

GENERAL OPTICAL COUNCIL

**DRAFT minutes of the 228th public meeting of Council held on
Wednesday 12 September 2018 at 10:00 at 10 Old Bailey, London, EC4M 7NG**

Present: Gareth Hadley (Chair), Sinead Burns, Josie Forte (paragraphs 8766 to end), Mike Galvin, Rosie Glazebrook, Scott Mackie, Clare Minchington, David Parkins, Roshni Samra, Helen Tilley, Glenn Tomison and Selina Ullah.

GOC attendees: Adam Sampson, Alistair Bridge, Marcus Dye (paragraphs 8770 to 8774), Nicola Ebdon, Simon Grier, Lisa Harmshaw (minutes), Ben Pearson (paragraphs 8770 to 8774), Keith Watts (paragraphs 8775 to 8781), and Mark Webster.

Welcome

8764. The Chair **welcomed** members, employees and those in the public gallery to the 228th public meeting of Council.

Apologies

8765. No apologies were **received**.

Declaration of members' interests

8766. The following declarations were received all of which were related to item five (education strategic review):
- all registrant members **declared** an interest due to their involvement in the management, delivery and design of education provision, pre-registration and post-graduate training as they are likely to be directly affected in their non-GOC roles by the direction, progress and outcome of this review; and
 - David Parkins **declared** that he is a member of the Clinical Council for Eye Health Commissioning which advises/seek to influence NHS commissioning processes in England.
8767. Council **agreed** that none of these declarations represented a significant conflict and that all members could continue to participate in the discussion and make decisions where required.

Interim Chief Executive and Registrar's report – C32(18)

8768. Council:
- **noted** that a redacted paper had been published on the GOC website until the GOC was in a position to make a formal announcement of an interim Chief Executive and Registrar to succeed Adam Sampson who

would depart the GOC from 16 September 2018 [*post meeting note: a formal announcement was made on 17 September 2018 and the unredacted version of this paper published*];

- **extended thanks** to Adam Sampson for leading the organisation during the last three months and wished him well for this next venture;
- **noted** an error at paragraph 26 of the paper – the meeting held was with the President and Chief Executive of ABDO (not the College of Optometrists);
- **commended** the Executive on their efforts to publicise the CET consultation and **noted** that to date nearly 1,000 responses had been received; and
- **noted** that the online consultation hub was working well and had received good qualitative feedback to date.

Chair's report – C33(18)

8769. Council:

- **noted** that a redacted paper had been published on the GOC website (for the same reason as the Interim Chief Executive and Registrar's report) [*post meeting note: a formal announcement was made on 17 September 2018 and the unredacted version of this paper published*]; and
- **agreed** the appointment of Mike Galvin to the Audit and Risk Assurance committee (contingent on Council agreeing the changes to ARC's terms of reference (item nine)).

Education Strategic Review (ESR): draft standards and learning outcomes – C34(18)

8770. Council **considered** a paper which sought Council's views on proposed new standards for education providers and new learning outcomes for students, together with a proposal to consult publicly on these. Council **noted**:

- a meeting of the Expert Advisory Group, held on 10 September 2018, had offered constructive feedback and critical thought on the proposed standards and learning outcomes. Council **extended gratitude** to those who had participated. The main themes included:
 - the need for clarity/simplification of some wording used;
 - a stronger focus on quality, especially within the learning environment;
 - ensuring providers have appropriate systems for assessment;
 - clarification of expectations in relation to quality assurance (QA);
 - potential re-focus on the fifth standard relating to value for money;
 - the importance of providers including clinicians and not just teaching staff in programme development;

- recognition of the need for effective supervision to support education and training; and
- the need for effective governance, management and leadership.
- the new system of education and training would sufficiently prepare students for the changing landscape of optical care in the future with a focus on learning outcomes to replace the current competences (in line with feedback from stakeholders and consistent with other regulators);
- new standards for education providers, which were closely aligned with current standards of practice with the intention to embed the concept of professionalism and provide more room for innovation and allow providers to develop alternative routes to registration;
- the QA framework was in development, would be discussed by the Education committee in mid-October 2018 and presented to Council in November 2018; and
- the development of new standards and learning outcomes had taken into account feedback received from the other GOC statutory advisory committees (SAC's), previous consultation, research and approaches applied by other regulators.

8771. In considering the proposed new standards for education providers, Council:

- **noted** whilst the standards focused on UK education providers they would be equally applicable to overseas applicants/establishments and would be assessed consistently;
- **noted** engagement with the Optometry Schools Council, dispensing providers and education providers would continue throughout the consultation and:
 - **requested** the engagement extend sufficiently into the devolved nations; and
 - **urged** professional bodies, examining bodies and education providers to set aside substantial time to consider the implications for both themselves and their members;
- **requested** re-wording of Standard 2.2. (...the public is cultivated);
- **welcomed** the move towards risk based QA and agreed that the QA framework and implementation required more detail;
- **encouraged** the Executive to consider any potential challenges and solutions now;
- **welcomed** Standard Three (access to early, frequent and varied clinical experience) which Council **agreed** should consist of a blend of experience and the shift towards professionalism and embedding lifelong learning;
- **requested** reference to 'learning environments' and 'supervisors/ supervision' should equally apply to teaching and in practice;
- **requested** removal of 'fully' from qualified as Council **agreed** that by joining the Register did not mark the end of the learning journey and

would assist in shifting registrants towards the concept of lifelong learning.

8772. In considering the proposed new learning outcomes for optometrists, dispensing opticians, contact lens opticians, and fully-qualified practitioners undertaking Continuing Education and Training (CET), Council:
- **noted** it was not yet clear whether there would be an impact on course length for optometrists and the consultation responses might assist;
 - **requested** all the learning outcomes be sufficiently aligned, for example optometrists also undertook contact lens and dispensing but the outcomes did not currently include much detail on this;
 - **had no observations** on the learning outcomes for dispensing opticians and contact lens opticians and fully-qualified practitioners undertaking Continuing Education and Training (CET).
8773. Council **agreed** to adopt the Royal Pharmaceutical Council's *Competency Framework for all Prescribers*, rather than develop its own learning outcomes for independent prescribers.
8774. Council subsequently **approved** a public consultation on the proposed new standards and learning outcomes and:
- **extended thanks** to all those involved in bringing this significant project forward;
 - **agreed** amendments to the standards and learning outcomes as requested by the Expert Advisory Group and Council be undertaken and then shared with both (via email) for final comments prior to consultation;
 - **delegated authority** to the Chair and Interim Chief Executive and Registrar to approve the revised versions, together with an accompanying consultation document and draft impact assessment; and
 - **noted** the consultation outcome would be presented to Council in February 2019.

Quarter one 2018/19 performance report – C35(18)

8775. Council **considered** the quarter one performance report and **welcomed** the different approach taken to reporting business as usual (BAU) which aligned with the business plan and Fitness to Practice (FTP) which separately focused on open and closed caseload.
8776. In relation to the highlights and challenges, Council **noted** the highlight relating to 'a focus on forecasting and budget management reducing financial risks' but **agreed** that this did not provide Council with sufficient information or assurance. Council:
- **noted** that, subject to its approval of amendments to ARC's terms of reference, financial information would receive greater scrutiny;

- **noted** there was now greater awareness of the GOC's financial constraints and improved understanding of medium and longer term sustainability as a result of the all staff meeting held in July 2018 which had equally moved the organisation from a 'why change' into 'what change' mind-set; and
- **requested** that future financial performance reports provide assurance to Council of the work being undertaken to communicate budgets with employees.

8778. In relation to delivery of strategic projects, Council:

- **noted** that the delay in launching the Business Standards consultation would mean that the revised standards would now be presented to Council in February 2019 and **received assurance** that all the SAC's would be approached for their feedback; and
- **questioned** the delivery status as "delayed" on the ESR and Business Standards and **received assurance** that this was reported as delivery against plan, and that the delays were marginal and key delivery targets remained on track.

8779. In relation to delivery of regulatory functions, Council:

- **noted** the non EEA application process was now operational and given the delays, the increase in enquiries was unsurprising; and
- **noted** recruitment of a permanent Head of Registration was live and an appointment would be made by the end of September 2018.

8780. In relation to FTP open caseload and the Glidepath, Council:

- **questioned** the volume of retention declarations that had been assessed within FTP and whether these had increased. Council **noted** this related to a change in process which had resulted in an increase of cases being considered as part of FTP rather than by the Registrar. Council **received assurance** that whilst it suggested there were more FTP complaints this was not the case and work would be undertaken to consider how to better present these figures in the future;
- **noted** that parallel hearings were being held where possible but the number of hearings being held continued to be hindered by the cap on the number of Hearing Panel members. Council:
 - **agreed** that with additional resources coming into FTP to investigate cases, the consequential bottleneck at hearings would have an effect on the GOC meeting PSA standards;
 - **noted** that preliminary contact suggested a willingness by the Department of Health (DoH) to consider secondary legislation and **requested** the Executive actively pursue this as a priority;
 - **noted** the Executive was currently seeking legal advice on any short-term solutions to increase the number of Hearing Panel members;

- **noted** the risks to public safety were considered low as the GOC had the option of applying to the FTPC for Interim Orders (IOs);
- **agreed** there was more the GOC could do to share learning from FTP cases, particularly in relation to prevention and **requested** the Executive move forward on this;
- **agreed** there was an interaction between FTP and business standards and **requested** that once the standards had been agreed the GOC share complaints data themes and patterns on a regular basis; and
- **received assurance** that the Executive remained confident that the necessary resources were either in place or being sought in order to achieve the targets in the Glidepath, particularly at stages two and three, but that Stage four would remain challenging due to the FTPC cap issue referred to above.

8781. In relation to Human Resources (HR) and Information Governance (IG), Council:

- **welcomed** no reported data breaches in quarter one;
- **acknowledged** the increase in staff turnover during the last six months had led to a number of skills gaps but **received assurance** that this was now settling, staff were stepping up and recruitment was ongoing;
- **noted** that interviews for the interim Director of Education would take place on Friday 14 September 2018; and
- **requested** that future performance reports include a trajectory for staffing in the future, taking into account those on interim and short term contracts.

Quarter one 2018/19 financial performance report – C36(18)

8782. Council **received** the quarter one financial performance report and **noted**:
- the decrease in registrant income was due to a phasing error which had since been corrected for quarter two;
 - investment performance had recovered through April and May 2018 recognising £740k of unrealised gains;
 - that a draw down on investments would be made in quarter three prior to the 2019/20 registrant income coming through; and
 - subject to Council's approval, ARC would review the financial report at their next meeting prior to it being presented to Council in November 2018.

Annual report and financial statements for the year ended 31 March 2018 – C37(18)

8783. Council **received** the 2017/18 annual report and financial statements and:

- **noted** that the actual annual report and accounts had not been published as part of the Council papers as this was not permitted before it had been approved by Parliament;
- **noted** there had been no changes to the management accounts presented to Council in May 2018 and those presented today;
- **noted** the external audit had gone well, despite the tight timetable;
- **noted** the GOC Senior Management Letter of Representation which would be signed by the Director of Resources;
- **delegated authority** to the Chair to sign the Letter of Representation as assurance to the auditors (subject to the correct spelling of the external auditors name);
- **agreed** with the ARC recommendation that when taken as a whole, the annual report for the year ended 31 March 2018 was fair, balanced and understandable and provided the necessary information to assess performance during 2017-18;
- **requested** three amendments to the annual report, namely:
 - a typographical error on page six;
 - removal of the reference to ‘improved confidence by the public...’ on page 13, as Council **agreed** there was no evidence to support this statement; and
 - listing Council members alphabetically on page 31; and
- **delegated authority** to the Chair to finalise the report (subject to the amendments requested above), before submission to the Privy Council. *[post meeting note: the requested amendments were made and the letters of representation and annual report were duly signed on 12 September 2018].*

Amendments to ARC term of reference (ToR) – C38(18)

8784. Council **noted** the proposed changes to ARC’s ToR and received oral feedback from the Chair of ARC resulting from their meeting held on 6 September 2018 that ARC had requested that the:
- wording in 6.1 revert back to the original; and
 - terms of reference be reviewed at least every three years.
8785. Council subsequently **agreed** the amendments to ARC’s ToR and **requested** that all other ToR also include a review as a minimum every three years.

Any other business

8786. There was no other business for discussion.
8787. The meeting closed at 12:15

Date and time of next meeting

8789. The next public meeting of Council would be held on **Wednesday 14 November 2018** at 10 Old Bailey, London, EC4M 7NG (time to be confirmed).