

GENERAL OPTICAL COUNCIL

**Minutes of the 189th meeting of the Council held on 23 September 2010 at
the General Optical Council, 41 Harley Street, London W1G 8DJ**

Present: Anna Bradley (in the Chair),
Morag Alexander, Paul Carroll, Brian Coulter,
Peter Douglas, Robert Hogan, Kevin Lewis, Fiona Peel,
Nicholas Rumney, James Russell

In attendance: Jon Levett, Lesa Oakley, Linda Kennaugh, Ami Samra,
Philip Hallam, Liz Carr, Matthew Tait, Maria Claridge,
Joan Burrow

Alan Tinger, GOC Financial Consultant
Chris Alder, Interim Director of Legal & Fitness to Practise

Interim Chair's welcome

7219. The Interim Chair welcomed Members and guests to the 189th meeting of the Council.

Apologies for absence

7220. Apologies for absence were received from Liam Kite.

Declarations of interest

7221. Members were reminded that they must declare to the meeting any matter in which they had any actual or perceived personal or professional conflict of interest that might influence their judgement. None were declared.

Minutes of the 186th meeting held on 17 June 2010

7222. The Minutes of the 186th meeting held on 17 June 2010 were signed as being a true and fair record of the meeting.

Matters arising from the 186th meeting: for information

7223. Members received **Paper C(23)10** being an update on the matters arising from the previous meeting and progress on action taken.

7224. *Minute 7201* - the Director of Standards updated members on the competencies. It was noted that some competencies (eg low vision and contact lenses) had not been listed separately for optometrists as they were integrated into several competencies and some wording had been adjusted. It was confirmed that dispensing opticians undertook a greater amount of study on the sale of optical appliances; it was suggested that bringing this together should be looked at further in the future. It was explained that the reason for this was that in optometry there had been expanded scope of practice in the courses leaving little time for dispensing training and the issue of paediatric dispensing was a cause for concern. It was suggested that the current Education Department project, looking at the dispensing optics framework, could add this to its workplan. There would need to be at least a

two year lead-in to deliver any changes in the competencies to allow the training institutions to change their courses. It was agreed to review this at a later date.

ITEMS FOR DISCUSSION AND/OR DECISION

Performance review

7225. Council received **Paper C(24)10** being the schedule of performance indicators for the delivery of the 2010/11 Business Plan. The Deputy Registrar reported that the majority of the projects were 'green'. Council was briefed on those projects indicated as 'amber' (as detailed below).

7226. Council received the update concerning the Online Retention project later in the agenda (Minutes 7255-7).

7227. Council was advised the process for amendment of the FTP Rules was on hold awaiting the arrival of the new Director of Legal & FTP in October 2010. This would be identified as a priority for him to attend to when he arrived. The DH had been advised of this and was aware a delay would occur, with which they were content.

7228. Modernisation of the IT infrastructure was delayed as the work required, to be undertaken before the software providers were involved in the process, was greater than initially anticipated. Council noted they would be asked to consider the project report at November Council. Council was advised an organisation-wide process mapping exercise was to be undertaken to assist in identifying any additional software required, while also identifying the additional capabilities of the existing software. Council was advised Stuart Heatherington, a committee member and former Council member, was assisting with this project having worked on a similar project for the GMC. It was emphasised that this was a fundamental project for the organisation, which the FTP case management system was tied into. Council would need to monitor.

7229. It was noted that the terms of reference for the review of the Vetting and Barring Scheme are not yet known and there is no date for the start of registration. However the Scottish scheme comes into effect on 30 November and was on target.

7230. Council received **Paper C(25)10** detailing the revised KPIs and measures and targets for these. Members were reminded that, at the last meeting, it was agreed that a working group of members and the executive would look at reducing the number of KPIs brought to Council; this paper was the outcome of this process. Those now shown were the major items of interest to Council and were cross-organisational rather than departmental. The progress reports against them were included in **Annex 1**. It was noted that some data had been difficult to retrieve but should be sufficient to provide Council with a sense of the current situation and the challenge associated with these.

7231. Council queried the purpose of measuring the number or percentage of registrants on target for their CET points throughout the cycle when it is not currently a rule for registrants to have to spread their CET activity throughout the cycle under the current scheme. The Director of Education explained that it is intended to cause a cultural change in registrants CET behaviour during the period between now and the 1 January 2013 when the new Scheme will come into effect. As part of the revalidation project the GOC will be seeking to influence this change in approach by introducing a facility on CETOptics for registrants to track their progress in meeting their target and a chart showing what competencies CET has been completed in. The proposed KPI is a way in which the GOC can measure whether their actions in the

lead up to revalidation has had any impact on registrants CET activity (i.e. when they gain their CET points and in what competency areas).

7232. With regards to the KPI concerning achieving a decrease in the average time in which FTP allegations are processed, it was noted that the target was to reduce these from nine months to seven but the Executive still considered that this timeframe was too long.

7233. With regards to the KPI concerned with increase engagement with stakeholders in the GOC's work and policies, it was queried why a target of 80% agreement from formal consultation respondents, had been set. It was recognised that although respondents may not agree with the objectives it would be better to get agreement that the GOC was meeting its objectives for specific proposals.

7234. It was noted that while ultimate accountability, for each of the KPIs, lay with the Registrar, the KPIs should set out which SMT member was accountable for each of the key areas.

7235. It was also noted that the target was for a reduction of 5% in employee turnover to bring it down to 8.95%.

7236. **RESOLVED:**

that the revised KPI measures and targets were approved and the progress with respect to these had been noted.

7237. The Chair of the Audit Committee asked Council to note **Paper C(26)10** which set out the figures for the first quarter to 30 June 2010. It was noted that the expenditure was as budgeted and expected to continue. The balance sheet at **Annex 2** was the summary and was as it should be at this time of the year. At the half year end at the end of September 2010 a better forecast could be made and the fee could then be set in November.

Staged payments

7238. The Council received **Paper C(27)10** being the impact assessment, comments and recommendations on staged payments. It was noted that this was a long-standing issue and other regulators have similar systems in place. Feedback from the consultation was that this would be convenient for low income earners. It was explained that this would incur significant development and ongoing costs as well as requiring changes to the Registration Rules due to the statutory deadlines included in the Rules. It was therefore the Executive's recommendation that this should not be undertaken at this time but potentially in the future.

7239. It was the Executive's recommendation that the introduction of a reduced fee for low income earners be considered, noting the majority of the responses to the consultation, as well as the majority of complaints about the fees, were received from low income earners, part time workers and those on career breaks. A reduced fee, for low income earners, would assist those in part time work, often affected by equality and diversity issues, and may attract some dispensing opticians back to the register. It was noted that the fees of the majority of dispensing opticians were paid by their employers while an estimated 150 low earning dispensing opticians paid their own; therefore this would not be proportionate to the costs involved in introducing a staged payments system.

7240. Council was advised it would not be feasible to introduce a staged payments process for the 2011/12 retention period.

7241. RESOLVED:

- i. to not work towards the introduction of a staged payments facility at this time with a view to reviewing this following an assessment of the impact of online retention; and**
- ii. that the proposal, for a reduced fee for low income earners, be developed further and brought to Council in November for consideration. With a view to developing something light touch and fit for purpose.**

Revalidation

7242. Council received **Paper C(28)10** being an outline of the work undertaken to carry the work forward on developing the existing Continuing Education and Training (CET) scheme, and was asked to approve the proposal as its draft Revalidation Scheme to be published for consultation.

7243. . The paper outlined the recommendation of the CET Policy and Development Group and the Revalidation Working Group to revise the Principles and Requirements of the CET Scheme to specify the GOC's expectation of registrants when undertaking CET and that these expectations form guidance rather than an amendment to the CET Rules. The scheme proposed that registrants be competent in all areas of practice.

7244. It was recommended that the current system, of a three year cycle in which thirty-six points are required to be gained, be retained. However the guidance would stipulate a minimum number of points to be gained per year and through a range of competencies and modalities, with a limit placed on the number of points able to be obtained in one modality. Annual checks would ensure registrants cover all aspects and they would be encouraged to take responsibility to gain points within the specified timeframes. The registrant would be required to maintain a personal development plan related to their scope of practice; there would be enhancements to CEToptics in order to facilitate this and allow registrants to track their progress.

7245. Investigations were being made into the possibility of introducing approval of CET providers, rather than the courses they provide, as this would incur less administrative costs and provide for better quality assurance of schemes. Work would be done with providers to ensure registrants are not disadvantaged by the area in which they live.

7246. Certain groups of registrants would be required to undertake a clinical skills assessment every six years and this would eliminate the need for a licence to practise. It was also proposed the Registrar hold discretionary powers to impose conditional registration; Council agreed the guidance must detail these discretionary powers. Registrants would be afforded an opportunity to explain why they had not undertaken certain types of CET.

7247. Discussion was held around whether this represented a change from CET to Continuing Professional Development (CPD). It was suggested that this issue should be addressed as a proposal to be considered in the consultation.

7248. Council was advised the Department of Health had been advised of the expected legislation amendments required and the proposed timeframes which they believed were achievable. Council was advised the only steer from the DH, as to how a revalidation scheme is to be structured, is that it was to be proportionate.

7249. Council agreed a formal consultation would not be required since the stakeholders had all been actively engaged in developing the proposals and were reported to be in favour of them. The Director of Education would instead circulate, to the Optical Bodies and other interested parties, the proposed scheme for comment.

7250. **RESOLVED:**

- i. that formal consultation on the proposals as a draft Revalidation Scheme, would not be required but rather the Director of Education would circulate the proposals to key stakeholders for comment; and**
- ii. that the Director of Education prepare an information paper on the distinction between CET and CPD to be circulated to Council following the meeting.**

DH White paper and ALB Review: GOC Policy Position

7251. The Council received and noted **Paper C(29)10** being the draft GOC responses to the DH White Paper and ALB review. Members were invited to forward any comments to the Director of Standards.

Fitness to Practise Adjudication of Health Professionals

7252. The Council received and noted **Paper C(30)10** being the draft GOC response to the consultation on Fitness to Practise Adjudication of Health Professionals. Members were invited to forward any comments to the Director of Standards.

Register content and access

7253. The Council received **Paper C(31)10** being the results of the consultation on the accessibility of information about the fitness to practise of registrants, which was undertaken in response to issues raised by CHRE.

7254. **RESOLVED:**

- i. that suspended registrants should be included in the registers with a note clearly indicating the suspended status;**
- ii. that erased registrants should not be included in the registers but that CHRE should be asked on what legal basis they recommended that they should remain on the registers;**
- iii. that in the medium term as budgets allow, a separate 'history' tab should be placed on registrants' details;**
- iv. that FTP decisions should in future be accessible while the sanction was in force. In hearings where no impairment is found these should be removed from the website after a year;**
- v. that the search function of the website be improved so that registrants could be found by location or specialty.**

Online retention

7255. The Council received **Paper C(32)10** being a progress report on online retention. The Assistant Director of Registration explained that there were five iterations of the online retention system:

- i. Iteration 1 - MyGOC from which registrants would be able to access all key services had been delivered and was due to be released the week commencing 27 September; this had proved more complex than originally expected and had overrun.**

- ii. Iteration 2 – body corporate retention had been delayed until February 2011 following completion of 3 and 4 due to the overrun of Iteration 1. This would mean paper retention for bodies corporate this year.
- iii. Iterations 3 and 4 – online retention for individuals and payment had been delayed but the go live date is now 5 November and this will enable registrants to complete their 2011/12 retention and payment online.
- iv. Iteration 5 – other (e.g. CET integration, Equality and Diversity forms) had been deferred until organisational priorities and budgets allow.

7256. It was noted that although Iteration 1 had overrun, this had been on a fixed price basis and had therefore not incurred additional costs. However this meant other iterations had been more costly as a higher level of detail is required following the experience of Iteration 1.

7257. **RESOLVED:**

to keep Council informed of progress made in delivering the Online Retention project by way of email updates.

Fitness to Practise Annual Report

7258. The Council received **Paper C(33)10** being the draft 2009/10 Fitness to Practise Annual Report. Thanks were expressed to Chris Alder, Interim Director of Legal & FTP, for his work on this. Council asked that the title 'optician' used from page 5 onwards, be replaced with 'optometrist and dispensing optician'.

Equality and Diversity Scheme

7259. The Council received **Paper C(34)10** being an update on the GOC's performance against the delivery of the Equality and Diversity Action Plan.

Determinations of FTP hearings

7260. The Council received **Paper C(35)10** being the determinations of FTP hearings since June 2010.

Stakeholder engagement activity

7261. The Council received **Paper C(36)10** being information on GOC stakeholder engagement activity since June 2010.

Any other business

7262. No further items were raised.

Date and time of next meeting

7263. The next Council meeting will be held at **14:00** (TBC) on **Thursday 25 November 2010** at 41 Harley Street, London W1G 8DJ.