

GENERAL OPTICAL COUNCIL

**Minutes of the 17th Meeting of the Registration Committee
held on 11 September 2008**

Present: Dr G Harris (in the Chair)
Mrs M Alexander, Miss K Devlin, Dr P Kyle, Mr K Lewis,
Mr A Sadiq, Professor A Tomlinson, Miss J Underwood,
Mrs S Wild.

In Attendance: Mrs J Burrow, Miss K Fielding,
Mr P J Ireland, Mrs J D Taylor

Apologies for absence

427. Apologies for absence were received from Mr D Cameron.

Declaration of Interests

428. Members were reminded of the requirement to declare to the meeting any matter to which they had or may be perceived as having a personal interest.

Confidentiality

429. Members were reminded that proceedings of the Committee were confidential under Standing Orders 5.23 to 5.26

Minutes of the 17th Meeting held on 17 April 2008

430. The minutes of the 17th meeting of the Committee held on 17 April 2008 were approved and signed by the Chairman as a true record of the meeting.

Matters Arising

431. Committee Constitution Rules:

Members noted the details of the Draft Committee Constitution Rules, Rule 11 (Registration Rules) which detailed the proposed constitution of Registration Committee under the new legislation as a minimum of seven and a maximum of fourteen members; consisting of two optometrists, two dispensing opticians, two lay members and one member representing bodies corporate.

432. CHRE Performance Review:

The points raised by CHRE in its Performance Review of the GOC with regard to its registration function were noted. It had highlighted that conditions imposed by Councils Fitness to Practise Panel did not appear alongside a registrants' entry on the register. This point had been accepted and work needed to create this linkage had been undertaken and was expected to be completed by the end of September 08. Only information which related to where a condition or sanction had been imposed would appear, and not that a registrant was subject to an as yet unproven allegation.

Where 'best practice' had been highlighted by CHRE in registration matters across other regulators, then this would be considered by the GOC in order to further enhance its own practices.

Equality and Diversity Monitoring Consultation

433. Members noted the responses received from stakeholders to the Council's consultation on its equality and diversity scheme. Most responses were supportive of the principles for equality and diversity monitoring, but some concerns had been raised about the proposal to link the data collected to registrants' details on the database. These concerns were around the possibilities of the data becoming publicly available and had led to responses that the data be collected anonymously.

434. The Council had a statutory responsibility to report on equality and diversity issues in relation to its Fitness to Practise activities. In order to accurately provide this comparison, it needed to be able to identify the ethnic origin or background of all registrants brought before an FTP Panel.

435. It was decided that in order to meet both objectives, it would be made clear that the data would be collected on individuals but stored separately from the main database in a secure manner and would never be made publicly available, except in an anonymised way for statistical purposes only.

436. The data collection would commence at the next retention period, starting December 2008 and the main database would be 'flagged' to indicate whether or not a registrant had completed a return. Only those registrants who had not completed a return would be sent a further request in subsequent years.

Student Retention Fees

437. Members considered a proposal to amend the student retention fee because of some evidence that appeared to suggest students didn't feel any sense of urgency to renew when the time interval between receiving a reminder and meeting the deadline gave them seven weeks in which to comply. Also, the fee for restoring to the register was the same £20 fee as it was for renewing on time.

438. The numbers who had been removed from the register this year had increased to 399 (9%) compared to 288 (7%) last year. It was noted that a factor in this increase could be due to students who were awaiting the results of their final exam, who decided not to renew as a student when they may be about to join the full register. It was agreed to review once again whether the dates for student registration were best suited at present, although it was recognised that optometry student registration dates differed from those of dispensing students.

439. It was acknowledged that a higher student fee for late renewal would instil in students the need to recognise their responsibilities in being part of a regulated profession, and also for the additional costs incurred in administering late payments be met by those directly responsible. This proposal would be put to Finance and Procedure Committee next month.

Guidance for Sole Practitioners on the use of a protected Title

440. This debate had begun following changes to GOS contracts which came into force on 1 August 2008.

441. There was wide discussion on this agenda item which sought to establish clarification on the use of protected titles as they applied to sole practitioners. It was noted that sole practitioners had to provide details to their PCT of where and when services would be provided to the public, but not specifically what days or at what times of the day. It was acknowledged that it was not practical, or within the remit of the GOC, for sole practitioners to provide these details to the GOC.

442. It was acknowledged that a registrant practitioner, whether a sole practitioner or otherwise, was able to use a protected title in the name of his/her business. A manufacturing business, using words in its name such as *opticians*, *contact lenses*, may already be using a protected title but for a completely different purpose which did not pose any danger for the public.

443. It was agreed that the Executive would review this area of the legislation and whether it needed to bring this matter back to the Committee at a later date in order to clarify this subject any further.

Registration Committee Workplan 2008/9

444. Members noted the progress to date in the current year workplan.

445. Within the registration and retention item 3(3), it was questioned as to whether the protocol for the Registrar to refer a complex application to a small group of committee members for informal consideration was still in place. It was noted that this process did still exist although it had not been used recently, but that the Director of Legal Services had concerns as to legal basis on which this informal process was based and whether it may be subject to legal challenge should the applicant decide to appeal against its outcome. He was presently reviewing the protocol and would report back to the committee in due course.

446. It was noted that staff costs were not identified in the workplan as these were included in the overall salaries budget, but staff time commitments had been identified. This would enable staff time to be identified as a resource and any imbalances would need to be addressed.

447. Item 6 – the Management of the CET Scheme was identified as the day to day management of the CET Scheme throughout the term of the current agreement, as distinct from the work of the CET Policy and Development Group. This group was concerned with the future arrangements for the scheme post 2010, and would continue to consider options for the scheme beyond the term of the present agreement.

448. The Director of Corporate resources made a short presentation to the committee on the current financial position of Council. Council had agreed a financial plan for 2008-9 which planned a deficit budget of -£370,945 and the committee was apprised of the status of income and expenditure after the first quarter.

Registration Committee Workplan 2009-10

449. The Executive had drawn-up a number of initiatives for the next financial year and had prioritised them into statutory; legal or 'need to do'; and 'like to do' activities. The Committee was asked to consider whether the proposed activities encompassed all relevant items and whether it felt each had been given the correct level of priority.

450. It was agreed to change the priority of the equality and diversity monitoring work from a priority 2 to a priority 1 since there was now a statutory requirement to report on this subject to government.

451. The initiative on Student and Teacher Registration which had previously been considered by Standards/Education/Registration Committees jointly was not included on the workplan, but it was noted this piece of work was on the Education Committee workplan and would form part of its work in 2009-10.

Items for Information

452. Members noted the updated list of qualifications for optometry and dispensing optics which had been provided by the College of Optometry. The list would be taken to November Council for approval.

453. The GOC response to the Code of Conduct of the EU Qualifications Directive 2005/36/EC was noted.

454. The CHRE report to government on student registration was discussed. The GOC had introduced student registration as a statutory requirement in June 2005 and in its submission to CHRE had reported that there were demonstrable benefits to its introduction. The conclusion reached by CHRE was that ensuring students develop a working knowledge of professional behaviour, ethics and values were not necessarily achieved through registration with a regulatory body.

455. It was agreed to draft a response to CHRE following publication of its conclusions which would set out the Council's experiences on this subject, and would include the latest student FTP information in support of its view.

456. Interim Report of the Extending Professional Regulation Working Group – this national working group had established a number of actions on extending regulation. This was an interim report and the final report from this group was expected in December 2008. The final report would be considered by the Committee at its next meeting in 2009.

Date and Time of Next Meeting

457. The next meeting of the Committee would be held at 41 Harley Street on **Thursday 5 February 2009 at 10:30am.**