

General Optical Council



Standards for Optical Businesses

effective from October 2019

Standards for Optical Businesses

Our *Standards for Optical Businesses* define the standards that we expect of optical businesses to protect the public and promote high standards of care.

The General Optical Council (GOC)

The GOC's role as the UK regulator for the optical professions gives us statutory responsibility for setting standards. Our over-arching statutory objective is the protection of the public and in pursuing this objective we are required to promote and maintain proper standards of conduct for business registrants.

How do I use and apply the standards?

This document sets out the 12 standards that you must meet as a registered optical business. These standards are not listed in order of priority and include standards relating to both behaviour and clinical care.

The standards are designed to:

- Set out our expectations clearly;
- Take account of the fast pace of change within the optical sector;
- Reflect changing public expectations, including the importance of candour and consent;

- Ensure consistency with the standards we set for individual practitioners; and
- Largely reflect what is good practice already.

These standards provide a framework that enables you to apply your professional judgement and consider how to apply them within the context of your business. To assist you in doing so, we have provided additional information about our expectations under each standard. When thinking about how to apply a standard to your business, you may wish to consider whether your peers would take the same approach, and how you would justify your approach if challenged.

Who do these standards apply to?

These standards apply to all optical businesses who are registered with the GOC. However, for the benefit of patients and the public, we would expect all optical businesses to meet them, regardless of whether or not they are currently required to register with the GOC.

Complying with the standards will enable businesses to assist, encourage and support individual optometrists, dispensing opticians and students to comply with their individual professional standards, and in doing so, ensure they are providing good quality patient care and promoting professionalism.

We are seeking an extension of our powers so that we can require all optical businesses carrying out restricted functions¹ to register with us. Compulsory registration will better protect the public by ensuring a consistent approach to those activities that tend to be within the control of businesses as opposed to individual registrants.

Where we say 'you' in this document, we mean:

- You, the body corporate;
- You, the director or responsible officer of an optical business (whether or not you are a registered optometrist or a registered dispensing optician).

For clarity, 'you' does not refer to someone who is simply an employee of the business and has no decision-making power and/or financial control over the business.

You are professionally accountable for what you do, or do not do. This means you must always be able to justify your decisions and actions.

¹ Restricted functions' are those under Part IV of the Opticians Act 1989 – testing of sight, fitting of contact lenses and sale and supply of optical appliances.

Where we say 'staff' in this document, we mean anyone working within the context of the business in any of the following capacities:

- Optometrists and dispensing opticians including independent prescribers (IPs), contact lens opticians (CLOs) and locums;
- Student optometrists and student dispensing opticians;
- Other regulated healthcare professionals such as ophthalmic medical practitioners (OMPs);
- Optical assistants or similar titles performing the duties of an optical assistant;
- Any other staff whose roles could have an impact on patient care, for example, reception staff.

Use of the term 'registered staff' refers to those individuals registered with the GOC as either optometrists, dispensing opticians, student optometrists or student dispensing opticians, or any other member of staff registered with a statutory healthcare regulator.

It is illegal for optometrists, dispensing opticians, student optometrists and student dispensing opticians to practise in the UK without registering with the GOC.

The role of the optical business

As a healthcare provider, your business has a responsibility to ensure the care and safety of patients and the public and to uphold professional standards.

The care, well-being and safety of patients must always be your first concern. This principle is at the very heart of the healthcare professions.

Healthcare professionals, optometrists, dispensing opticians and optical students who work within the context of your business also have a responsibility to ensure the care and safety of their patients and the public, and to uphold their own professional standards. For optometrists, dispensing opticians and optical students, these responsibilities are set out in the *Standards of Practice for Optometrists and Dispensing Opticians*, and *Standards for Optical Students*, which are complementary to this document and should be read in parallel. The business has a part to play in facilitating professionals' abilities to meet their own professional standards when they are working within the context of that business. Both individuals and businesses need to work together to meet their respective standards in order to ensure the care and safety of patients and the public.

Even if some members of staff do not have direct contact with patients, their decisions, behaviour and/or working environment can still affect patient care and safety.

Your business and your staff may also have other requirements to adhere to if you or they provide NHS services and, if this is the case, you should ensure that they are met.

If your business is involved in the delivery of the education pathway, such as providing supervised clinical placements to optical students, this is an important responsibility and you should work closely with education providers to ensure obligations are met.

When there are concerns

If someone raises concerns about your fitness to carry on business, we will refer to these standards when deciding if we need to take any action. You may need to demonstrate that your decision-making was informed by these standards and that you have acted in the best interests of your patients and the public.

The standards

The standards are separated into three key areas: your patients, your culture and governance, and your staff.

As a registered optical business you must ensure that, in relation to:

1. Your patients:
 - 1.1. Patients can expect to be safe in your care;
 - 1.2. Patient care is delivered in a suitable environment;
 - 1.3. Communication is clear and effective; and
 - 1.4. Patients can give valid consent to treatment.
 2. Your culture and governance:
 - 2.1. The services you provide are open and transparent;
 - 2.2. You ensure compliance with relevant regulations;
 - 2.3. You have a system of clinical governance in place; and
 - 2.4. Confidentiality is respected.
 3. Your staff:
 - 3.1. Staff are able to exercise their professional judgment;
 - 3.2. Staff are suitably trained, qualified and registered;
 - 3.3. Staff are adequately supervised; and
 - 3.4. Staff collaborate with others, where appropriate.
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1. Your patients



1.1 Patients can expect to be safe in your care

Why is this Standard necessary?

Promoting patient safety is at the heart of all healthcare. A patient should be able to trust their healthcare provider to prioritise their safety so that they can receive the best possible care. An important aspect of this is that optical businesses must not inhibit the healthcare professionals they employ or contract with from meeting their own professional standards.

To achieve this, your business:

- 1.1.1 Understands its legal and professional responsibilities to safeguard patients from abuse and ensures that it and its staff are prepared and supported to do so;
 - 1.1.2 Has a process for staff to report any safeguarding concerns and encourages them to do so;
 - 1.1.3 Promptly addresses concerns about colleagues, businesses or other organisations if patient or public safety might be at risk. These concerns may be identified by you or your staff;
 - 1.1.4 Escalates or reports concerns affecting patient or public safety, where they cannot be addressed by your business, to an appropriate authority and encourages others to do the same;
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- 1.1.5 Makes staff aware that where they have raised concerns which have not been resolved within the business, they may escalate or report these to a higher authority such as a professional regulator (whistleblow) and certain aspects of this are protected by law;
 - 1.1.6 Ensures that when introducing technological interventions, including artificial intelligence (AI) and machine learning, they do not compromise patient care, and that professional standards continue to be met;
 - 1.1.7 Considers whether criminal record checks are necessary for its staff members depending on their particular roles and/or exposure to patients, particularly children and vulnerable adults. The process for undertaking such checks varies across the four nations of the UK;
 - 1.1.8 Is prepared to restrict trading in areas of concern if continuing to do so would adversely affect patient care;
 - 1.1.9 Takes appropriate steps to protect patients, the public and your employees if there is evidence to show that a staff member may not be fit to practise or work. This also applies to students who may not be fit to train;
 - 1.1.10 Ensures that any operational or commercial targets do not have an adverse effect on patient care.
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1.2 Patient care is delivered in a suitable environment

Why is this Standard necessary?

It is crucial that the environment in which patients receive treatment and care is fit for purpose, so that patients are protected and that accurate information can be obtained about a patient's eye health. This applies no matter where care is being delivered, including online.

To achieve this, your business:

- 1.2.1 Ensures that all appropriate staff have professional indemnity insurance in place to cover their activities, and considers whether any additional insurance is needed for the business;
- 1.2.2 Provides an accessible patient care environment in line with current equalities legislation;
- 1.2.3 Maintains an appropriate standard of hygiene and repair of the premises from which care is provided;
- 1.2.4 Only provides, promotes and utilises equipment, medications and medical devices (including software and other technologies) that are fit for their intended use, hygienic and in a good state of repair;

- 1.2.5 Ensures that staff utilising equipment, medications and medical devices (including software and other technologies) have undergone appropriate training in their use;
- 1.2.6 Advises staff that they have the right to refuse to provide care if there is a serious risk to their own safety or that of others in doing so. This applies wherever care is being delivered, including in domiciliary settings;
- 1.2.7 Is able to accommodate the need or wish of a patient to have a carer, chaperone or interpreter present, whether their own or provided by the practice;
- 1.2.8 Provides appropriate disposal facilities for all waste, including any controlled, clinical and offensive waste where applicable;
- 1.2.9 Requires and enforces infection control protocols appropriate for your practice and ensures that all staff are in a position to follow them;
- 1.2.10 Ensures that it is prepared to deal with an emergency situation arising in practice, whether optical or otherwise;
- 1.2.11 Ensures that unauthorised access to equipment, medications and medical devices (including software and other technologies) and restricted areas of the premises is prevented.

1.3 Communication is clear and effective

Why is this Standard necessary?

Clear communication with patients is vital to be able to provide suitable care to them and ensure that they are involved in making decisions about their own healthcare. It is also important that they know what they can expect from their optical care and have a realistic understanding of what can be provided so that their expectations can be managed.

To achieve this, your business:

- 1.3.1 Provides information that is accessible to patients in a way they understand, taking into consideration individual needs and requirements. This could include what might be necessary in specific contexts such as requirements in the provision of NHS services; additional needs of the patient such as a learning disability; and any speech or communication difficulties;
- 1.3.2 Ensures, so far as possible, that operational or commercial pressures do not inhibit staff from allowing patients the time they need to process any information given to them and the opportunity to change their mind;

- 1.3.3 Provides, or makes available to staff, information for patients about any change to their prescribed products or appliances, to ensure that patients are able to decide about their own care;
- 1.3.4 Communicates effectively with a variety of persons, including patients, carers, professional colleagues and others;
- 1.3.5 Provides patients or carers with the information they need to be able to safely use, administer or look after medications or medical devices (including software and other technologies) that they have been prescribed or directed to use in order to manage their eye conditions;
- 1.3.6 Delivers sensitive information with care and compassion.

1.4 Patients can give valid consent to treatment

Why is this Standard necessary?

It is a fundamental legal and ethical principle that valid consent must be obtained at the point of care and throughout treatment. Consent reflects the right of patients to determine what happens to their own bodies and make choices in relation to optical appliances or treatment. Patients can give explicit consent, or, in some circumstances, they can provide implied consent and both of these are equally valid. The GOC has further guidance on consent, including the differences between types of consent, on our website.² To be 'valid', consent must be given: a) voluntarily; b) by a patient or someone authorised to act on the patient's behalf; and c) by a person who is appropriately informed. 'Informed' means that the patient has had an explanation of what the healthcare professional is going to do and that the patient is aware of any risks and options applicable to them. The support of the business is crucial to help individual healthcare professionals in seeking and obtaining valid consent from patients.

² www.optical.org/en/Standards/practice-guidance/consent-guidance

To achieve this, your business:

- 1.4.1. Promotes the need for valid consent from patients;
- 1.4.2. Makes information available to staff regarding the differences in obtaining valid consent in children, young people and vulnerable adults, and any legislation affecting the provision of consent in the nations of the UK in which they work;
- 1.4.3. Supports staff in making an assessment of patient capacity where they are unsure, and encourages staff to document any advice they receive on making such an assessment;
- 1.4.4. Recognises that implied consent may be given in relation to information-sharing with other healthcare professionals involved in a patient's care, and refers staff to GOC consent guidance³ for further information on this.

³ www.optical.org/en/Standards/practice-guidance/consent-guidance

2. Your culture and governance



2.1 The services you provide are open and transparent

Why is this Standard necessary?

The Mid-Staffs Hospital Public Inquiry⁴ identified a need for openness and transparency within healthcare. In order to be able to promote the public's trust in you as a business and in the optical professions, you need to ensure that the services you provide to patients and the public are transparent; that complaints are handled fairly; and that staff are able to be candid.

To achieve this, your business:

- 2.1.1 Fosters a culture of candour within the business by encouraging honesty and has a good knowledge of any contractual or statutory duties of candour that are applicable to your business, as well as the duty on your registered staff under the *Standards of Practice for Optometrists and Dispensing Opticians* and *Standards for Optical Students*;
- 2.1.2 Fulfils its professional, contractual and statutory duties of candour when it is identified that things have gone wrong with a patient's treatment or care which has resulted in them suffering harm or distress, or where there may be implications for future patient care. This includes as a basis the need to:

⁴www.midstaffspublicinquiry.com/report

- Tell the patient or, where appropriate, the patient's advocate, carer or family, that something has gone wrong;
- Offer an apology;
- Offer appropriate remedy or support to put matters right (if possible);
- Explain fully and promptly what has happened and the likely short-term and long-term effects; and
- Outline what you will do, where possible, to prevent reoccurrence and improve future patient care.

2.1.3 Ensures that staff have roles appropriately assigned, with clear lines of accountability and, where staff interact with patients and the public, they identify themselves and their role(s) clearly;

2.1.4 Establishes a clear complaints protocol and makes patients aware of their channels of complaint. These include the business, the Optical Consumer Complaints Service (OCCS), the GOC, the NHS or ombudsman services where relevant;

2.1.5 Provides staff (including locums) with access to complaints policies and protocols, and any other internal protocols directly impacting patients, or access to another member of staff who can advise on these;

- 2.1.6 Ensures that, where a patient makes a complaint, this does not impact on their care, which might require a patient to be referred to another practitioner or practice;
- 2.1.7 Co-operates with formal investigations and inquiries in relation to your business or your staff, provides relevant information to appropriate authorities when requested and does not prevent staff from co-operating when this is necessary;
- 2.1.8 Provides clear information to patients about costs of products and professional services;
- 2.1.9 Encourages staff to declare any conflicts of interest, where they arise, and withdraw themselves from such conflicts. The **joint regulatory conflicts of interest statement**⁵ sets out what is expected.

⁵ www.optical.org/filemanager/root/site_assets/standards/conflicts_of_interest_joint_statement.pdf

2.2 You ensure compliance with relevant regulations

Why is this Standard necessary?

As part of its responsibilities to the GOC, your business has a duty to ensure it is compliant with all regulations affecting the running of the business. Failure to comply puts at stake the reputation of the business and its ability to continue operating. The personal and professional conduct of directors also has the potential to affect the ability of the business to continue operating (for example, if a criminal offence is committed). The information listed below is not exhaustive and other statutory or regulatory duties may apply depending on the structure of your business or the environment in which it operates.

To achieve this, your business:

- 2.2.1 Advertises only in ways that are not misleading, confusing or unlawful;
- 2.2.2 Acts on any instruction from a statutory authority requiring measures to be implemented to safeguard the welfare of patients and staff;
- 2.2.3 Ensures that all data is obtained, processed, stored and destroyed in a manner compliant with the law;

- 2.2.4 Takes reasonable steps to ensure that those individuals or organisations to which you refer patients are able to provide appropriate care;
- 2.2.5 Promotes equality, values diversity and is inclusive in all dealings with staff, patients and others and does not discriminate on the grounds of gender, sexual orientation, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief;
- 2.2.6 Provides staff with clear information in relation to all legislation relevant to their roles.

2.3 You have a system of clinical governance in place

Why is this Standard necessary?

Clinical governance is a systematic approach to maintaining and improving the quality of patient care within healthcare providers. You are a provider of a healthcare service and therefore have a responsibility to ensure that the care you provide to patients is of good quality and continuously improving.

To achieve this, your business:

- 2.3.1. Has a system, appropriate to your practice, which allows staff to review and reflect on their work and identify and share good practice or where improvements are necessary;
- 2.3.2. Learns from mistakes made by your organisation and staff and, where it is possible to do so, puts mechanisms in place to prevent reoccurrence;
- 2.3.3. Audits patient records to identify themes and issues, and addresses any concerns that arise to ensure consistency and quality of patient care. The approach taken should be appropriate and proportionate to your business.

2.4 Confidentiality is respected

Why is this Standard necessary?

Respecting confidentiality is a fundamental principle of healthcare: a patient trusts their healthcare professional and reasonably expects that information to be kept private and not disclosed to others unnecessarily or unlawfully. This duty also applies to information you hold about your staff. Your role as an optical business is to provide an environment which facilitates the respecting of confidentiality, whilst ensuring that appropriate disclosures can be made where there is a public interest in so doing.

To achieve this, your business:

- 2.4.1. Provides a system for the maintenance of patient records that is secure and accessible only to those who need to see it. This applies to both paper and electronic records;
- 2.4.2. Is able to provide privacy for patient care when necessary;
- 2.4.3. Stores information about staff and recruitment securely and confidentially;
- 2.4.4. Appropriately updates storage systems (including paper and electronic record storage) to maintain security;

2.4.5. Supports staff in overriding patient confidentiality where it is in the public interest to do so. This should include guidance for staff on how to disclose information to an appropriate authority and document such disclosures.

3. Your staff



3.1 Your staff are able to exercise their professional judgement

Why is this Standard necessary?

It is important for staff to be able to exercise their professional judgement in fulfilling their duties to patients, and to meet the expectations of their professional regulator. This relies on staff being empowered to take into consideration what is best for patients and doing so with their interests and circumstances in mind. They should be in a position to do so without being subject to unreasonable external influence or pressure.

To achieve this, your business:

- 3.1.1 Promotes awareness and understanding of the *Standards of Practice for Optometrists and Dispensing Opticians, Standards for Optical Students and Standards for Optical Businesses* to staff;
 - 3.1.2 Supports its staff to have the confidence to make decisions appropriate to their role;
 - 3.1.3 Makes sure that operational and commercial pressures do not unreasonably inhibit the exercise of professional judgement;
 - 3.1.4 Allows staff sufficient time, so far as possible, to accommodate patients' individual needs within the provision of care;
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- 3.1.5 Encourages staff to seek advice on making difficult decisions if they need to, and lets them know with whom they can do this;
- 3.1.6 Ensures that any changes to prescribed products are clinically justified, and staff are able to apply professional judgement when deciding if a change to the prescribed product is right for individual patients.

3.2 Staff are suitably trained, qualified and registered

Why is this Standard necessary?

It is a legal requirement that those undertaking restricted functions are appropriately registered with the GOC or the General Medical Council (GMC). In addition, staff undertaking other roles in the optical business need to have suitable levels of training so as not to have an adverse impact on patient safety or trust. It is therefore crucial from both healthcare and commercial perspectives that the business takes a proactive role in ensuring its staff are suitably trained, qualified and registered (where necessary). An individual's learning needs to be lifelong so that they can keep up-to-date with changes in outlook, technology and scope of their profession, and ensure that they remain fit to practise. It is important therefore that the business environment is one in which staff feel able to learn and grow.

To achieve this, your business:

- 3.2.1. Requires that those working as optometrists and dispensing opticians (and student optometrists and student dispensing opticians) have up-to-date registration with the GOC, and take reasonable steps to ensure that this is the case;

- 3.2.2. Supports its staff to develop their communication skills and to treat patients with care and compassion;
- 3.2.3. Encourages staff to undertake learning and development in professional decision-making, as appropriate to their role;
- 3.2.4. Prepares new staff to understand how patient care is delivered in your specific business setting;
- 3.2.5. Makes staff aware that they must only work within the limits of their competence, and takes appropriate action where they do not;
- 3.2.6. Provides a system for the monitoring of staff objectives and training needs, as appropriate;
- 3.2.7. Supports GOC registrants to meet their professional requirements, including *Standards of Practice for Optometrists and Dispensing Opticians* and *Standards for Optical Students* and continuing education and training (CET) requirements.

3.3 Staff are adequately supervised

Why is this Standard necessary?

Optical businesses have a responsibility to ensure that staff are adequately supervised, where appropriate, and staff have a key role to play in the formal supervision of pre-registration students as part of the education pathway. It is important to make sure that all staff – regulated or not – have access to the supervision and support they need to provide good patient care. The standards for supervision and delegation arrangements are set out in Standard 9 of the *Standards of Practice for Optometrists and Dispensing Opticians*. The GOC supervision policy for pre-registration students is set out in the GOC quality assurance handbooks⁶.

To achieve this, your business:

- 3.3.1 Ensures that only staff with sufficient levels of qualification and experience act as supervisors, and require them to be in a position to oversee the work undertaken and ready to intervene if necessary to protect patients;
- 3.3.2 Ensures that all staff members involved in the delegation and supervision of clinical tasks are aware who retains overall clinical responsibility for the patient;

⁶ www.optical.org/en/Education/Approving_courses/index.cfm

- 3.3.3 Monitors progress of new staff in meeting the requirements of their role;
- 3.3.4 Has appropriate systems in place to address and manage poor clinical and professional performance;
- 3.3.5 Ensures that students have protected time for supervised learning, where the business has entered into an agreement to provide clinical training in practice as part of the education pathway;
- 3.3.6 Provides students with information about who to speak to in the practice if they have an issue or query.

3.4 Staff collaborate with others, where appropriate

Why is this Standard necessary?

Some patients may need external referral to other healthcare professionals such as ophthalmologists to manage their health. Staff working within an optical business should understand the system of referral available and be in a position to collaborate with other healthcare professionals to ensure patient safety. Locums specifically should have access to information about local referral protocols. This cannot be done without the full support of the business.

To achieve this, your business:

- 3.4.1 Supports its staff in making referrals and ensures that they only make referrals when appropriate and clinically justified;
- 3.4.2 Facilitates the sharing of appropriate and relevant information in a timely manner;
- 3.4.3 Supports its staff in requesting further information from the patient, their carer(s) or any other healthcare professional when necessary;

- 3.4.4 Encourages respectful communications with professional colleagues and refrains from making disparaging remarks about other professionals or businesses in public or in private;
- 3.4.5 Supports its staff to keep patient records that are clear, legible, contemporaneous and sufficiently detailed to be accessible to another healthcare professional.

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