

**GENERAL OPTICAL COUNCIL**

**Minutes of the 175th Meeting of Council held on 11 September 2008**

**41 Harley Street, London**

**Present:** Mrs R Varley (in the Chair),  
Ms M Alexander, Dr N Andrew, Miss R E Bailey,  
Mrs J S Brower, Miss K S Devlin, Mr I Hamer,  
Dr G Harris, Dr P M Kyle, Ms G Morgan, Mr D W Pyle,  
Mr J Russell, Professor A Tomlinson, Miss J Underwood,  
Ms S Wild

**In Attendance:** Mr P J Ireland, Mr J Levett, Mrs J D Taylor.

**Chairman's Opening Remarks**

6682. The Chairman welcomed Members to this extraordinary meeting of Council which had been convened for one item only, which was to consider changes to the Fitness to Practise Rules which will have the effect of implementing the civil standard of proof in Fitness to Practise hearings.

**Apologies for Absence**

6683. Apologies for absence were received from R Anderson, M Black, D Cameron, D Cartwright, K Cavaye, I Hamer, S Heatherington, R Hogan, K Lewis, S Ahmed, S Roxburgh, N Rumney, M Salmon, C Wass.

6684. The Acting Registrar confirmed that the meeting was quorate as required under Section 12 of Schedule 1 of the Opticians Act 1989.

**Declarations of Interest**

6685. 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.

**Confidentiality**

6686. The Chairman reminded Members that this was a meeting held in public and not covered by any requirement for confidentiality.

**Minutes of the 174th Meeting held on 3 July 2008**

6687. The Minutes of the last meeting held on 3 July 2008 would be considered at the next meeting of Council to be held on 20 November 2008.

**Standard of Proof**

6688. Members noted that the purpose of the Rule change was to implement the changes contained in the Health and Social Care Act into the GOC Fitness to Practise Rules.

6689. A consultation had recently been concluded on the wording of the draft Rule change and supporting guidance. None of the responses received had raised any objections to the proposed wording of the Rule change.

6690. Council wished to make the change to its Rules before it came into effect. The Department of Health had confirmed the effective date would be 3 November 2008. It was noted that for all Fitness to Practise hearings considered from 3 November 2008 the civil standard of proof would apply.

6691. **RESOLVED:**

**that the standard of proof applicable in any proceedings before the Fitness to Practise Committee on or after 3 November 2008 is the civil standard.**

#### **Any Other Business**

6692. The Chairman confirmed that Remuneration Committee had met that morning and agreed to advertise for the post of Chief Executive/Registrar of Council in early November. This date was recommended by the Acting Registrar and approved by the Committee to enable the new Chairman of Council to participate in the selection process. The new Chairman of Council was expected to be appointed by the Appointments Commission on 19 November 2008.

#### **Date and Time of Next Meeting**

6693. The next Council meeting will be held at **10.30 am on Thursday 20 November 2008** at Chandos House, Queen Anne Street, London. (The venue was later changed to Durrants Hotel, George Street, London)