



QUARTERLY REVIEW

Quarter 2 2012/13: July – September 2012

Meeting: Public – 24 October 2012 **Status:** for noting

Lead responsibility: Samantha Peters
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EXECUTIVE SUMMARY

1. The last few months, have been extremely busy for the General Optical Council (GOC).
2. We are making reasonable progress towards our Performance Indicators, and on a number of the key projects within 2012/13 business plan. There are a number of key achievements and particular developments during this time to which I would like to draw to Council's attention.
3. Our team has put tremendous energy and effort into the annual Council for HealthCare Regulatory Excellence (CHRE) Fitness to Practise Audit. We anticipate that the findings of this will be published shortly.
4. We have rolled out the first stage of our Information Governance Project to address the challenges we face in this area which were identified in the CHRE review. Our internal questionnaire, run by BDO Stoy Haywood, has been extremely successful in identifying key issues we need to consider as part of this work.
5. Our application for charitable status has been made to the Charities Commission. Since then, the Commission have asked for clarification in relation to some areas of our submission. Once they have considered the responses we have provided, it is anticipated that a decision will be taken by the Commission within Q3. Ongoing work will be needed to ensure that we have the necessary processes and structures in place to meet the requirements of charitable status.
6. Intensive thinking and activity has been undertaken to develop the policy and processes needed to recruit two new Council members, and also a

new Chair, following the news that our Chair, Anna Bradley will be leaving us. We will miss Anna's energy, commitment and support, but wish her well as the new Chair of Healthwatch England.

7. The draft Appointments Policy and Process approved by Council in September 2012 is now with the CHRE for approval and we hope to be able to update Council on this at its meeting on 24 October 2012. The Governance Team has drafted a policy and process in relation to reappointments which Council will be considering shortly. The Selection Panel for the Chair recruitment has been appointed: Anna van der Gaag (Chair of the Health and Care Professions Council), Brian Coulter and Paul Carroll (Council Members) and Penny Bennett (an independent assessor). It is expected that the advertisement of the Chair vacancy will be placed as soon as possible after our Policy and Process has been approved by CHRE.
8. We have also developed our initial thinking for the 2013/14 business plan, which is due to come forward to Council for approval in November. The plan for next year builds on the collective thinking undertaken by Council, managers and staff in previous years.
9. Through the last quarter we faced a number of significant challenges. In particular, the challenge of turnover on key roles, whilst we await the arrival in November of our two new Directors. Their arrival will finally bring the organisation back up to its full management complement after a period without the full senior team in place.
10. Looking ahead, we continue to face a constantly changing external environment. We continue to aim to deliver an ambitious business plan, whilst creating the necessary infrastructure to support the Executive by establishing the necessary systems and processes. However, we are likely to face further challenges from the forthcoming CHRE Effectiveness and Efficiency Review.
11. To help us meet all the challenges we face, it remains important to make the best possible use of Council's time. The Executive have been working with the Chair and interim Chair to review the Council meetings cycle, learn lessons from this year and ensure that meetings are planned appropriately in 2013. Key lessons learnt from this year include:
 - regular items have been better planned at the business meetings;
 - papers have improved but require more time for Executive consideration and sign off, particularly where meetings are close to the end of a quarter;
 - the cycle for finance could be improved to reduce the need for

- more meetings than necessary;
 - where Council has worked in structured discussion mode in seminars or private meetings, it has worked well;
 - Members have appreciated the better use of their time where meetings have been scheduled over two days;
 - Members have appreciated opportunities to engage with the Executive (e.g. the June Values session);
 - Members have appreciated opportunities to engage socially with other Members and Executive;
 - time and focus of the Executive on ten meetings a year is considerable, and sufficient time and capacity to both work to the Council cycle and support the Executive decision-making team still needs to be found; and
 - where we have needed ad hoc teleconferences, although not ideal, these have been feasible.
12. The Governance team will bring a paper to November Council proposing new dates for Council, Audit and Remuneration Committees for 2013.
13. The management accounts for the period ending 30 September 2012 show a cumulative spend for the year to date of £2.95m, which is £0.3m higher than budget. This is mainly due to spend being larger than expected due to the number of FTP interim order hearings, as well as an increase in complex FTP casework and increased recruitment costs and consultancy costs for HR advice.
14. Council is requested to:
- note the contents of this review;
 - give a steer on the scope, scale and level of reporting within in, particularly in terms of the assurance it provides; and
 - note that sections of the report on risk, compliance and regulation are still under development.

HORIZON SCANNING

Law Commission

15. The Law Commission will release a summary of the consultation responses they received; this is likely to be published this month. They are also working on an internal policy paper which they aim to finalise by the end of the year. The policy paper will set out their approach to drafting the legislation. The GOC will work with the Law Commission over the next few months to help inform their policy report, including issues around business regulation. We will also work with them next year and beyond as they draft the new legislation.

Consultations

16. The Department of Health released a consultation in August 2012, *Protecting and promoting patients' interests – licensing providers of NHS services*. The consultation proposes that those services and professions who are **not** required to register with the Care Quality Commission (CQC) be exempt from holding a licence with Monitor - this includes primary ophthalmic services. However, if in future there are any changes to the scope of CQC registration to include services such as primary ophthalmic then this position will be reviewed by Monitor.

Other consultations in the regulatory sector:

17. General Dental Council - draft standards of conduct, performance and ethics, and continuing professional development.
18. Health and Care Professions Council - consultation on standards for prescribing, and Consultation on service user involvement in education and training programmes.
19. General Medical Council - fees billing consultation

Council for Healthcare Regulatory Excellence (CHRE)

20. The CHRE will become the Professional Standards Authority for Health and Social Care (PSA) on 1 December 2012. Between July and December 2012, CHRE will be taking on its new responsibilities under the Health & Social Care Act 2012. Before the legal name change on 1 December 2012, they will be publishing all new materials under their new name - Professional Standards Authority for Health and Social Care - and changing their name as other materials are reprinted. So, between now and December, you should expect to see both names being used.
21. The CHRE will shortly publish its *Review of the cost effectiveness and efficiency of the health professional regulators*.

Mid Staffordshire inquiry

22. The Mid Staffordshire Foundation Trust public report by Robert Francis QC has been further delayed until January 2013.

Healthwatch England

23. Healthwatch England, the new independent consumer champion for health and social care in England, was launched in October 2012. It will play a role at both national and local level and will make sure that the views of the public and people who use services are taken into account. Local Healthwatch will be established across England in April 2013.

European developments

Recognition of Professional Qualifications Directive 2005/36/EC

24. EU negotiations on amending the Directive are still underway. In July the European Parliament published two key reports on this topic: the first by the Internal Market and Consumer Protection Committee and the second by the Environment, Public Health and Food Safety Committee. Proposals in the reports include how authorities should verify an applicant's language competence; the time taken by authorities to process an application; and extending the alert mechanism to all professions to protect patients.
25. These reports will form a basis for negotiations with the European institutions. The European Parliament is aiming to adopt its official position for negotiating with the European Council by the end of the year.

PERFORMANCE REPORT

26. This is the second quarterly performance report against the 2012/13 business plan (for the period 1 July to 30 September 2012).
27. The report is set out into three sections. The first section reports on progress against the key performance indicators (KPIs – Annex 1), the second section reports on the Core Activity Performance Indicators (CAPIs – Annex 2) and the last section provides progress on key projects.

Progress on Key Performance Indicators

28. The majority of KPIs will be tracked annually and reported on in future performance reports. We are able to report in this quarter against the first KPI. In our last CHRE annual report we met twenty two of the twenty four standards we were assessed against. We have also received no learning point letters against FtP cases or adverse comments in legal proceedings, appeals or judicial reviews

Progress against Core Performance Indicators

29. The text below needs to be read in conjunction with the table of Core Activity Performance Indicators (CAPIs) at Annex 2. The table provides current quarterly performance against the overall 2012/13 target, and also against last year's quarterly review. This is to enable a yearly comparison and an objective view of progress, as opposed to a quarterly review as in last year's performance reports.
30. There are a significant number of new performance indicators this year and as there was no direct comparison last year some of the columns

will have 'n/a' (not applicable) in them. This will change throughout the year as we establish baseline indicators for these areas and therefore they will be reported on in future performance reports.

31. The text below sets out the reasons and exceptions to the relevant areas that have not met the CAPIs. All performance indicators have been met with the exception of the following:
- The CAPI for registration processing time (3.3 days) is showing a slight increase against the target (2.5 days) due to the increased number of applications received in September 2012, as student registration for the year begins.
 - The CAPI for preparing cases for a formal hearing before the Fitness to Practise Committee is 83% against a target of 89%. 12 cases fall to be considered in the KPI, 10 are within the KPI (83%) and 2 outside.
 - The CAPI for the % of projects proceeding on time (tba) will be confirmed after the list of projects has been confirmed and approved by Council in October. The subsequent performance report will then provide the figure for projects proceeding on time.
 - The CAPI for the % of news coverage which is positive or neutral about the GOC (83%) is lower than the target (91%). This has all come from a single source, a column in OT.

Project performance

32. Council has previously asked for more substantial quarterly updates on a small number of specific projects (Continued Education and Training, Customer Relationship Management, Fitness to Practise Reform, Illegal Practise Strategy, Information Governance and Property). These are set out below. At its meeting in April 2012 Council agreed to the re-prioritisation of some projects to ensure the business plan was achievable, such as prioritising the CRM project over the re-location project.

Implement new CET Cycle from 1 January 2013

33. The specific purpose of this project is to 'Implement a new CET Cycle from 1 January 2013'. It sits under our work stream for 'ensuring the competence, performance and conduct of registrants'. It supports our strategic aim to 'deliver effective, proportionate and fair public protection'. The project sponsor is Mandie Lavin, Director of Regulation and the project lead is Linda Ford, Head of Education and Standards
34. The CET project is on target and within budget. The key project dates include the Rules being sent to the Privy Council on 7 November and laid for 28 days ready to come into effect on 1 January 2013. The CET

IT system is in the testing phase and it is on target to be fully functioning on 1 December 2012. This will allow the data migration from the existing system and also for user training during December.

CRM

35. The specific purpose of this project is to 'integrate all our systems on a CRM software and hardware platform to provide one screen access to registrant data, comprehensive management information and a better registrant experience at lower cost'. It sits under our work stream for 'modernising our information management into a single integrated framework', It supports our strategic aim to 'ensure our systems and processes are efficient and cost effective'. The project sponsor is Phil Hallam, acting Director of Resources. The project lead is Agnieszka Knapik, Head of Information Technology.
36. Council received a paper relating to the progress of the CRM project at their meeting of 20 August 2012. Since that date, the contract with the supplier of the system has been signed. The design phase of this work will commence in early October 2012, and it is anticipated that the project will be completed in time for the start of the 2014/15 retention period in January 2014.

FtP Reform

37. The specific purpose of this project is to 'complete our current planned programme of FtP reform including new FtP Rules'. It sits under our work stream for 'reviewing and improving our complaints process as an end to end process' and it supports our strategic aim to 'ensure our systems and processes are efficient and cost effective'. The project sponsor is Mandie Lavin, Director of Regulation and the project lead is Kisha PUNCHIHEWA, Head of FTP.
38. Council will be considering papers in relation to the outcome of the Rule 15 consultation and transitional rules at their meeting in October. We continue to work with our allocated DH lawyer and await confirmation as to the replacement policy lead. This information from DH will inform the onward timetable of this project.

Illegal practice strategy

39. The specific purpose of this project is to 'develop a clear strategy for preventing and addressing illegal practice'. It sits under our work stream for 'protecting the public from harm from illegal practice and supports our strategic aim to 'deliver effective, proportionate and fair public protection'. The project sponsor is Mandie Lavin, Director of Regulation and the project lead is Kiran Gill, Head of Legal Compliance. Alistair

Bridge will take over the role of project sponsor after he joins the GOC as Director of Policy and Communications on 5 November 2012.

40. The first stage of the project is to review the existing research and other data on the risks to patients using optical services, with a view to producing evidence-based risk profiles for different areas of legal as well as illegal optical practice. We invited ten external researchers to conduct this work and one organisation (Europe Economics) has submitted a detailed proposal. We are arranging to meet Europe Economics to discuss their proposal in further detail and we will provide Council with an update in due course.

Information governance

41. The specific purpose of this project is to 'review and update our Governance framework (incorporating the outcome of the committee review and review of internal decision-making) to ensure a robust decision-making process which is appropriately documented in a governance handbook (outlining relevant documents, and how, when and who makes decisions).' It sits under our work stream for 'ensuring open, transparent and robust governance'. It supports our strategic aim to 'ensure our systems and processes are efficient and cost effective.
42. BDO Stoy Hayward LLP undertook a review of the GOC approach to information governance and security in August 2012. This report following this review contained a number of findings, and made a series of recommendations for the Executive to consider. The report was discussed by the Audit Committee on 8 October 2012. Areas of recommendation included accountability structures for information governance; staff and contractor communication and training; data retention policies, and information risk management. The Executive are now considering the content of the report, and a project initiation document relating to the next stages of this work will be drafted in October 2012.

Property project

43. As previously reported to Council, this project has been deferred to 2013/14, to enable the Executive to executive continue to focus on resolving tenancy issues in 2012/13. We remain in negotiation with the tenants in relation to this with the support of Martin Cox of Nescor Ltd, who we have contracted to project manage our exploration of the options of relocation or colocation with other regulators.

Standards

44. As previously reported, this project was deferred to 2013/14, due to resource constraints. Therefore resourcing needs to be identified and included in 2013/14 budget setting in order to progress. In the meantime, a Project Initiation Document has been developed and initial scoping work undertaken drawing on a Standards Committee workshop in September which identified a suitable model for use by the GOC. We are also working with other regulators to explore common ethical and behavioural standards and feeding into the College of Optometrists review of their guidance.

FINANCIAL REPORT

45. The management accounts for the period ending 30 September 2012 are attached as Annex 3. Income of £5.58m is in line with budget. Cumulative expenditure for the year to date of £2.95m is £0.3m higher than budget. The net result is a deficit to date of £0.3m.
46. Significant variations from the budget and brief explanations follow:

Chief Executive Office

- **Policy** - over spend of £25.6k is primarily due to consultancy expenditure on strategic planning.
- **Communications** - over spend of £21.9k due to staffing costs.

Regulation

- **FTP Investigation** - over spend of £147.5k is due to a larger than expected number of interim order hearings, as well as an increase in complex casework. This has led to case costs outside of the fixed price agreements with the FTP legal firms.
- **Education & Standards** - under spend of £23.5k primarily due to CET programme management costs.
- **Registration** - over spend of £40.3k due to the amortisation of website development costs not included in the original budget.
- **FTP Hearings** - under spend of £17.7k due to member expenses less than budgeted, particularly on accommodation.

Resources

- **Director of Resources** - under spend of £36.4k on staff costs between appointments.
- **Human Resources** - over spend of £167.3k due to increased recruitment costs and consultancy costs for HR advice. Unanticipated costs of £23.2k on legal advice have also been incurred.

- **IT Services** - under spend of £24.1k includes £12.2k on IT support agreements and £7.8k on the budgeted maintenance of IT equipment.
47. The quarterly budget for 2012/13 is attached as Annex 4 for information. This has been provided at the request of the Audit Committee Chair.
48. The management account figures do not take account of any expenditure that may be funded from the Strategic Reserve or Legal Reserve. These transfers are being considered as part of the mid-year review with Council. It is anticipated that this will have a significant impact on the year end outcome for Regulation.

RISK REPORT

49. A new interim risk management strategy and process was discussed and agreed at the meeting of the Audit Committee which took place on 8 October 2012. This new strategy and accompanying process will now be implemented. The process includes monthly review of the risk register by Heads of Departments and Senior Management. The strategy will be reviewed again when new internal auditors are appointed.
50. Additionally, the process for the appointment of the new internal auditors was discussed and agreed by the Audit Committee, and the process will commence in early November 2012 under the auspices of the new Director of Resources.
51. Work continues to implement the recommendations of the GOC's external auditors, following their last report for the year ending 31 March 2012. Four of nine items were completed as at Audit Committee on 8 October 2012, and work is underway to complete the remaining items before the end of the financial year.
52. As previously reported to Council, this section is due to be developed over the course of the year. It will outline any risk issues which have arisen over the quarter which Council should be made aware of. With brief reasoning provided for each identified issue.

COMPLIANCE REPORT

53. As previously reported to Council, this section will be developed over the course of the year. It will outline any audit compliance issues which have arisen over the quarter which Council should be made aware of. With brief reasoning provided for each identified issue.

REGULATORY REPORT

Danial - High Court Appeal

54. The case of Mr Danial was heard on 3 October 2012 in the Watford County Court. Mr Danial had lodged an appeal against a decision made by the Registration Appeal Committee (RAC) to uphold the decision of the registrar to refuse retention on the General Optical Council's register.
55. The court had two issues to determine: the first was whether the appeal was lodged outside the statutory time limit; and the second (if the GOC was not successful with the first) was whether, in any event, the appeal had no merit.
56. The court dismissed Mr Danial's appeal for being out of time. The GOC had made representations at the time of receipt of the appellant's notice that his appeal was time barred. The court also awarded the totality of the GOC's costs in the sum of approximately £5,800. The court order will shortly be dispatched and, on receipt, this payment of costs will be pursued.
57. There are currently two more appeal cases outstanding, these are FTP appeals, final hearing dates are awaited.
58. As previously reported to Council, this section will be developed over the course of the year. It will outline key regulatory reports, audits or developments, and key themes in relation to regulatory activity.

ADVISORY COMMITTEE UPDATE

59. The **Standards Committee** met on 20 September 2012 and considered a range of issues including:
- Legal advice received on products that were part zero powered lens/part low power lens (ready readers). This advice was that they are unrestricted by the Act. This has been flagged as one of a number of areas of ambiguous legislation. The Committee did not believe that these products caused a public protection issue and did not warrant further action at this stage.
 - The GOC response to the Law Commission Review. It was noted that the review was quite vague on standards and the public consultation may affect this. It also noted that the review may not proceed as quickly as first intended as the complexity of the issue had been underestimated. It was confirmed that the Chair and CEO would be in communication with the Law Commission throughout the process.
 - The latest draft GOC guidance on low vision aids which had been

revised following input from ABDO. The Committee were concerned with the proposal to include a list of products which are and are not restricted and with ABDO being allowed to influence the content of this guidance. The Committee advised that the guidance should be kept to a minimum statement explaining the legal restrictions provided by the Opticians Act. The Committee noted that the GOC position remains the same following the DH statement obtained in 2003 regarding the intent behind the legislation.

- A letter from the Investigation Committee regarding a recent case in which a patient took a prescription to another practice where it was mistyped into their system and therefore dispensed wrongly. It was noted that this was a problem arising from the separation of prescribing and dispensing. The Chair agreed to ask the professional bodies to review their guidance.
- A further letter from the Investigation Committee regarding complaint handling and the fact that it was not explicitly mentioned in the Codes of Conduct. The Committee agreed that this should be considered when the Codes were reviewed.
- The Chair informed the Committee that the GOC had received queries on the use of fluorescein. The GOC had clarified with the MHRA that it could be used by OOs and CLOs in strip form (fluorets). Queries had also been received on its use in other forms (e.g. drops). It was agreed the GOC would seek clarity on this from the MHRA. It was also noted that the MHRA has told manufacturers of lissamine green not to supply it to OOs and CLOs. The College of Optometrists has written to the MHRA outlining their concerns about this. The Chair was unaware what had triggered the MHRA to write to the manufacturers.

60. The Standards Committee then had a workshop session where the Committee was split into sub-groups and considered how the GOC might reorganise its Codes of Conduct. A second exercise would look at the College's ethics guidance to ascertain if there were any parts which ought to come under the GOC's remit as regulator. The conclusions were:

- all healthcare regulators' codes were broadly similar but there was an appetite across all the regulators for a single code, with the exception of the GMC. This would be in line with the CHRE's expectation that regulators work together.
- there are currently too many bullet points and that the GOC should simplify them. Minutiae of guidance should most appropriately be dealt with by professional bodies.

- The next meeting of the Standards Committee was provisionally arranged for Thursday 17 January 2013.
61. The **Education Committee** has not met since the last Council meeting and is next scheduled to meet on Thursday 18 October 2012.
 62. The **Registration Committee** has not met since the last Council meeting and is next scheduled to meet on Wednesday 31 October 2012.
 63. The **Companies Committee** has not met since the last Council meeting and is next scheduled to meet on Thursday 1 November 2012.

HUMAN RESOURCES UPDATE

Taking the Values work forward

64. Values Working Group met on 13 September 2012 to develop a set of behaviours to support the new GOC Values. The group identified key behaviours that demonstrate the values and can be applied regardless of role or rank. These will now be turned into active statements that can be demonstrated by GOC Staff, Council members and Panellists. The behaviours will be shared with staff and Council members in November with an opportunity for individuals to reflect on their own ability to demonstrate the values and behaviours in their given role. Once the final set of behaviours is agreed they will be incorporated into the 2013 staff and member appraisal mechanisms and into both the internal and external satisfaction surveys currently being developed. They will ultimately be embedded in performance management and development and selection processes. This project is sponsored by Linda Ford, with HR support, and is likely to conclude by end November 2012.

Staff Changes

65. Our new Directors, Alistair Bridge (Director, Policy and Communications) and Josie Lloyd (Director, Resources) will be joining us on 5 November 2012 and 1 November 2012 respectively.
66. Within the Chief Executive Office, Grahame Tinsley will be leaving the Council on 19 October 2012 to pursue new opportunities. Matthew Tait left us on 28 September 2012 to take up a challenging new role with a major health based foundation. Neil Drake, whose contract was short term, also left us on 28 September 2012 to return to Manchester. Simon Grier, Communications Officer, is currently 'acting up' as Communications Manager until such time as the new Policy and Communications team structure is effective.

67. The Education and Standards department has been restructured to accommodate the changes required to deliver the New Continued Education and Training Scheme. A new role has been created, CET Scheme Manager, which will have responsibility for managing the CET Scheme when it comes in house from January 2013. This role replaces the Policy and Projects Officer role and Paul Gavin has taken redundancy, effective from 17 September 2012.
68. Within the Fitness to Practise team, Kisha Punchihewa will be undertaking a six month secondment with the Professional Standards Authority from 29 October 2012. We will be joined by Alison Lawton, whose last assignment was as Head of Governance and Legal Services at the General Social Care Council, for the period of Kisha's absence.

Recruitment Campaigns

69. There are a number of recruitment campaigns which have been developed or undertaken during the last quarter:
- Education Visitor Panel – shortlisting stage and campaign should be complete by the middle of November.
 - CET Manager – closing date for applications 28 October 2012
 - Policy Manager – currently at candidate offer stage
 - Head of FTP (Kisha's secondment replacement) – candidate management stage. Alison Lawton starting at the end of the month
 - Chair recruitment – campaign to go live on the 28 October 2012 (approximately)
 - Council Members - drafting candidate packs, advert and application form.
 - Registration assistant – closing date for applications 28 October 2012
 - Interim senior case manager – awaiting brief.

HR Policies

70. A completely revised set of HR policies is being developed and the first tranche of these (Annual Leave, Special Leave, Interim Pay and Probation) has been consulted throughout the Executive and are now published on the intranet. The second tranche of policies (Standards of Conduct, Attendance and Performance, Grievance, Sickness Absence, Employment References and No Smoking) has been discussed at SMT level and are about to be consulted through HODs before going out for more general consultation.
71. Further tranches (by year end), will include:
- Maternity, Paternity and Adoption; Recruitment; Whistleblowing

- (Tranche 3)
- Managing Change and Redundancy; Training; Flexible Retirement (Tranche 4)
- Bullying and Harassment; Health and Wellbeing (Stress, Drugs and Alcohol) (Tranche 5)
- Flexible Working (Tranche 6)

STAKEHOLDER AND COMMUNICATIONS REPORT

Stakeholders and Registrants

72. We are now making a big push to remind registrants of the 31 December 2012 deadline for meeting their CET points target. Currently 37% of registrants still need to earn CET points to stay on the registers next year. We are issuing reminders through the press, direct emails, newsletters such as *eBulletin* and over social media.
73. Over recent weeks we have visited all of the optometry and dispensing optics training institutions as part of our student roadshows. These serve the dual purpose of letting students know about the GOC's role and the importance of registration, and allowing the registration team to collect students' registration forms and fees.
74. We continue to prepare registrants for the new requirements of enhanced CET. Linda Ford has speaking slots at a number of optical conferences between now and the end of the year in addition to work we are doing with the press and in our own publications.
75. In September 2012, we exhibited at the Citizens Advice conference in Exeter. We continue to see it as important to raise awareness of our work among groups such as Citizens Advice staff and volunteers who people may come to if they have concerns about an optician's fitness to practise.
76. Internally, we have now held the second of our quarterly All Staff Meetings and Eye2Eye focus groups designed to improve internal communications.
77. Samantha Peters sent a registrar's update to all members of the Investigation Committee and Fitness to Practise Panel. This update will now become a regular feature to ensure these two groups are well-engaged in our current work.

Nations

78. Brian Coulter notes that there are no significant developments from Northern Ireland but he will provide a verbal update if there are developments between the publication of papers and the Council meeting itself.
79. Fiona Peel attended the bi-annual meeting of Optometry Wales on 10 September 2012. Key items of information for the GOC were as follows:
- Dr Barbara Ryan, from the School of Optometry Cardiff University, will take over from Dr Richard Roberts as the Chief Optometric Advisor to the Assembly and Welsh Government. Barbara is already well known to GOC and Optometry Wales and has been instrumental to the setting up of WOPEC. Fiona Peel will meet Dr Ryan after being in post for a few months.
 - Optometry Wales is considering a move out of their current premises, largely as a money saving exercise (the current location is usefully close to the Assembly).
 - The Shared Service Partnerships are currently involved in reducing instances of fraud, reviewing the provision of eye care in prisons and reviewing the quantity and quality of home provision. Their review of WECL and PEARS indicates that it has been successful in keeping people out of Secondary Care.
 - WOPEC are undertaking a rolling, six month, accreditation programme, the next one being in November. Peer review accreditation is on-going and key elements have been modified so that it is now slightly more “directed”. WOPEC wish to update the eye care website as no one has taken ownership of it, due to funding and timing issues. They are working with The Shared Service Partnerships to keep the list of professionals up to date and now Dr Ryan is COA, the clinical lead will be replaced. WOPEC are now promoting education and training for GP in Wales and in the future, there will be the same for pharmacists. The modernisation of Pears and WEHI are being looked at. All new Optometric recruits will receive information about WOPEC to ensure they are encouraged to achieve relevant, high standard and timely CPDs.
 - SSP will agree to send the new registrants the OW address to encourage membership.
 - The role of the Welsh Optometric Committee is changing to become more like a Welsh Government consultation body. The WOC have a new constitution and have responded to a law commission review, advice for vulnerable children and residential care and have also backed the opt-out for organ donation.

80. National joint advisory committee to CMO is increasing in importance. All Chairs of advisory bodies are expected to attend, meaning that the committee will consist of approximately 30 people. There is fear that they are becoming more like a civil service body rather than representational.
81. The Royal National Institute of Blind People has produced one of their twice yearly bulletins. The report shows that glaucoma concordants are being worked on, as well as the launch of the Eye Health Report and a report showing the costs of sight loss during National Eye Health Week. A consultation on vision strategy showed how one element links to the Welsh Eye Care Strategy. The RNIB and CAB have been working together on their Poverty and Eye Care report and have invested both money and posts into North Wales. They are going to contribute to the Public Health Bill (caps). A Freedom of Information request has been submitted on diabetic retinopathy. Transport is top of their members list of priorities for clients. The office should move, in January 2013, to central Cardiff.
82. All Regional Optical Committees have reported varying levels of engagement and support from the Health Boards. Hospital waiting lists are getting longer and there is reluctance by Health Boards to discuss optometry in the community. This has been slow to change, possibly due to lack of finance. Vulnerable adults and their needs are being considered by some ROCs. There is now post-operative cataract shared care in Aneurin Bevan Health Board with welcome packs for new optometrists. Some areas have also improved their shared care post cataract surgery.
83. The AOP are restructuring their Council to reflect their business and there are now three seats for Wales.
84. The College of Optometrists is currently interested in public health and there will be a course in Wrexham soon.

Other health regulators

85. The communications team continues to attend the regulators' Patient and Public Engagement Learning Circle, facilitated by CHRE and attended by the nine UK health regulators. Simon Grier will be leading a discussion at the next meeting, on 20 December, about issues facing regulators concerning private practice. If members have thoughts about issues relevant to this topic that they'd like to hear other regulators' perspective on, please contact Simon.

86. On 9 October 2012, Anna Bradley met the chairs of other healthcare regulators to discuss relevant topical issues.

Consultations

87. Our consultation on declarations guidance has now closed. The registration team are considering the responses and will incorporate them into the guidance where appropriate and will compile responses to all respondents. Once the required changes have been made, the document will be reviewed by external legal advisors and potentially some other third parties. It is expected that the guidance will be presented to Council at its January 2013 Meeting.
88. We have responded to CHRE's consultation on Council member and Chair appointments. We raised a number of concerns, mostly concerning the burden that the proposed process will put on both the GOC and the Authority (as CHRE will be formally renamed on 1 December).

Stakeholder Reference Groups

89. The Stakeholder Reference Groups (SRGs) were involved in user-testing the revamped website from both a public and registrant perspective. Their feedback was useful for technical issues, usability issues and style issues.
90. We anticipate involving the SRGs in our research around business registration.

Communication improvements

91. The revamped website went live on 3 October 2012. Its major benefits include an easier to use navigation system, easier access to the most popular features, compatibility with mobile phones and tablets (such as iPads), a more modern design and compliance with EU laws on 'cookies'.

Press engagement

92. There has been significant interest in the body corporate registration of Specsavers branches, following an article in Private Eye.
93. The trade press are also taking a big interest in enhanced CET, with *Optician* running a series of three features on the changes and *OT* also giving the changes significant coverage. The Communications team continues to proactively work with the trade press to prepare registrants for enhanced CET.

MP letters

94. We have not received any MP letters since the last Council meeting.

ATTACHMENTS

Annex 1: Key Performance Indicators

Annex 2: Core Activity Performance Indicators

Annex 3: Management accounts for the period ending 30 September 2012

Annex 4: Quarterly budget for 2012/13

Annex 1: Key Performance Indicators

We will achieve the Vision through (Strategic Aims)	Our key performance indicators are (KPIs)	Measurement methodology
Delivering effective, proportionate and fair public protection (M)	<p>We consistently achieve compliance with the standards in the CHRE Performance Review and Initial Stages Audit, Section 29 scrutiny and Learning Points Letters around FtP cases, and have no adverse comments in legal proceedings/appeals/judicial reviews</p> <p>80% of members of the public who have contacted the GOC are satisfied with access to and responsiveness of GOC</p>	<p>CHRE assessments, S29 referrals, Learning Point Letters and High Court judgments will be evaluated and action plans compiled and reported</p> <p>Annual satisfaction survey of members of the public who have used GOC services</p>
Basing our policy and regulatory practice on sound evidence (K)	At least 80% of stakeholders consider that our policies are based on sound evidence	Annual stakeholder attitudinal survey
Supporting our staff, Council and committees to deliver our organisational goals (P)	At least 80% of our people believe that they are well supported to deliver our organisational goals	Annual survey of Council, staff and committee members on their perception of a range of issues, and awareness of the GOC's vision, mission and strategies

We will achieve the Vision through (Strategic Aims)	Our key performance indicators are (KPIs)	Measurement methodology
Ensuring systems and processes are efficient and cost effective (E)	<p>Budgets are delivered to within 5% of prediction</p> <p>We aim to be in the top quartile of benchmarked health regulators for value for money</p> <p>Projects are delivered on time and to budget</p>	<p>Variance reporting monthly</p> <p>Comparative data will be considered from other regulators which are part of the CHRE benchmarking initiative and any other benchmarking activities</p> <p>Every project will have a defined timeline, and progress tracked</p>
Engaging and working effectively with stakeholders (S)	Stakeholders consider that the GOC are principled, effective and provide value for money	Annual stakeholder attitudinal survey

Annex 2: Core Activity Performance Indicators

Activity	Performance Indicators	Prior Quarterly Reviews				2012-13 Targets	Q1 2012	Current Q2 2012
		Q1	Q2	Q3	Q4			
Registration								
Processing applications for registration, retention and restoration of optometrists, dispensing opticians, students and bodies corporate.	Average number of working days from receipt of application to process registration applications	1.3	2.5	4.7	2	3 days	1.7	3.3
	Average number of working days from receipt of application to process restoration application	2.3	2.9	3.6	3	5 days	3.8	2.8
	Registrants completing retention applications online	86%	98%	NA	97%	98%	93.5%	99.3%
Maintaining and updating the GOC's registers.	Percentage of requests for applications for registration processed within one working day	79%	40%	30%	37%	33%	53.3%	34.8%
Providing registration information to stakeholders	Average number of working days from month end to distribution of amendment lists	1	2	2	2	2 days	2.6	2.0
	Average number of working days from receipt of Letter of Good Standing (LGS) or Certificate of Current Professional Status (CCPS) application to process request	3.5	3.1	3	3.5	5 days	2.8	2.5
Fitness to Practise and Hearings								
Investigating complaints about a registrant's fitness to practise for consideration by the Investigation Committee	Percentage of cases prepared to consideration by the Investigation Committee within nine months of receiving the complaint	100%	98%	97%	96%	90%	100%	98%
Preparing cases for a formal hearing before the Fitness to Practise Committee	Percentage of cases where notice and other documents have been served on the Hearings Manager within seven months of the referral of the case by the Investigation Committee	100%	89%	83%	82%	80%	n/a in specified period	83%
Producing third annual FtP report	Positive feedback from stakeholders about the Annual Report	n/a	n/a	n/a	n/a	n/a	n/a in specified period	n/a
Formal hearings process	FtP cases to be heard within 9 months of receipt by the Hearings Manager	75%	80%	16%	66%	80%	100%	100%
	Listing to be done within 10 working days of receipt	100%	100%	100%	50%	90%	100%	100%
	Interim Orders to be heard within 4 weeks of receipt	100%	100%	66%	100%	90%	100%	100%
	Review cases to be listed within 6 weeks of order expiry	N/A	100%	100%	100%	80%	100%	100%
End to end complaints process	Consolidated target from the opening of a case to final disposal	n/a	n/a	n/a	n/a	TBA	n/a in specified period	n/a

Activity	Performance Indicators	Prior Quarterly Reviews				2012-13 Targets	Q1 2012	Current Q2 2012
		Q1	Q2	Q3	Q4			
Legal Compliance								
Investigation and Prosecution of criminal offences under Part 4 of the Opticians Act	Cases are closed because the illegal practice ceased without criminal proceedings	n/a	n/a	n/a	n/a	65%	96.61%	Target met
	Prosecutions are successful: the defendant is convicted or the illegal practice ceases.	n/a	n/a	n/a	n/a	75%	N/A	Target met
	Cases are concluded without the instruction of external lawyers.	n/a	n/a	n/a	n/a	85%	100.00%	Target met
	Cases are concluded within 2 years of the GOC receiving the complaint.	n/a	n/a	n/a	n/a	85%	98.85%	Target met
Education and Standards								
Processing applications for registration from EU and non EEA applicants	Average time (in no of days) to evaluate EU Directive Applications.	20	20	20	20	14 days	16 days	20 days
Conduct Accreditation and QA Visits to training institutions and awarding bodies	Time taken to produce Accreditation Visit Report (from visit date to issue of draft visit report)	n/a	n/a	n/a	n/a	14 days	15 days	18 days
	Response rate to issues arising from accreditation visits or annual monitoring submissions (time between receipt of issue to agreement of action plan)	n/a	n/a	n/a	n/a	7 days	N/A in specified period	n/a
	% response rate to accreditation feedback questionnaires	n/a	n/a	n/a	n/a	85%	N/A in specified period	85%
Maintain an effective Scheme for CET	Percentage of registrants on target to meet their general CET requirement:	63%	68%	68%	68%	96%	68.1%	67%
	Percentage of registrants on target to meet their specialist therapeutic CET requirement:	67%	67%	67%	67%	96%	64.3%	68%
Maintain a set of standards of competence and conduct which reflect current practice and protect the public	No Standards needing to be changed as a result of a challenge to or failure to justify standards of competence or conduct	n/a	n/a	n/a	n/a	0	0	n/a

Activity	Performance Indicators	Prior Quarterly Reviews				2012-13 Targets	Q1 2012	Current Q2 2012
		Q1	Q2	Q3	Q4			
Strategy & Policy								
Leading development, oversight and reporting of performance against the GOC's Strategic and Business Plans, including identification of key strategic opportunities	% of KPIs/CAPIs gathered and reported on time	n/a	n/a	n/a	n/a	100%	0%	100%
	% of projects proceeding on time	n/a	n/a	n/a	n/a	TBA	n/k	Tbc
Providing Council with advice on key strategic and policy issues affecting the GOC, through preparing and presenting research, consultations and analysis.	Council members consider that GOC policy advice is high quality and supports informed and evidence-based decisions.	n/a	n/a	n/a	n/a	TBA	n/k	Tbc
Leading the GOC's public affairs work - contributing to policy development and engaging with stakeholders in UK, European and international forums and processes.	Number of public affairs activities (including consultation responses, engagement with other organisations, significant external meetings, etc.)	n/a	n/a	n/a	n/a	TBA	4	4
Communications								
Using media relations to promote all key developments to registrants, and manage our profile through media monitoring	Percentage of news coverage which is positive or neutral about the GOC (calculated according a points system based on content analysis).	97%	91%	83%	99%	97% positive & neutral	96%	83%
Supporting the development of effective relationships with key stakeholders	Level of awareness and attitudes of key stakeholders about the GOC as an efficient and effective regulator	n/a	n/a	n/a	n/a	n/a	N/A in specified period	N/A in specified period
Governance								
Effective decision making process	Attendance of Members at Council meetings	100%	100%	66.6%	91.6%	80%	91.6%	100%
	Council members' satisfaction with quality of papers (quarterly survey)	n/a	n/a	n/a	n/a	80%	100%	n/a
Management of Council and Committee member recruitment, appointment, induction, appraisal, and evaluation.	Percentage of Appraisals completed annually (prior to re-appointment decisions)	n/a	n/a	n/a	n/a	100%	n/a	100%
	Percentage of Council and Committee appointments and re-appointments made by deadline	n/a	n/a	n/a	n/a	100%	n/a	n/a
Effective provision of meeting support	Minutes out within 15 days, papers issued within 5 days prior to meeting	M = 100% P = 100%	M = 0% P = 100%	M = 0% P = 100%	M = 50% P = 100%	100%	M = 50% P = 50%	M = 100% P = 100%
	Percentage of Council satisfied with the provision of meeting support (annual survey)	n/a	n/a	n/a	n/a	80%	87.5%	n/a

Activity	Performance Indicators	Prior Quarterly Reviews				2012-13 Targets	Q1 2012	Current Q2 2012
		Q1	Q2	Q3	Q4			
Human Resources								
Managing recruitment, including staff, Council and Committee members, FtP panellists and case examiners; managing performance management processes	Likely to include quarterly absence rates, disciplinary and grievance cases, turnover, new hire rates	n/a	n/a	n/a	n/a	Green	N/A in specified period	N/A in specified period
Maintaining oversight of HR performance and policies, and providing support and advice to staff on HR and personal issues.	Dashboard to be developed in light of detailed design above and may also include staff survey results (e.g. temperature check)	n/a	n/a	n/a	n/a	Green	N/A in specified period	N/A in specified period
Finance								
Formulating the GOC budget, reporting progress to budget holders and Council, and accounting for funds at year end	% variance from budget	5%	13%	11%	8%	5%	1%	22%
Supporting internal clients with advice and challenge on the financial implications of policy or operational proposals	GOC staff consider that the Finance Department provides valuable and effective advice on financial issues	n/a	n/a	n/a	n/a	TBA	Subject to a staff survey	n/a
IT								
Managing the GOC's IT systems, resolving technical issues and providing IT support for staff.	% Helpdesk requests satisfied within five working days	98%	97%	97%	98%	99%	98%	99%
	% Web uptime	97%	97%	97%	97%	99%	99%	98%
	% Systems uptime	99%	99%	99%	99%	99%	99%	97%
Facilities								
Managing GOC facilities and maintaining a safe and secure office environment for staff and visitors.	Health and safety, and security incidents reported	0	0	1	1	1	1	0

Annex 3 – Monthly Management Report – September 2012

Description	APR-SEPT ACTUAL	APR-SEPT BUDGET	APR-SEPT VAR £	ANNUAL BUDGET
INCOME	5,576,887	5,579,450	(2,563)	5,677,817
<u>EXPENDITURE</u>				
CEO Office				
Chief Executive Office	132,463	130,708	1,755	251,967
Council Secretary	191,981	194,121	(2,140)	376,779
Policy	88,547	62,944	25,603	123,076
Communications	84,253	62,312	21,941	166,255
CEO Office Total	497,244	450,086	47,158	918,077
Regulation				
Director of Regulation	105,716	102,408	3,308	177,776
FtP - Investigations	518,164	370,648	147,516	685,153
Education & Standards	387,725	411,179	(23,454)	793,179
Registration	213,639	173,352	40,287	361,302
Criminal Prosecutions	63,095	66,265	(3,171)	132,326
FtP Hearings	249,591	267,803	(17,212)	578,480
Regulation Total	1,537,931	1,391,656	146,275	2,728,215
Resources				
Director of Resources	91,430	127,816	(36,387)	255,017
Facilities	186,580	186,252	328	321,124
Human Resources	299,983	132,693	167,290	232,861
Finance	164,990	165,845	(855)	339,535
IT	174,266	198,385	(24,119)	368,225
Resources Total	917,249	810,991	106,257	1,516,763
Total Expenditure	2,952,424	2,652,733	300,179	5,163,054
(DEFICIT)/SURPLUS	2,624,463	2,926,717	(302,254)	514,763

Notes

Revalidation expense netted off against revalidation grant.

Includes taxation.

GENERAL OPTICAL COUNCIL							
2012-13 QUARTERLY BUDGET							
DIRECTORATE	COST CENTRE NAME	COST CENTRE	Q1	Q2	Q3	Q4	TOTAL
CEO's Office	CEO & Chairperson	CE0	62,729.16	67,979.16	62,729.16	58,529.16	251,966.64
CEO's Office	Communications	CE3	35,834.33	26,477.60	59,480.55	44,462.13	166,254.61
CEO's Office	Council Secretary	CE1	98,977.34	95,143.59	91,418.59	91,239.84	376,779.36
CEO's Office	Policy	CE2	24,521.63	38,422.73	29,311.80	30,819.95	123,076.12
CEO's Office Total			222,062.46	228,023.08	242,940.10	225,051.08	918,076.73
Regulation	Director of Regulation	RE0	64,969.00	37,439.09	37,287.70	38,079.78	177,775.57
Regulation	Education & Standards	RE2	258,319.76	152,859.28	178,289.32	203,710.19	793,178.55
Regulation	Fitness to Practice Investigations	RE1	187,510.11	183,137.96	157,380.83	157,124.58	685,153.48
Regulation	FTP Criminal	RE4	33,235.17	33,030.17	33,030.17	33,030.17	132,325.70
Regulation	Registration	RE3	94,438.54	78,913.76	97,262.01	90,687.42	361,301.73
Regulation Total			638,472.58	485,380.27	503,250.03	522,632.14	2,149,735.03
Resources	Director of Resources	RS0	40,283.10	40,283.10	40,128.99	39,821.49	160,516.69
Resources	Facilities	RS1	143,143.43	90,358.18	89,327.18	92,795.23	415,624.03
Resources	Finance	RS3	64,675.16	101,170.16	98,764.61	74,925.16	339,535.07
Resources	Fitness to Practice Hearings	RS5	144,526.87	123,275.90	165,047.81	145,629.37	578,479.94
Resources	Human Resources	RS2	41,165.31	91,527.81	56,974.06	43,194.06	232,861.26
Resources	IT	RS4	99,615.04	98,770.04	94,670.04	75,170.04	368,225.16
Resources Total			533,408.91	545,385.18	544,912.69	471,535.35	2,095,242.14
Grand Total			1,393,943.95	1,258,788.53	1,291,102.83	1,219,218.58	5,163,053.89