

Impact Assessment Screening Tool

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|-------------------------------------|--|
| Name of policy or process | Regulation of optical businesses |
| Purpose of policy or process | To regulate all optical businesses within the UK |
| Team/Department | Policy and Standards |
| Date | 31 July 2024 |
| Screen undertaken by | Charlotte Urwin |
| Approved by | Steve Brooker |
| Date approved | 6 August 2024 |
| Instructions: | <ul style="list-style-type: none"> Circle or colour in the current status of the project or policy for each row. Do not miss out any rows. If it is not applicable – put N/A, if you do not know put a question mark in that column. This is a live tool, you will be able to update it further as you have completed more actions. Make sure your selections are accurate at the time of completion. Decide whether you think a full impact assessment is required to list the risks and the mitigating/strengthening actions. If you think that a full impact assessment is not required, put your reasoning in the blank spaces under each section. You can include comments in the boxes or in the space below. Submit the completed form to the Compliance Manager for approval. |

| A) Impacts | High risk | Medium risk | | Low risk | ? or N/A |
|--|---|---|--|--|----------|
| 1. Reserves | It is likely that reserves may be required | It is possible that reserves may be required | | No impact on the reserves / not used | |
| 2. Budget | No budget has been allocated or agreed, but will be required | Budget has not been allocated, but is agreed to be transferred shortly | Budget has been allocated, but more may be required (including in future years) | No budget is required OR budget has been allocated and it is unlikely more will be required | |
| 3. Legislation, Guidelines or Regulations | Not sure of the relevant legislation | Aware of all the legislation but not yet included within project/process | Aware of the legislation, it is included in the process/project, but we are not yet compliant | Aware of all the legislation, it is included in the project/process, and we are compliant | |
| 4. Future legislation changes | Legislation is due to be changed within the next 12 months | Legislation is due to be changed within the next 24 months | Legislation may be changed at some point in the near future | There are no plans for legislation to be changed | |
| 5. Reputation and media | This topic has high media focus at present or in last 12 months | This topic has growing focus in the media in the last 12 months | This topic has little focus in the media in the last 12 months | This topic has very little or no focus in the media in the last 12 months | |
| 6. Resources (people and equipment) | Requires new resource | Likely to complete with current resource, or by sharing resource | Likely to complete with current resource | Able to complete with current resource | |
| 7. Sustainability | Less than 5 people are aware of the process/project, and it is not recorded centrally nor fully | Less than 5 people are aware of the project/process, but it is recorded centrally and fully | More than 5 people are aware of the process/project, but it is not fully recorded and/or centrally | More than 5 people are aware of the process/project and it is clearly recorded centrally | |
| | No plans are in place for training, and/or no date set for completion of training | Training material not created, but training plan and owner identified and completion dates set | Training material and plan created, owner identified and completion dates set | Training completed and recorded with HR | N/A |
| 8. Communication (Comms) / raising awareness | No comms plan is in place, and no owner or timeline identified | External comms plan is in place (including all relevant stakeholders) but not completed, an owner and completion dates are identified | Internal comms plan is in place (for all relevant levels and departments) but not completed, and owner and completion dates are identified | Both internal and external comms plan is in place and completed, owner and completion dates are identified | |
| | Not sure if needs to be published in Welsh | Must be published in Welsh; Comms Team aware | | Does not need to be published in Welsh | |

Please put commentary below about your impacts ratings above:

1, 2 and 6: The purpose of this project is to identify the changes we need to make to the framework that we use to regulate optical businesses, so that we can bring all businesses that carry out certain restricted functions (see consultation document) within scope of our regulation. The timetable for delivery of this project is not within the GOC's control and will be determined by the UK Government.

The project therefore focusses on the policy decisions that need to be made and at this time can be delivered using existing policy and standards resources and budgets. We may need to commission additional consultancy to inform policy decisions, which may require access to the reserves in future.

As we already regulate some optical businesses and therefore have systems and processes to manage that regulation, we will be able to use those systems to regulate those businesses. For example, we already have systems and processes to enable us to hold a register of optical businesses and those will be updated to reflect these changes.

However, our proposals will require resources (both financial and people) to implement and maintain. Our research by Europe Economics estimates that we would need three additional registration officers for a six-month period and half a full time equivalent (FTE) lawyer's time to draft the rule and legislative changes. The one-off administrative costs are estimated to be just over £90,000 (including overheads, recruitment and training costs where relevant). We would also incur on-going costs for maintaining our enlarged business register, including the renewals process. We estimate that this would require two full time registration officers per year at an estimated total cost of almost £90,000 per year. It is also likely that an increased business register would lead to increased fitness to practise costs. As noted in the paper on enforcement and sanctions, levels of complaints about optical businesses are relatively low. The research estimates those costs at being about £80,000 per year. We propose that all businesses should be part of the Optical Consumer Complaints Service (OCCS). We propose that the OCCS will continue to be funded by registrant fees, but there may be additional costs related to increasing the number of businesses which can engage with the OCCS.

The costs to the GOC will be offset by increased income from business registrant fees. The cost of regulation per business should reduce due to economies of scale. At this stage we have identified potential costs where appropriate in each proposal, as set out in the annexes.

We also recognise that our proposals may have resource implications for optical businesses, particularly those which we do not currently regulate. Our research from Europe Economics gives some details of the costings to businesses, but the cost will vary depending on the eventual model chosen and other factors, such as the extent of changes the business will need to make to bring it in line with the proposals.

We recognise that once our proposals are finalised we will need to undertake further work to assess the impact of each proposal and will seek views on costings during the consultation.

3 and 4: Any changes to our framework of business regulation will require change to our legislation. As such, legislation will change in the future, subject to agreement by the UK Government.

8: We will prepare a full communications plan to support consultation engagement. The consultation document and annexes will be translated into Welsh. The proposals in this document relate to a framework of business regulation that will apply to all optical businesses across the UK, including in Wales. We have assessed that these proposals will not have any effects on opportunities to use the Welsh language or affect the treatment of the Welsh language.

The risks identified in this section are low and medium risks. They have been addressed as far as possible and a full impact assessment is not necessary.

| B) Information governance | High risk | Medium risk | | Low risk | ? or N/A |
|---|--|--|--|--|----------|
| 1. What data is involved? | Sensitive personal data | Personal data | Private / closed business data | Confidential / open business data | |
| 2. Will the data be anonymised? | No | Sometimes, in shared documents | Yes, immediately, and the original retained | Yes, immediately, and the original deleted | |
| 3. Will someone be identifiable from the data? | Yes | Yes, but their name is already in the public domain(SMT/Council) | Not from this data alone, but possibly when data is merged with other source | No – all anonymised and cannot be merged with other information | N/A |
| 4. Is all of the data collected going to be used? | No, maybe in future | Yes, but this is the first time we collect and use it | Yes, but it hasn't previously been used in full before | Yes, already being used in full | |
| 5. What is the volume of data handled per year? | Large – over 4,000 records | Medium – between 1,000-3,999 records | | Less than 1,000 records | |
| 6. Do you have consent from data subjects? | No | Possibly, it is explained on our website (About Us) | Yes, explicitly obtained, not always recorded | Yes, explicitly obtained and recorded/or part of statutory duty/contractual | N/A |
| 7. Do you know how long the data will be held? | No – it is not yet on retention schedule | Yes – it is on retention schedule | Yes – but it is not on the retention schedule | On retention schedule and the relevant employees are aware | |
| 8. Where and in what format would the data be held? (delete as appropriate) | Paper; at home/off site; new IT system or provider; Survey Monkey; personal laptop | Paper; archive room; office storage (locked) | GOC shared drive; personal drive | other IT system (in use); online portal; CRM; Scanned in & held on H: drive team/dept folder | |
| 9. Is it on the information asset register? | No | Not yet, I've submitted to Information Asset Owner (IAO) | Yes, but it has not been reviewed by IAO | Yes, and has been reviewed by IAO and approved by Gov. dept. | |
| 10. Will data be shared or disclosed with third parties? | Yes, but no agreements are in place | Yes, agreement in place | Possibly under Freedom of Information Act | No, all internal use | |
| 11. Will data be handled by anyone outside the EU? | Yes | - | - | No | |
| 12. Will personal or identifiable data be published? | Yes – not yet approved by Compliance | Yes- been agreed with Compliance | No, personal and identifiable data will be redacted | None - no personal or identifiable data will be published | |

| B) Information governance | High risk | Medium risk | Low risk | ? or N/A |
|---|---|--|----------|--|
| 13. Individuals handling the data have been appropriately trained | Some people have never trained by GOC in IG | All trained in IG but over 12 months ago | | Yes, all trained in IG in the last 12 months |

Please put commentary below about reasons for information governance ratings:

1-13: The consultation proposals themselves are about the regulation of businesses, not individuals. We do not anticipate therefore that respondents to the consultation would provide personal data about individuals but they may provide information about commercial practices. In line with our consultation policy, we will redact information which we consider to be offensive, vexatious, libellous or contain rhetoric that promotes discriminatory behaviour/views against anyone with protected characteristics under the Equality Act 2010, or are irrelevant ([consultation-policy-final-july-2024.pdf \(optical.org\)](https://consultation-optical.org/consultation-policy-final-july-2024.pdf)).

Consultation respondents can provide their personal information (name, contact details and EDI information) when submitting a consultation response, but it is not mandatory. Where gathered, all such information is used solely for the purposes of analysing responses and we do not identify or publish the names of any individuals who have responded to the consultation.

Our consultation platform includes a privacy statement, setting out how we will use respondents' data ([Privacy Policy | General Optical Council](https://www.optical.org/privacy-policy)).

Most risks are low or medium and have been mitigated.

Full impact assessment not required.

| C) Human rights, equality and inclusion | High risk | Medium risk | Low risk | ? or N/A |
|--|---|--|--|---|
| 1. Main audience/policy user | Public | | Registrants, employees or members | |
| 2. Participation in a process (right to be treated fairly, right for freedom of expression) | Yes, the policy, process or activity restricts an individual's inclusion, interaction or participation in a process | | No, the policy, process or activity does not restrict an individual's inclusion, interaction or participation in a process | |
| 3. The policy, process or activity includes decision-making which gives outcomes for individuals (right to a fair trial, right to be treated fairly) | Yes, the decision is made by one person, who may or may not review all cases | Yes, the decision is made by one person, who reviews all cases | Yes, the decision is made by an panel which is randomly selected; which may or may not review all cases | Yes, the decision is made by a representative panel (specifically selected) OR No, no decisions are required |
| | There is limited decision criteria; decisions are made on personal view | There is some set decision criteria; decisions are made on 'case-by-case' consideration | There is clear decision criteria, but no form to record the decision | There is clear decision criteria and a form to record the decision |
| | There is no internal review or independent appeal process | There is a way to appeal independently, but there is no internal review process | There is an internal review process, but there is no way to appeal independently | There is a clear process to appeal or submit a grievance to have the outcome internally reviewed and independently reviewed |
| | The decision-makers have not received EDI and unconscious bias training, and there are no plans for this in the next 3 months | The decision-makers are due to receive EDI and unconscious bias training in the next 3 months, which is booked | The decision-makers are not involved before receiving EDI and unconscious bias training | The decision-makers have received EDI and unconscious bias training within the last 12 months, which is recorded |

| C) Human rights, equality and inclusion | High risk | Medium risk | | Low risk | ? or N/A |
|--|--|---|--|--|----------|
| 4. Training for all involved | Less than 50% of those involved have received EDI training in the last 12 months; and there is no further training planned | Over 50% of those involved have received EDI training, and the training are booked in for all others involved in the next 3 months. | | Over 80% of those involved have received EDI training in the last 12 months, which is recorded | |
| 5. Alternative forms – electronic / written available? | No alternative formats available – just one option | Yes, primarily internet/computer-based but paper versions can be used | | Alternative formats available and users can discuss and complete with the team | |
| 6. Venue where activity takes place | Building accessibility not considered | Building accessibility sometimes considered | | Building accessibility always considered | N/A |
| | Non-accessible building; | Partially accessible buildings; | Accessible buildings, although not all sites have been surveyed | All accessible buildings and sites have been surveyed | N/A |
| 7. Attendance | Short notice of dates/places to attend | Medium notice (5-14 days) of dates/places to attend | | Planned well in advance | |
| | Change in arrangements is very often | Change in arrangements is quite often | | Change in arrangements is rare | |
| | Only can attend in person | Mostly required to attend in person | | Able to attend remotely | |
| | Unequal attendance / involvement of attendees | Unequal attendance/ involvement of attendees, but this is monitored and managed | | Attendance/involvement is equal, and monitored per attendee | |
| | No religious holidays considered; only Christian holidays considered | Main UK religious holidays considered | Main UK religious holidays considered, and advice sought from affected individuals if there are no alternative dates | Religious holidays considered, and ability to be flexible (on dates, or flexible expectations if no alternative dates) | |
| 8. Associated costs | Potential expenses are not included in our expenses policy | Certain people, evidencing their need, can claim for potential expenses, case by case decisions | | Most users can claim for potential expenses, and this is included in our | N/A |

| C) Human rights, equality and inclusion | High risk | Medium risk | Low risk | ? or N/A |
|---|---|--|--|---|
| | | | expenses policy; freepost available | |
| 9. Fair for individual's needs | Contact not listed to discuss reasonable adjustments, employees not aware of reasonable adjustment advisors | Most employees know who to contact with queries about reasonable adjustments | Contact listed for reasonable adjustment discussion | N/A |
| 10. Consultation and Inclusion | No consultation; consultation with internal employees only | Consultation with employees and members | Consultation with employees, members, and wider groups | Consultation with policy users, employees, members and wider groups |

Please put commentary below for human rights, equalities and inclusion ratings above:

3: Decisions on the model of business regulation will be made by our Council following public consultation. These decisions do not directly give outcomes for individuals, though if the proposals were implemented by the UK Government then business owners providing specified restricted functions would be required to register with the GOC. There is no right of appeal for Council decisions. However, it will then be for the UK Government to decide whether to implement these changes.

5: The consultation is available to all on our website. Documents are available in alternative formats on request. Any decisions on the model of business regulation will be made at a public Council meeting which take place online and are open to all to attend. We publish Council papers a week in advance of meetings.

6-9: Council meetings take place online. Any decisions on business regulation would be made at the public Council meeting, which is open to the public. Papers for the meeting are published a week in advance and are available in alternative formats on request.

10: Our 2022 consultation on the [call for evidence on the Opticians Act 1989 and associated GOC policies](#) confirmed there was strong stakeholder support for extending business regulation to all businesses carrying out restricted functions.

Full impact assessment not required.

| Protected characteristic | Type of potential impact: positive, neutral, negative? | Explanations (including examples or evidence/data used) and actions to address negative impact |
|---------------------------------|---|---|
| Age | Positive | <p>These proposals will result in all optical businesses carrying out certain functions being regulated by the GOC. Our public perceptions research shows that young people are more likely to experience something going wrong during a visit to the opticians/optometrist practice. Extending business regulation to all optical businesses providing specified restricted functions will mean that all businesses will be required to comply with our standards and there will be improved access to consumer redress should something go wrong.</p> <p>The consistent application of GOC business standards would also benefit employees as it would provide a more standardised and safer working environment. Our research shows that younger registrants are more likely to experience harassment, bullying, abuse or discrimination at work. We are strengthening our standards to ensure businesses provide more support to staff who experience bullying, harassment, abuse and discrimination at work. Extending business regulation would mean an extension of support for all staff.</p> |
| Disability | Positive | <p>These proposals will result in all optical businesses carrying out certain functions being regulated by the GOC. Our public perceptions research shows that people with a disability are more likely to experience something going wrong during a visit to the opticians/optometrist practice. Extending business regulation to all optical businesses providing specified restricted functions will mean that all businesses will be required to comply with our standards and there will be improved access to consumer redress should something go wrong.</p> <p>The consistent application of GOC business standards would also benefit employees as it would provide a more standardised and safer working environment. Our research shows that registrants with a disability are more likely to experience harassment, bullying, abuse or discrimination at work. We are strengthening our standards to ensure businesses provide more support to staff who experience bullying, harassment, abuse and discrimination at work. Extending business regulation would mean an extension of support for all staff.</p> |

| Protected characteristic | Type of potential impact: positive, neutral, negative? | Explanations (including examples or evidence/data used) and actions to address negative impact |
|--|---|---|
| Sex | Positive | The consistent application of GOC business standards would also benefit employees as it would provide a more standardised and safer working environment. Our research shows that female registrants are more likely to experience harassment, bullying, abuse or discrimination at work. We are strengthening our standards to ensure businesses provide more support to staff who experience bullying, harassment, abuse and discrimination at work. Extending business regulation would mean an extension of support for all staff. |
| Gender reassignment (trans and non-binary) | Neutral | |
| Marriage and civil partnership | Neutral | |
| Pregnancy/ maternity | Neutral | |
| Race | Positive | The consistent application of GOC business standards would also benefit employees as it would provide a more standardised and safer working environment. Our research shows that registrants from ethnic minority backgrounds are more likely to experience harassment, bullying, abuse or discrimination at work. We are strengthening our standards to ensure businesses provide more support to staff who experience bullying, harassment, abuse and discrimination at work. Extending business regulation would mean an extension of support for all staff. |
| Religion/belief | Neutral | |

| Protected characteristic | Type of potential impact: positive, neutral, negative? | Explanations (including examples or evidence/data used) and actions to address negative impact |
|---|---|--|
| Sexual orientation | Neutral | |
| Other groups (e.g. carers, people from different socio-economic groups) | | <p>These proposals will result in all optical businesses carrying out certain functions being regulated by the GOC. Our public perceptions research shows that carers and those going through difficult life circumstances are more likely to experience something going wrong during a visit to the opticians/optometrist practice. Extending business regulation to all optical businesses providing specified restricted functions will mean that all businesses will be required to comply with our standards and there will be improved access to consumer redress should something go wrong.</p> |