

**COUNCIL**

**Chief Executive and Registrar's report**

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**Meeting:** 10 July 2019

**Status:** for noting

**Lead responsibility and paper author:** Lesley Longstone (Interim Chief Executive and Registrar)

**Recommendation**

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1. Council is asked to **note** the contents of this report.

**Overall**

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2. Because of the timing of this meeting, this report covers a shorter period and is consequently briefer than normal. There has nevertheless been lots happening, with stakeholder sessions on the ESR taking centre stage. The outcome of those discussions and our recommendations on next steps are considered in a separate agenda item, but I would like to thank Council members for their attendance at a number of these sessions and the Education Team for the effort that has gone into them, dealing as they have with quite polarised and strongly held views on some of the issues we have been debating.
3. Following the Council Workshop in June, where we heard from Alan Clamp, the CEO of the Professional Standards Authority (PSA) and began to scope the development of our next strategic plan, we have continued to explore the potential opportunities and threats in our environment. We have reviewed the positions that prospective Prime Ministers have taken on health regulatory matters in the past and we have had further, positive engagement with DHSC regarding the need for legislative reform, including business regulation.
4. We were pleased to see the success of our work with the Advertising Standards Authority come to fruition in a recent case and are giving more priority to work in the illegal practice area. We know that there are limitations to our powers and will be actively pursuing legislative options, but in the meantime, we are also keen to identify a test case that will help us assess the full extent of our existing powers.
5. In our fitness to practice area, the open caseload and the average age of the open caseload continues to fall and there is real momentum building around changes that have the potential to deliver vastly improved customer service, to both complainants and registrants. Council will be considering a separate paper on the programme of work now underway and the implications of that for the delivery of our Business Plan targets.

6. Internally, we have recently completed an Equality, Diversity and Inclusion review, the results of which Council will consider in private session. Staff have engaged positively with the review, assisted by Derek Hooper, a specialist consultant on these issues. The results have been shared and discussed with staff and there is real enthusiasm for developing some of the ideas coming out of the review. I am currently in the throes of meeting staff to talk about what we mean by EDI and the values we aspire to as an organisation. This work will feed into the development of our Strategic Plan, which Council agreed in July should run from 2020 to 2025.
7. In early June, the PSA visited our offices for the week to review our triage cases as part of their targeted check for the 2017/18 performance review. We have been given the opportunity to check for factual inaccuracies before they make their findings, which will relate to the first of the PSA's standards for fitness to practise. The next stage in the performance review process is for the PSA to make a recommendation to their internal decision - making panel and we should receive their report later in the summer.
8. Finally, we have said goodbye to Simon Grier after 10 years of dedicated service. Simon moves on to new pastures at the Nursing and Midwifery Council and we wish him all the very best there. We have also welcomed Lucy John-Emele as our new Head of Communications and newest member of the GOC Leadership Team. We very much look forward to working with Lucy over the coming months and years.

### Standards

9. The launch of the new **Standards for Optical Businesses** remains a key focus ahead of them coming into force from the 1 October 2019. We are developing an animation for digital channels and a dedicated business standards microsite which will provide registrants with detailed information about the Standards. In September we will also be hosting a webinar to answer questions from registrants and stakeholders about the new Standards.
10. Our consultation on new draft guidance for registrants **Disclosing confidential information about patients, including where they may not be fit to drive** ended on 13 July 2019 with a good response rate, including from previously unengaged stakeholders. An initial examination of the data indicates broad support for the guidance from individual registrant respondents.
11. We have had an initial conversation with Standards Committee to explore what support is required for registrants to improve their understanding of **whistleblowing**. We also held a further **roundtable with businesses** on 28 June 2019 to discuss standards issues and our approach handling complaints involving businesses.

12. We are participating in an inter-regulatory working group led by the GMC on ***joint principles for remote consultations and prescribing***, which is developing a proportionate and shared regulatory approach and to ensure this will work for the optical sector. We are also participating as observers in development of the new College of Optometrists guidance with the first stakeholder group meeting taking place on 3 July.

### Education

13. There is a separate paper on the ***Education Strategic Review*** (ESR) and we are looking forward to discussing next steps with Council at the July meeting. Subject to decisions in July we intend to come back to Council in November with progress and more detailed work on the learning outcomes.
14. It is a condition of GOC approval that providers submit information about their programmes to the GOC on an annual basis. Following the October 2018 launch of our revised ***Annual Monitoring and Reporting (AMR)*** process for providers, we have now produced a sector report to analyse sector trends and risks across all programmes. This report will be used to inform our upcoming approval and quality assurance work and is presented to Council in a separate paper.
15. We also produced individual provider reports to give specific feedback regarding each programme which, for this cycle, will not be published. Our approach to publication will be reconsidered for future AMR cycles as and when our confidence in the quality and comparability of the underlying data is improved.
16. Our ***risk research*** is in the final stage of drafting. Over the last couple of months Enventure Research have engaged extensively with a wide range of stakeholders across the UK including patient bodies, commissioners of optical services, devolved governments, secondary care bodies and large optical employers. The research has brought together several different elements including an analysis of GOC FTP data, OCCS data, an online survey, focus groups with registrants and 35 stakeholder interviews. We intend to present the findings to Council in November prior to publication in an anonymised form. The outcomes will be instrumental in informing our policy thinking and regulatory interventions across all our functions.
17. We are currently undertaking an evaluation of the 2016-18 ***Continuing Education and Training (CET)*** as part of our commitment to continuous improvement. The areas that the evaluation will cover have been agreed and we are in the process of collecting data prior to the analysis stage. We intend to produce an evaluation report for Council to consider at its meeting in November 2019.

18. Operationally, we are progressing the collection of CET provider payments from the existing 344 approved providers. 14 of the providers have told us they no longer wish to deliver CET a further 48 small providers are yet to pay. Preparations have commenced for the two annual CET approver training sessions, to be held on 23 July and 5 August 2019.
19. We have signed up to a **joint regulatory statement on reflective practice** alongside nine other healthcare regulators. The statement reinforces that reflection is a key element of development and educational requirements and, in some professions (including our optical professions), for revalidation as well. We will include an update in the ebulletin to registrants and are planning an article for Optician magazine on our support for reflective practice and encouragement for registrants to use the tools we have already developed. This includes PDP, learning goals and reflection statements. We will also reinforce the message that we would not use these materials in fitness to practice (FTP) proceedings.

### Strategy

20. Our policy team, with support from legal and hearings, have been engaging with the Department of Health and Social Care (DHSC) to secure the removal of the **cap on the number of Hearings Panel members** we can appoint. We are hopeful that this change will be made before Parliament's summer recess and this will enable us to proceed with the appointment of additional new members following the recruitment campaigns described below.
21. We also had a productive meeting with DHSC to discuss how we can achieve other important changes to **legislation** relating to business registration, student registration and our system of Continuing Education and Training. We are taking forward the work required to make the case for these changes through our Legislative Reform Project.
22. The **Governance Review** project is well advanced and Council will consider a separate paper on this issue in so far as it relates to the advisory committees. Work on other committees will follow. In the meantime, we have concluded a campaign to appoint 14 optometrists and 6 dispensing opticians to our Hearings Panel and launched a campaign on 26 June to recruit 20 lay Hearings Panel members (to be appointed by 1 November). This is being undertaken in anticipation of the cap on the number of members being lifted and is an important step that will give us the capacity to close a bulge in cases working its way through the system in good time. My thanks to Council Members and staff involved in what has been a thorough and extensive appointment process.
23. We have also concluded the campaign to appoint a new lay Council member and announced the appointment of Deborah Bowman, who is now being inducted and will take up her appointment on 1 September.

**External developments**

24. Philip Augar published his review of post-18 Education in early June. As briefed beforehand and thus expected, the review recommends:
- a cut in tuition fees from £9,250 to £7,500 a year by 2021-22 (£1.8bn shortfall in funding to be picked up by the Treasury through teaching funding);
  - overhauling the student loan system (which it recommends is renamed the "student contribution system") to increase the proportion of loans that is eventually repaid;
  - introducing a lifelong learning loan allowance, equivalent to four years' full-time undergraduate degree funding, for adults aged 18 or over without a publicly funded degree;
  - capping the rate of interest students pay while they are still studying over a period of 40 years, not 30 as at present;
  - maintenance grants (£3000/year for 16-19s) should be re-introduced to help low-income pupils enter higher education;
  - funding boost for Further Education;
  - more support for part-time degrees, greater flexibility to gain a degree through bitesize courses; and
  - schools held to account for their statutory responsibility to provide information, advice and guidance on careers, recommending that every secondary school is able to be part of a careers hub and more young people have access to meaningful careers activities.
25. We are including these recommendations in our discussions with stakeholders to gain a better understanding of the possible implications of optical education provision at both undergraduate and postgraduate level.

**Registration**

26. The final part of the annual registration renewal process was concluded in May. Twelve appeals against removal were received; six were subsequently withdrawn prior to being considered. The Registration Appeals Committee heard the remaining six appeals, four were dismissed, one was upheld in relation to a Continuing Education and Training shortfall with the Registrar accepting the other appeal without contesting.
27. The annual student renewal process for 2019/20 opened in June, with over 30% of students already completing the requirement. The final deadline for completion is 31 August. We have asked students to indicate their electronic correspondence (email) preference to reduce the need for future paper correspondence (as we did for fully qualified registrants, 80% of whom confirmed agreement).

28. The Department continues to meet all KPI targets. As a result the timeliness target for processing applications has been increased from 85% to 90% (it was 80% prior to July 2018)

### Casework & resolution

29. A separate paper covers ***Fitness to Practice*** casework in more detail, but I am pleased to report positive feedback from some of our partner organisations who are beginning to see the outworking of changes to our management of cases in recent months. We recognise that we have a long way to go still but are pleased with progress to date and the constructive engagement we are having, particularly with the defence bodies.
30. Earlier this month we attended the Chartered Institute of Trading Standards (CTSI) Symposium in Brighton to raise awareness about ***illegal practice***, particularly the sale of zero powered contact lenses sales by non-registrants. The event was very successful, we met many trading standards officers from across the UK who are keen to work with us going forward.
31. We were able to share there and via trade press and social media our involvement in the Advertising Standards Authority (ASA) case against ISpyEyes. The feedback suggests that we need to do more to publicise the successes we have in our illegal practice cases, which are possibly less visible to most registrants.

### Resources

32. The past two months has seen a focus on extending our financial plans a further year into 2021/22. The Director, Resources and I have held discussions with all budget holders on their long-term plans, including initiatives to drive efficiency savings. Finances will be reported separately but in headline terms, we are performing well against budget this year and are forecasting a return to surplus in 2021/22, with healthy reserves.
33. We continue to develop our IT. We are actively working with Celerity to increase the security of our IT systems and to implement workflow changes to facilitate future efficiencies. The IT strategy group continues to meet and aside from monitoring short term progress is considering what a fully IT enabled GOC will look like in 3 years.
34. Our draft action plan in relation to the **staff survey results** (via [this link](#) for Council members only) has now been signed off with lead Directors for specific areas. Mark Webster will lead on improving our *policies*, Alistair Bridge on *wellbeing*, Dionne Spence on *performance* and Subo Shanmuganathan on *leadership*. We have begun to make progress in the following areas:
- SMT have prioritised a range of internal policies for review and have committed to developing a staff handbook and/or on-line equivalent,

adopting a proposal from our EDI review that we have a “Like it or strike it” group to make sure all our policies are written in plain English;

- Our EDI review is complete, and we have integrated several key recommendations into our action plan;
- SEG have a regular calendar of events, individual staff members have arranged out of work social events (a special mention to Robert Mannall who put together a winning pub quiz team!);
- a range of fun and creative activities, with a serious message about the importance of looking after ourselves and others were put on during Wellbeing week;
- Directors have initiated a number of initiatives to improve their accessibility, including Alistair’s “Chattergy” sessions in our Strategy Directorate; Subo inviting other teams along to Education Directorate meetings and Dionne’s support for the Staff Engagement Group. Mark has also been engaging widely on his financial reviews; and
- we are piloting standardised forms for recording the outcome of one-to-one performance meetings and have also piloted 360 degree feedback with members of SMT this year. The feedback was extremely valuable and we are committed to rolling that out, at least to members of the wider Leadership Team at the end of this year.

35. Of particular interest to Council will be actions taken to raise awareness and understanding of Council among staff. The involvement of Council members in small staff meetings to discuss our mission, vision and values has been warmly welcomed. Also welcomed was Helen Tilley’s profile in our “60 seconds with...” part of the Intranet. We plan to do more of that and have also put “Meet the staff” meetings into Council’s diary for the year ahead.

### **Stakeholder engagement**

36. Since the last Council meeting, we have held face to face stakeholder workshops for the ESR and CET projects encompassing 35 different organisations including patient, student and charitable groups. We have met with another 35 representatives across the UK comprising AoP Council; a further 10 have been consulted on an individual basis including the Scottish government, NI and Wales commissioners/advisers, Ulster University and the 35 Council Members from the College of Optometrists.
37. Since the last Council meeting I have had several meetings including with:
- Craig Aston from our IT partners, Celerity and Abbie Francis-Pike from our internal auditors Mazars to discuss corporate matters;
  - Henrietta Alderman, Association of Optometrists and Ian Humphreys, College of Optometrists to discuss ESR and other operational matters;
  - Claire Armstrong, Department of Health and Social Care to discuss our need for legislative change and progress in relation to the hearings cap;
  - Duncan Rudkin, General Pharmaceutical Council and Andrea Sutcliffe, Nursing and Midwifery Council to discuss regulatory matters. I also

attended the health regulator's Chief Executive Steering Group (CESG) and the Health and Social Care Regulators Forum;

- Cindy Tromans, President of the College of Optometrists and Senior Optometrist at the Manchester Royal Eye Hospital, Dan McGhee, Director of Professional Services Vision Express and Susan Hilton, Independent Optician, Preston during a day of visits facilitated by Council member Glen Tomlinson; and
- Alan Clamp and George Jenkins of the Professional Standards Authority (PSA) to discuss regulatory matters.

38. I also attended:

- the British Contact Lens Association (BCLA) awards dinner in Manchester;
- an Association of Chief Executives (ACE) event on the implications of Brexit for the different nations of the UK.

39. Other Directors have also had interactions with a range of stakeholders (see *annex one for full details*).



**Meetings/visits since last council session:**

<b>Subo Shanmuganathan Director of Education:</b>	<b>Alistair Bridge Director of Strategy:</b>	<b>Dionne Spence Director of Casework &amp; Resolution:</b>	<b>Mark Webster Director of Resources:</b>
NMC - Professor Geraldine Walters	Vision UK Leadership Panel	NMC - Matthew McCelland & Claire Strickland	Mazars - Abbie Francis-Pike
Moorfields Eye Hospital - Gordon Hay	PSA - Daisy Blench	GDC - John Cullinane	Celerity - Craig Aston
AIO - Christian French	Legislative reform meeting with DHSC - Claire Armstrong, Mark Bennett, James Gray	Scotland visit with Scott Mackie	Farebrother - Malcolm Brackley
Specsavers - Giles Edmonds	Love your Lenses meeting with:  Jonathan Bench (Alcon) Andrew Symons (Specsavers) Cheryl Donnelly (BCLA) Simon Rodwell (ACLM)	Defence Stakeholder Group:  Alan Tinger (FODO) Katie Docker (ABDO) Ella Franci (AOP) Laura Smith (BLM) John Graham (WG Law Ltd) Scott Alexander (Brachers)	Celerity - Maggie Bramwell
Scottish Government - Janey Pooley, Mike Stewart	NMC - Andrea Sutcliffe	Specsavers - Nigel Best	Mazars - Graeme Clark and Abbie Francis-Pike
PSA - Daisy Blench	Clever Together - Hugh Simpson	NMC - Support Advocacy Workshop	
AOP Board meeting	CQC - Charles Rendell	FTP Directors meeting	
ESR/CET Stakeholder workshop	NHS England - Carole Reece, Poonam Sharma, Richard Everitt		
Mazars - Abbie Francis-Pike	Business registrant round table:		
Visit to Ulster University	Mike Cheeseman (Scrivens)	Stephen Hannan (Optical Express)	
HSCNI - Raymond Curran	Kathryn Trimmer (Duncan and Todd)	Andrew Bridges (Leightons)	
Boots - Claire Slade	Meena Ralhan (Vision Express)	Kayleigh Tabbitt (Lenstore)	
Moorfields- Gus Gazzard	Peter Hampson (AOP)	Hayley Rowbotham (Boots)	
NHS - Dharmesh Patel	Nick Wingate (Outside Clinic)	Sarah Joyce (Asda)	
ABDO NRC Visit - Miranda Richardson and Alicia Thompson	David Hewlett (FODO)		
Scrivens - Mitesh Patel	Alan Tinger (FODO)		