

## Exceptional circumstances in completing CET requirements policy

### 1. Policy statement

- 1.1 Continuing Education and Training (CET) is the mechanism we use to assure the public that our registrants keep their skills and knowledge up to date and remain fit to practise.
- 1.2 This policy covers the Registrar's consideration of exceptional circumstances in deciding whether to remove a registrant's name or registered specialty from the register for failure to meet the CET requirements as defined by the relevant legislation ('CET requirements')<sup>1</sup>.
- 1.3 We expect registrants to make every effort to complete their CET requirements, and registrants should not await the outcome of any applications made under this policy if they subsequently find themselves able to undertake CET.

### 2. Purpose

- 2.1 The purpose of this policy is to provide guidance on:
  - 2.1.1 what may and may not be an exceptional circumstance;
  - 2.1.2 what documentary evidence should support an application under this policy;
  - 2.1.3 how and when registrants should make an application;
  - 2.1.4 how we will consider the application and notify registrants of the outcome; and
  - 2.1.5 how to appeal a decision made under this policy to remove a registrant's name or registered specialty from the register for failure to meet the CET requirements<sup>1</sup>.

### 3. Scope

- 3.1 This policy applies to all fully qualified registrants who experience exceptional circumstances that affect their ability to practise and

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<sup>1</sup> The legal requirements are contained in the Opticians Act 1989 (as amended by the Opticians Act 1989 Amendment Order 2005) and the GOC (Continuing Education and Training) Rules 2005 (as amended by the Continuing Education and Training Rules Amendment Order 2012 and related legislation) hereinafter known as "the Act" and "the CET Rules" respectively. The Act can be found on our website at [www.optical.org/about\\_us/legislation/opticians\\_act.cfm](http://www.optical.org/about_us/legislation/opticians_act.cfm) and the CET Rules can be found at [www.optical.org/about\\_us/legislation/rules\\_and\\_regulations.cfm](http://www.optical.org/about_us/legislation/rules_and_regulations.cfm)

Under Rule 24 of the CET Rules, the Registrar may remove or refuse to retain (a) the name of a registrant or (b) particulars of a registered specialty, if the registrant has failed to meet the CET requirements under the Rules.

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undertake CET.

- 3.2 Registrants can apply to have their exceptional circumstances taken into account when the Registrar is making a decision on whether to remove their name or specialty from the register for failure to meet the CET requirements<sup>1</sup>.

### **4. Exceptional circumstances**

- 4.1 The Registrar will consider exceptional circumstances that are unforeseen and are over and above the course of everyday experience, if they have resulted in a registrant being unable to practise and unable to undertake CET.

- 4.2 These can include:

- ✓ serious ill health<sup>2</sup>, accident or injury;
- ✓ the death or serious illness of a close family member or dependant;
- ✓ unforeseen significant change in family or carer responsibilities;
- ✓ significant crisis directly affecting the individual, including recent disability (where the registrant may be able to practise and undertake CET with reasonable adjustments);
- ✓ late cancellation by a CET provider of planned CET events; or
- ✓ absence caused by maternity, paternity or jury service.

- 4.3 The following are unlikely to be accepted as exceptional circumstances for the purposes of this policy:

- X minor illnesses;
- X computer problems or inadequate planning;
- X stress and panic attacks, which have not been diagnosed as an illness;
- X personal or domestic events, such as moving house or getting married;
- X holidays or travel arrangements; or
- X sports activities.

### **5. Evidence of exceptional circumstances**

- 5.1 In making applications under this policy, registrants must demonstrate that they had intended to meet the CET requirements and explain why they were prevented from doing so as a result of circumstances beyond their control.

- 5.2 Where possible, applications should be supported by documents, for example, a letter from a medical practitioner or a jury summons.

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<sup>2</sup> If a registrant's health is affecting compliance with our CET requirements, the Registrar may refer the matter to our fitness to practise process to consider whether the registrant's fitness to practise may be impaired by reason of adverse health.

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### **6. How and when to make an application**

- 6.1 Where a registrant is unable to meet the CET requirements, they must notify the Registrar as soon as possible. Our CET cycle is for a three year period, and all applications will be considered by reference to the registrant's ability to undertake CET over the three years and meet the CET requirements.
- 6.2 Registrants who experience exceptional circumstances during the first two years should make an application at the time that this occurs, and these will be taken into account if they are unable to meet the requirements by the end of the three year cycle. However, registrants will be expected to ensure that they undertake enough CET in order to complete their requirements by the end of the cycle, unless there are exceptional circumstances during the third year that prevent them from doing so.
- 6.3 In order for the Registrar to consider circumstances under this policy, the registrant should send us a completed application form at Annex A or on our website, together with the appropriate documentary evidence by email to [cetexceptional@optical.org](mailto:cetexceptional@optical.org), or by post to 10 Old Bailey, London, EC4M 7NG.
- 6.4 The registrant should let us know if any reasonable adjustments are required in order for the application to be made or considered.

### **7. Process for consideration and notification**

- 7.1 We will acknowledge applications within three working days of receipt.
- 7.2 At the end of the cycle, the GOC will write to registrants who have not met their CET requirements. Registrants will be given a deadline (a minimum of 15 working days) by which to respond outlining any exceptional circumstances that they wish to be taken into account.
- 7.3 Applications will be considered by the Registrar **after** the end of the CET cycle. We will aim to consider applications within 15 working days of the deadline and, provided there is enough evidence, the decision will be notified by e-mail where it is possible to do so.
- 7.4 If it is not possible to reach a decision based on the evidence provided, the Registrar will request additional evidence as soon as the request has been considered after the end of the CET cycle. Once this evidence has been received, the application will be considered and we will aim to notify applicants of our decision by e-mail within 15 working days of receipt of the additional evidence.
- 7.5 The Registrar will make a decision based on the individual circumstances provided by each registrant and will consider each case on its merits, including consideration of:

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- 7.4.1 the CET undertaken prior to the exceptional circumstance occurring;
  - 7.4.2 any exceptional circumstances decisions taken in relation to previous CET cycles;
  - 7.4.3 length of time in practice during the CET cycle; and
  - 7.4.4 whether CET has been undertaken in relation to the different CET requirements, such as the requirements relating to covering each competency, peer review and interactive CET.
- 7.6 Documentary evidence provided to us in support of an application made under this policy will be held securely and only viewed by those processing an application. Original evidence will be returned to the registrant on request. All evidence not returned will be retained in line with our retention schedule and destroyed after a decision has been reached, providing an appeal relating to the decision has not been made.

### **8. Appeal**

- 8.1 If, following consideration of an application under this policy, the Registrar decides to remove a registrant's name or specialty from the register for non-compliance with the CET Rules, the registrant can appeal under Schedule 1A of the Act.
- 8.2 The Registration Appeals Committee will consider the appeal under the process set out in the Registration Appeals Rules<sup>3</sup>.

### **9. Review of this policy**

- 9.1 We will review this policy every three years, or sooner if appropriate, taking into account feedback on the policy, changes to legislation and regulatory practice.

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<sup>3</sup> The GOC (Registration Appeals) Rules 2005 can be found on our website at [www.optical.org/about\\_us/legislation/rules\\_and\\_regulations.cfm](http://www.optical.org/about_us/legislation/rules_and_regulations.cfm)



**Annex A: Application form for exceptional circumstances in completing CET requirements**

<b>Name (as shown on the register)</b>	
<b>GOC registration number</b>	
<b>Contact telephone number</b>	
<b>Contact email address</b>	

<b>Date of application</b>	
<b>Short description of exceptional circumstance(s)</b>	
<b>Date(s) the exceptional circumstance(s) occurred/commenced</b>	
<b>Date(s) the exceptional circumstance(s) resulted in your being unable to practise</b>	
<b>Date when the exceptional circumstance(s) will finish and you will be able to practise (if known)</b>	

<b>Please give details of the exceptional circumstance(s) which have resulted in your being unable to practise and unable to complete CET</b>

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**Please describe the plans you had to complete the CET requirements and how the exceptional circumstance(s) prevented you from doing this**

**List the documentary evidence being provided to support your application**

( Examples of documentary evidence can be a letter from a medical practitioner or jury summons. All documentary evidence will be held securely and viewed only by those processing your application. Supporting documentary evidence will be destroyed in line with our retention policy after a decision has been reached, providing an appeal relating to the decision has not been made. Please inform us in your application if you would like us to return any original documentation.)

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### Declaration

I confirm that the circumstances described and the supporting documentary evidence are genuine. I understand that if I am found to have given a false statement or misleading information, I will be in breach of the GOC's standards.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*If you are returning this form by email, you can either paste in an electronic signature if you wish or write in 'returned via email'. You must send it from an email address that you have previously provided to our Registration department as your contact address.

Please send this application by email to [cetexceptional@optical.org](mailto:cetexceptional@optical.org), or by post to 10 Old Bailey, London, EC4M 7NG. If you require assistance in completing this form, reasonable adjustments in making your application, or information in relation to your CET requirements, please contact our CET team on 020 7307 9488 or [cet@optical.org](mailto:cet@optical.org) or access your CET record on MyCET.

All responses will be sent by email to the address at the top of this form.

*The GOC is a data controller registered with the Information Commissioner's Office. We make use of personal data to support our work as the regulator for the optical professions in the UK. We may process your personal data for purposes including updating the register, administering and maintaining registration, processing complaints and compiling statistics, in line with the Data Protection Act 2018.*