

COUNCIL

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PUBLIC**

Stakeholder Engagement including the role of statutory committees

For decision

Issue:

This paper sets out proposals as to the mechanisms by which Council may seek to fulfil its duties with regards to engagement with the GOC's stakeholders.

Recommendation:

Council is invited to consider:

- i. Whether the statutory committees be regarded as expert groups to be chaired by the Directors in their respective business areas (with the exception of Investigation Committee etc)
- ii. Whether two stakeholder reference groups be established

Annexes:

There are no annexes for this paper.

Further information:

If you would like further information about this paper please contact:

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Stakeholder Engagement including the role of statutory committees

For decision

Introduction:

1. Under the Opticians Act 1989, the GOC has the following duties:

(1) In exercising their functions, the Council (including their staff and their committees) shall –

(a) have proper regard for –

(i) the interests of persons using or needing the services of registrants in the United Kingdom, and

(ii) any differing interests of different categories of registrants or prospective registrants

(b) co-operate, insofar as is appropriate and reasonably practical, with public bodies or other persons concerned with –

(i) the employment (whether or not under a contract of service) of individual registrants,

(ii) the education and training of individual registrants or of other health care professionals,

(iii) the regulation of, or the co-ordination of the regulation of, other health or social care professions,

(iv) the regulation of health services, and

(v) the provision, supervision or management of health services.

(2) In carrying out its duty to co-operate under sub-paragraph 1(b), the General Council shall have regard to any differing considerations relating to practising as an individual registrant, or carrying on business as a business registrant, which apply in England, Scotland, Wales or Northern Ireland.

2. This paper sets out proposals as to the mechanisms by which Council may seek to fulfil its duties as set out above.

Discussion:

3. In May 2008, the Council considered a number of possible approaches by which it could engage with stakeholders. It was agreed that further work be undertaken on the various options that it had considered. As a result of this, in March 2009 the Council approved a framework for undertaking consultations.

4. The Council will now need to consider further the mechanisms under which it seeks the views of its stakeholders, particularly in the light that the revised constitution of Council does not permit members to carry out a 'representative' function with regard to particular stakeholder groups or interests.

5. One approach would be to utilise the statutory committees such that their membership was seen to reflect a broad base of stakeholders. However, there

are limitations to this approach. The committees have a statutory function to provide advice to Council in various areas (Education, Standards, Registration etc), and the prime consideration in the selection of members should be whether individuals have the correct skill set to contribute to reaching a collective view on often technical and difficult issues to feed up to Council, rather than their being representative of a particular constituency. It is therefore preferable to see the statutory committees primarily as expert groups rather than a means for receiving stakeholder input into policy development.

6. Consideration will also need to be given as to how the role of the statutory committees sits with the role of the Executive in providing advice to Council and being held to account for the delivery of the Council's business plan. It will be important for clear lines of accountability to be established, and confusion may arise if there is any conflict in the advice received by Council from the Executive and a statutory committee, or if progress in implementing the business plan is hampered by the Executive and the committees not working in concert. To address this, the Council is asked to consider whether, as a pilot, Directors should act as chairs of the statutory committees in their respective business areas. This would provide Directors with the overall leadership of their business areas, and ensure that the Executive could be held fully to account for delivery. Other committee members would provide a supportive role in the formulation of advice etc., with the Director being the channel through which advice was reported to Council. [NB It is not proposed that this arrangement apply to the Investigation Committee].
7. In the longer term, the Council will need to consider whether the statutory committees provide the best mechanism for the Council to receive advice. The opportunity will arise for committees to be removed from the statute under a Section 60 Order (the date on which the Department of Health intends for this Section 60 to proceed is to be confirmed).
8. With respect to engaging more broadly with stakeholders, it is proposed that the Council establish two stakeholder reference groups: (i) representing patients and the public and (ii) representing groups and interests within optics. These groups would be able to explore particular aspects of policy in depth, and would provide stakeholder input at early stages of policy development.

Recommendation(s):

Council are invited to consider:

(i) Whether the statutory committees be regarded as expert groups to be chaired by the Directors in their respective business areas (with the exception of Investigation Committee etc)

(ii) Whether two stakeholder reference groups be established

Resource implications:

9. Should the Council be minded to establish stakeholder reference groups, no provision has been made for this in the budget for 2009-10. However, given the proposals for the Council to meet with stakeholders during the summer of 2009, it

is not anticipated that the Council will need to utilise this mechanism until 2010-11. Preparatory work in establishing such groups could nevertheless be undertaken in 2009-10.

Equality and diversity implications:

Has an Equality and Diversity Impact Assessment been carried out?

10. No impact assessment has been carried out on these proposals.

Stakeholder engagement:

Has the Consultation Checklist been completed?

11. No consultation has been carried out on these proposals.