eye care alongside GPs. Some key actions arose out of that engagement which we are following up. We also met with the **Council of Deans for Health**, further engagement with the Department of Health and Social Care Education and Training Directorate, and all our providers. We presented at the Professional Standards Committee at the **Royal College of Ophthalmologists** and had an interesting discussion on the ESR and CET Reviews and will continue to keep the engagement warm as they are keen to follow developments. Dialogue continues with **NHS England** on plans to bring together the sector to look at the overarching pathway of care in eye health. **NHS Education Scotland** is keen to maintain a dialogue with GOC also to explore how provision can evolve to meet patient needs.
53. An opportunity to sit on the stakeholder group for the **NHS People Plan** was welcomed and I have now attended three sessions, providing a useful window on sectoral changes and expectations that will inform our education provision. There is scope and some support for all health care regulators to work together on the issue

of leadership expectations in the NHS and/or contracted services.

54. Other engagements included attending the Presidential Address of the new President of the **British Contact Lens Association**, Jonathan Bench. I also met with Matt Stringer, the new Chief Executive of the **Royal National Institute for the Blind** (RNIB) and Cathy Yelf of the **Macular Society**, where we discussed areas for common interest and ways on ensuring the patient voice is heard in our work. I met with Vivian Bush and Sue Wilford of the **Optical Benevolent Fund** to discuss ways in which we might promote their charitable aims in relation to our registrants.
55. I also met with Colin Sullivan, the Operations Director at the **Food Standards Agency**, to discuss approaches to common regulatory issues and attended a joint meeting of the **Association of Chief Executives** and the Public Chairs Forum, sponsored by Gatenby Sanderson.
56. I have had several meetings with our internal auditors **Mazars** on regular business, including development of a risk assurance framework for the GOC. I have also met with our Investors, **Brewin Dolphin**.
57. A range of other engagements by Directors are listed in the attached annex.

Finance

58. This paper requires no decisions and so has no financial implications.

Risks

59. There are no risks arising from this update not already captured in the Strategic Risk Register, which has been reviewed in this period.

Equality Impacts

60. No impact assessment has been completed as this paper does not propose any new policy or process.

Devolved nations

61. We continue to engage with all four nations across a wide range of issues, most notably ESR and regulatory reform more generally.

Other Impacts

62. No other impacts have been identified.

Communications

External communications

63. This report will be made available on our website, but there are no further communication plans.

Internal communications

64. An update to staff normally follows each Council meeting, which will pull out relevant highlights.

Next steps

65. There are no further steps required.

Meetings/visits since last council session:

<i>Subo Shanmuganathan Director of Education:</i>	<i>Alistair Bridge Director of Strategy:</i>	<i>Dionne Spence Director of Casework & Resolution:</i>	<i>Mark Webster Director of Resources:</i>
NHSE- Manda Copage & Celia Hutton	GDC- Matthew Hill	CMS; Katie Clarke & Rachel Cooper	Celerity; Jerry Dixon
Verily- Florence Thng	HMRC Project meeting; John Milburn, Russell Kirk, Anthony Simpson	HMRC Project meeting; John Milburn, Russell Kirk, Anthony Simpson	Mazars; Abbie Francis- Pike
OSCI Observation at Royal College of Emergency Medicine	Eye Health Forum at the DHSC	Capsticks; Jenny Smith	Celerity; Maggie Bramwell x3
HEE- Beverley Harden	School of Healthcare Sciences; David Whitaker	Kingsley Napley; Sarah Harris	DLA Piper meeting - ?
Institute for Apprenticeships and Technical Education- Bhavena Patel	Guide Dogs; Carl Freeman	OCCS; Jennie Jones & Richard Edwards	Mazars; Melita Fearnley & Gary Stewart
GPHC- Mark Voce	BCLA; Cheryl Donnelly	ABDO College; Katie Docker	Brewin Dolphin meeting
Health & Social Care Information Centre; Ophthalmology Round Table	PSA; Dan Scott & Christine Braithwaite	NMC; Darren Wheatley	
UCLAN visit- Rupal Patel	PSA; Daisy Blench	NMC; Clare Strickland	
Post Reg & Advanced Nurse Regulation Discussion; NMC-Anne Trotter GOsC- Fiona Browne HCPC- Katherine Timms GCC- Penny Bance	Prison Opticians; Tanjit Dosanjh	SRA; Juliet Oliver	
Huddersfield University- John Siderov	Mazars; Abbie Francis-Pike, Thu Nguyen, Melita Fearnley	Essilor Symposium	
Welsh Government- David O'Sullivan	Business Standards Conference; Vicky Vine (AOP), John White (Optometry UK), Peter Hampson (AOP)	ABDO; Miranda Richardson	
Imperial College London- Professor Kingsbury	Legislative Reform meeting; John Lucarotti (NMC)	Regulatory Reform meeting at the NMC	
Barry Mitchell? 12 AUG	PSA; Policy and research Forum	OCCS; Jennie Jones & Richard Edwards	

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NHS England & NHS Improvement- David Geddes & Ben Dyson	Optometry Scotland; David Quigley	Panel Firm meeting; Kingsley Napley, Capsticks & CMS	
GDC- Manjula Das	My Optique; David Hutchfield	Defence Stakeholder meeting	
NHS- Melanie Hingorani	Specsavers; Paul Carrol		
GMC- Tim Aldrich	Telecon- JOCEU; Henrietta Alderman (AOP), Ian Humphreys (College of Optometrists), Harjit Sandhu (FODO)		
UoP- SMT	NHS England & NHS Improvement; Carole Reece & Richard Everitt		
BCLA- Cheryl Donnelly	Regulatory Reform meeting at the NMC		
NHSE- Kate Branchett	FODO; Harjot Sandhu, David Hewlett, Alan Tinger		
HEE- Wendy Reid	AOP; Tony Stafford & Jacqueline May		
Council of Deans of Health- Fleur Nielson & Josh Niderost	AOP; Tony Stafford & Christopher Stean		
College of Optometrists- Sally Gosling	Mazars; Gary Stewart		
4 Nations meeting re-funding; Welsh Government- Janet Pooley & David O'Sullivan, HSCNI-Raymond Curran, NHS England & NHS Improvement- Poonam Sharma	College of Optometrists		
OCCCF & RCOphth- Imran Jawaid			
Gatenby Sanderson research event			
GMC- Phil Martin			
NHS England & NHS Improvement- Kate Branchett			