

Policy on retaining registrants who have not met the GOC's registration requirements.

1. Policy Statement

- 1.1 This policy covers the Registrar's decision to retain on the register those registrants who have not met various registration requirements.
- 1.2 Where a registrant is subject to a fitness to practise investigation or fitness to practise proceedings, the registrar will not remove that registrant irrespective of whether the registrant has met the Council's registration requirements.
- 1.3 The registrar may issue a decision to remove a registrant who has not met the registration requirements, without prior notice, immediately upon conclusion of fitness to practise proceedings. A decision to remove will come into force once the relevant appeal period has expired
- 1.4 This policy is consistent with our statutory duty under the Opticians Act 1989 to protect patients and the public.

2. Purpose

- 2.1 The registrar will retain a registrant despite non-compliance with the registration requirements in order to ensure that any allegation or information relating to the registrant is fully investigated, where necessary that a hearing into the allegations against the registrant takes place and that the Fitness to Practise Committee can exercise its powers in relation to those registrants who are subject to a Conditions or Suspension Order

3. Scope and Definitions

- 3.1 "Fitness to practise investigation" includes any circumstances where information has come to the attention of the Council that may call into question a registrant's fitness to practise, fitness to train or fitness to carry on business.
- 3.2 "Fitness to practise proceedings" consist of any proceedings against a registrant under the General Optical Council (Fitness to Practise) Rules Order of Council 2013.

4 Process

4.1 The Registrar may take one or more of the following steps where a registrant has been retained despite non-compliance with the registration requirements:

- Exclude the registrant's name from the Council's published register;

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- In the case of individual registrants, request an undertaking not to carry out any activities that require registration with the Council, until that individual has met the registration requirements;
- Apply for an interim suspension order if appropriate (in the case of individual registrants, this will usually be appropriate only if the individual has declined to provide an acceptable undertaking, or has breached the terms of the undertaking).

The Council may provide relevant information to anyone enquiring about the registrant's status, including:

- The relevant part of the register (e.g. registered dispensing optician or registered optometrist with therapeutic specialty etc);
- Any restrictions affecting the registration, including pursuant to an undertaking from the registrant.

4. Review of this policy

- 4.1 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.