

GENERAL OPTICAL COUNCIL

**Minutes of the 203rd Public meeting of Council held on 22 November 2012 at
the General Optical Council, 41 Harley Street, London, W1**

Present: Brian Coulter (in the Chair), Morag Alexander, Paul Carroll, Peter Douglas, Robert Hogan, Liam Kite, Kevin Lewis, Fiona Peel, Nick Rumney, James Russell and Selina Ullah (para 7698 - end).

In attendance: Samantha Peters, Alistair Bridge, Phil Hallam (para 7695 to 7708), Lisa Harmshaw, Michelle Jex-Brown (Para 7700 to end); Josie Lloyd, Mandie Lavin and Katie Nurcombe.

Apologies

7695. No apologies were **received**.

Declaration of members' interests

7696. No new or additional interests were declared.

Minutes of the 202nd meeting held on 24 October 2012

7697. The following amendments were **agreed** to the draft minutes:
- Paragraph 7669 – the words “and approval” were removed from the second bullet point;
 - Paragraph 7685 – it was **noted** that Council normally **received** the “proposed response and key issues” from the CHRE Review rather than the “final draft”; and
 - Paragraph 7692 – had been amended prior to the meeting to reflect the correct phrasing for the Committees, however the amendment was not shown on the minutes as circulated.
7698. Subject to the above amendments and some minor typographical changes, authority was **delegated** to the Chair to approve the final minutes.

Other Matters Arising

7699. The following matters were arising:
- Paragraph 7668 (funding arrangements) – Council **noted** that the Executive were still awaiting confirmation from the CHRE as to whether the fee would be levied during the 2013/14 financial year however current indications suggested it would not. Council **noted** that this would be confirmed in time for Council’s final approval of the budget in

February 2013;

- Paragraph 7669 (Member reappointments and Member recruitment) – Council **noted** that the policy and process for the reappointment of Council Members was currently with the CHRE for its consideration. Council **noted** that two registrant Members would be leaving when their term ended on 31 March 2013 and that the advert seeking two new registrant Members would not exclusively specify vacancies for Optometrists or Dispensing Opticians, but ensure that it was advertised to attract the best possible candidate(s);
- Paragraph 7668 (Continuing Education and Training (CET) Workshop) – Council **noted** that the workshop would be held on Tuesday 27 November 2012 at the Park Crescent Conference Centre in London;
- Paragraph 7671 (Optical Consumer Complaints Service (OCCS) presentation) – Council **noted** that the Interim Chair had written to the Chair of the OCCS to follow up on their presentation given at the October 2012 meeting. The Interim Chair had suggested that the respective Executive's engage in further discussion in order to capture data in relation to performance issues and to discuss other aspects of their presentation. Council **noted** that a progress update would be provided in due course;
- Paragraph 7674 (CHRE Effectiveness and Efficiency Review) – Council **noted** that the Review would be published on 26 November 2012 and that a copy would be sent to Council for their information once available; and
- Paragraph 7683 (Quarterly review, staff leavers) – Council **noted** that a staff survey was planned for early 2013 and that Council would receive whole year figures for starters/leavers and sickness absence later in 2013.

Draft 2013/14 Business Plan – paper C42(12)

7700. Council **noted** a progress update on the development of the Business Plan for the financial year beginning April 2013. Council were advised that in finalising the Plan, the Executive would review the financial and human resources available to fulfil business as usual work and strategic projects and consider issues highlighted from the CHRE Performance Review. In the event that there were insufficient resources, priorities would be identified and presented to Council for its consideration at the February 2013 meeting, alongside the 2013/14 budget.
7701. Council **approved** the proposed approach and made the following comments:
- Council **requested** that those who did not have English as their first language be added to the list in paragraph 9;

- Council **requested** that when the corporate risk register was aligned with the 2013/14 Business Plan, SMT should ensure that all the strategic risks and objectives were included; and
- Council welcomed the Executive's intention to better define what was meant by a "project" as opposed to "business as usual".

7702. Council **noted** the list of proposed strategic projects for 2013/14. Council **requested** that the Committees Review part of the Governance Framework project be given higher priority during 2013/14.

Draft 2013/14 Budget and Fees – paper C43(12)

Draft 2013/14 Budget

7703. Council **received** the draft budget for 2013/14. Items of particular interest to Council and discussed further were:

- Council **noted** that at present the budget assumed that the CHRE fee would be levied. If this was not the case a saving would be made. In addition, Council **noted** that the draft budget assumes that charitable status will be achieved from 1 April 2013 meaning additional savings on corporation tax and rates;
- Council **noted** that the decision yet to be taken by Council regarding the setting of Registration Fees for 2013/14 might impact the budget. Council **noted** that the draft budget presented assumed an increase in Fees and that any decision to not increase Fees would result in a corresponding contraction in the Business Plan;
- Council **noted** that budget holders had been involved in the development of the draft budget for their respective areas;
- Council **questioned** the reasoning for the reduction in the budget for Education and Standards taking into account the high workload. Council were advised that there were cost efficiencies associated with the new CET cycle and the recruitment of a new CET Manager would better resource the team;
- Council **noted** that the 2012/13 budget was forecast to be overspent by approximately £500,000. Council **welcomed** the Executive's planned exercise, as part of the development of the 2013/14 Business Plan and finalisation of the 2013/14 budget, to ensure that the budget was more robust;
- Council **requested** that the Executive sought agreement from the OCCS that the renewed contract would proceed with no uplift to their fees; and
- Council **noted** that there was currently no budget available for the training and recruitment of Case Examiners and Case Examiner fees, however if the FTP Reform Programme was to progress during the 2013/14 financial year, these costs would have to be realised.

Registration Fees 2013/14

7704. Council **noted** the proposed Registration Fees for 2013/14 which suggested an inflationary increase of 1.9% for both fully qualified and low income registrants, whilst student fees would remain unchanged. Council **considered** the following factors during their discussions:
- an increase was only being proposed to reflect a rise in inflation;
 - Council believed that an increase in Fees would be unpalatable as many other professional bodies had not raised their fees;
 - Council **noted** that the GOC should reflect the current economic climate where it was unlikely that registrants had received salary increases;
 - Council **noted** that if the Fees were not increased this would result in a reduction in income for the GOC;
 - Council **noted** that the introduction of the new CET cycle in 2013 would mean registrants would be required to attend additional events and peer review at increased cost to them – an increase to the Registration Fee would become an additional financial burden;
 - Council **considered** that Fees should not be increased to cover additional costs that could not be accurately forecast; and
 - Council **noted** the concerns of the CHRE, the public, registrants and defence bodies regarding the issues and delays associated with FTP Hearings and **considered** that an enhanced service should be delivered from within the GOC's current resources and not as a result of raising registrants' fees.

7705. As a result of the discussion, Council **agreed** that the 2013/14 Registration Fees would not be increased. Council **agreed** to continue to make available the fee for low income earners, which would remain unchanged.

7706. Council **approved** the final 2013/14 draft budget and **noted** that it would now be amended to reflect the zero increase in Registration Fees for 2013/14. Council **noted** that the budget would be presented to Council in February 2013 for approval.

Registration Fees Rules 2013/14

7707. Council **received** and **agreed** the proposed 2013/14 Registration Fees Rules which would be amended to reflect the zero increase in Fees and then signed by the Chief Executive and Interim Chair.

Fitness to Practise: increase in and relocation of hearings

7708. In light of the concerns raised by the CHRE in the 2011/12 Performance

Review, and in order to assure both the public and registrants of the GOC's commitment to improving Fitness to Practise (FTP) standards, Council **received** a proposal to increase the number of FTP hearings and relocate ten hearings per month to an external location. Items of particular interest to Council and discussed further were:

- Council **noted** that cases were now taking longer and that there had been a sharp increase in Interim Orders (which required urgent regulatory action in the public interest) and that fewer cases came through the Committee which did not result in a sanction. All of these factors had led to the need to increase capacity however the lack of meeting space had impacted on the ability to hold more hearings;
- Council **suggested** that the Executive give consideration to renting an office solely for the GOC's use instead of booking rooms as needed as this option might be cheaper;
- Council **noted** that the current available pool of FTP Panel Members were both highly skilled and experienced and a sizeable investment had been made by the GOC in their training. Therefore the Executive believed that there were enough Panel Members available to service additional hearings; and
- Council **noted** that until the Department of Health (DH) had finalised its internal restructure and were clear about the timetabling for progressing their part of the FTP Reform Programme, the Executive were currently unable to advise as to whether a programme of training and recruitment of Case Examiners would be required in 2013/14.

7709. Following the discussion, Council **agreed** an increase in FTP Hearings for 2013/14 as well as the relocation of 10 FTP hearings per month to an external location.

Fitness to Practise: Members terms of office

7710. Council discussed the extension of FTP Panel Member's terms of office to 30 June 2015. Council **noted** the current uncertainty regarding the timetable for FTP Reform and the need for the Team to focus on such reform and deliver increased hearings activity. However, Council were mindful that Council Members' terms of office had a maximum term of 8 years and by agreeing to the proposal to increase FTP members' terms of office to 30 June 2015, their tenure would be for 10 years. Council were **concerned** that this meant the Panel had undergone little growth or change for some considerable period of time.

7711. Council **agreed** to extend FTP Panel Members terms of office to 30 June 2015, if required. Council also **noted** the Executive's intention to develop appraisal for all Committee members.

7712. In relation to the development of a recruitment programme for Panel Members, Council's preference was to see Panel Members' recruited on staggered terms of office (to allow for continuity) and a tenure of office not exceeding eight years (as is the case for Council Members).

7713. Council agreed that the Remuneration Committee should review the level of Panel Members' fees in due course. Council noted that no increase in fees had been assumed in the draft budget.

Any other business

7714. There were no items of other business. The meeting finished at 12.00pm

Date and time of next meeting

7715. It was **noted** that the date and time of the next meeting was to be confirmed.