

GENERAL OPTICAL COUNCIL

Minutes of the 171st Meeting of Council held on 22 November 2007

Radisson Hotel, Edinburgh

Present: Mrs R Varley (in the Chair),
Ms M Alexander, Professor R S Anderson,
Miss R E Bailey, Professor R J Buckley, Mr D A
Cameron, Mr K Cavaye, Mr D Cartwright, Mr R W
Chappell, Miss K S Devlin Mr J Dunne, Mr I Hamer, Dr G
Harris, Mr S Heatherington, Dr P M Kyle, Mr K P Lewis,
Ms G Morgan, Mr D W Pyle, Dr S T D Roxburgh, Mr N J
Rumney, Mr J Russell, Professor M Salmon, Professor A
Tomlinson, Miss J Underwood, Mr C Wass, Ms S Wild

In Attendance: Mr P C Coe, Ms K Fielding, Mr P J Grey, Mr P J Ireland,
Mr J Levett, Ms L Oakley, Mrs J D Taylor.

Chairman's Opening Remarks

6489. The Chairman welcomed everyone to the Council's first meeting held in Scotland, and stressed the importance of having a presence in all four countries. She noted the developments brought about by Optometry Scotland for the availability of free sight tests for all and a properly remunerated profession.

6490. The Chairman welcomed guests from the optical bodies, the press and public.

Apologies for Absence

6491. Apologies for absence were received from Ms M Black and Mrs J S Brower.

Declarations of Interest

6492. Members were reminded that they must declare to the meeting any matter in which they had any actual or perceived personal or professional conflict of interest that might influence their judgement. The Chairman declared her continued role as interim Chairman of CHRE.

Confidentiality

6493. The Chairman reminded Members that this was a meeting held in public and not covered by any requirement for confidentiality. The private session of Council to be held later was a private meeting and was covered by the rules on confidentiality.

Minutes of the 170th Meeting held on 28 June 2007

6494. The Minutes were signed and approved as being a true and fair record of the meeting and would be published on the Council's website.

MATTERS ARISING: FOR INFORMATION

6495. There were no matters arising for information.

ITEMS FOR DISCUSSION AND/OR DECISION

White Paper Update for Discussion and Issues Requiring Decision

6496. Council Members noted what was currently known about the programme of extensive legislative change which would include numerous Section 60 Orders as well as new primary legislation. Council also noted the membership and progress of the National Working Groups established by government to develop key themes from the White Paper.

6497. Members agreed that no particular interest group should be provided for on Council, but that the qualification should be that of professional and lay member.

6498. Future Constitution of Council - Members discussed at length as to what the future constitution of the six positions of registrant membership of Council should be. The Governance Work Stream had proposed two options; firstly that of four optometrists and two dispensing opticians; and secondly that of two optometrists, two dispensing opticians with the remaining two places available to either group.

6498. A resolution was proposed and seconded that Council should appoint four optometrists and two dispensing opticians. Before any vote took place, an amendment to this resolution was proposed that Council should appoint two optometrists and two dispensing opticians and any two other registrant members.

RESOLVED THAT:

6499. the amendment to the first resolution for two optometrists and two dispensing opticians and any two other registrant members was defeated on a show of hands by a vote of seven in favour to seventeen against.

RESOLVED THAT:

6500. the resolution for four optometrists and two dispensing opticians was carried on a show of hands by a vote of seventeen in favour and seven against.

6501. It was duly declared that the future constitution of registrant members of Council be four optometrists and two dispensing opticians.

6502. Stakeholder Engagement – the Governance Work Stream had highlighted the need for the new Council to identify its preferred option for the delivery of advice on its stakeholder engagement. It had identified three options for this.

RESOLVED THAT:

6503. the new Council will expect the Executive to devise and deliver a stakeholder engagement strategy and it will seek the views of a stakeholder group as to how this will most effectively be done.

6504. Person Specifications of new Council Members – Council Members noted the characteristics set out in the Governance Work Stream draft for both lay and professional members. It was agreed to reflect points made by Members in discussion around some rewording of some of the characteristics, the ‘type’ of person attracted, the need for independence and the need to recruit from a wide cross section of the population.

6505. Statutory Committees – the Governance Work Stream had considered the statutory committees which had an advisory function to Council and whether they should be retained as statutory committees or whether the new Council have the flexibility to consider other mechanisms for receiving advice. The view expressed by Members was of overwhelming support for the retention of statutory committees for at least Education, Registration and Investigation.

6506. Civil Standard of Proof – the Tackling Concerns Work Stream had sought a view from Council as to when to implement the change from the present criminal standard to the statutory duty to apply the civil code to fitness to practise cases. It was agreed this would take effect from when it became a statutory requirement but that Council would put in place a process which would allow a transition to the new code to ensure the FTP Panels received guidance as to the cogency of evidence and its relationship with the seriousness of the offence.

Therapeutic Prescribing Rule Changes

6507. Council noted the work being undertaken to amend its rules in March 2008 to introduce independent prescribing for optometrists. A consultation document had just been issued this week on the changes required to Council Rules.

Sale and Supply of Optical Appliances: To receive related guidance from the College of Optometrists and ABDO.

6508. Council noted that all the latest amendments to the guidance had been approved by the College of Optometrists and were identical to the amendments made by to the ABDO guidance.

Draft Financial Budget 2008/9

6509. The draft financial budget paper had identified income and expenditure which projected a budget deficit for 2008/9 of £170,000, which was intended to be funded from reserves. The Remuneration Committee had just been advised of additional staffing needs at a cost of a further £120,000 which would take the overall deficit to £290,000.

6510. Remuneration Committee had accepted this additional requirement and had discussed whether to fund this additional amount from reserves or in part from an increase in registration fees.

Registration Fees 2008/9

6511. The fees recommendation from Finance and Procedure Committee was unanimous that the CET levy be reduced by £7.00 from £27.00 to £20.00 and the consumer complaints service levy remain unchanged at £7.00 per registrant. The majority view of the core registration fee was that it remain at £135.00 per registrant.

6512. In the light of an additional £120,000 in staffing requirements, Council agreed to accept the recommendations for the CET and consumer complaints service levies, but to increase the core fee by £7.00 per registrant to an aggregate registration fee of £169.00 for 2008/9.

6513. It was also agreed to incorporate the CET levy into the core registration fee for 2008/9 as CET was now a core function of Council.

Equality and Diversity Scheme

6514. The Executive had prepared a draft Equality and Diversity Scheme and Plan which had been issued for consultation in September and October. Some amendments had been incorporated into the Scheme and Plan following responses to the consultation.

RESOLVED THAT:

6515. the amended Equality and Diversity Scheme and Plan be approved.

CET Post 2010: Reaching the Future

6516. Members approved those aspects of the CET Scheme which the CET Policy and Development Group intended to consult upon and which could inform changes to the Scheme from 1 January 2010.

6517. It was noted that the CET Policy and Development Group did not include any professional members and it was agreed to keep the membership of the group under review.

Committee Membership 2008

6518. The proposal for the membership of Council's committees in 2008 was approved. It was noted that the Chairman of Council was not a member of Audit Committee and this error would be corrected.

Enabling legislation for European Directive

6519. It was noted that the enabling legislation for the implementation of the Qualifications Directive 2005/36/EC had been laid before Parliament, and the Government had published its response to the consultation. Council was encouraged by this response which had addressed concerns it had voiced at its June meeting on some aspects of the Directive.

6520. The Government had revised its position in three areas such that applicants wishing to provide services on a temporary or occasional basis would now need to provide adequate professional indemnity insurance; undertake UK CET where no CET arrangements exist in their home state; and for applicants to meet their own costs of any aptitude test where it is identified that their competences fell below those standards required in the UK.

Contact Lens Handbook

RESOLVED THAT:

6521. the Contact Lens Handbook which contains guidelines for the approval of education, training and qualifications enabling entry to the contact lens speciality under Section 12(6) of the Act be approved.

Revised Optometry Additional Supply [AS] and Supplementary Prescribing [SP] Handbooks

RESOLVED THAT:

6522. the revised optometry Additional Supply [AS] and Supplementary Prescribing [SP] handbook which contains guidelines for the approval of education, training and qualifications enabling entry to the AS and SP specialities under Section 12(6) of the Act be approved.

ITEMS FOR INFORMATION

Performance Management Report

6523. Members noted the progress to date in the achievement of the Business Plan for 2007/8 and that progress was satisfactory and within agreed resources identified.

Determinations of FTP Committee

6524. Members noted the determinations of the Fitness to Practise Committee hearings from the start of the current calendar year.

Retiring Council Members

6525. The Chairman paid tribute to three Members of Council whose term of office was due to end on 31 December 2007. She thanked Mr. Bob Chappell, Mr. Roger Buckley and Mr. Jim Dunne for their very significant and unique contributions to the work of Council over many years.

Date and Time of Next Meeting

6526. The next Council meeting will be held at 9:30am on **Thursday 13 March 2008** at the **Culloden Hotel, Belfast.**