

Chief Executive and Registrar

Scheme of Delegation

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Chief Executive and Registrar Scheme of Delegation

1. Purpose

- 1.1 To set out the scheme of delegation for the Chief Executive and Registrar.

2. Background

- 2.1 Council has approved a scheme of delegation that sets out which specific statutory powers and duties have been reserved by Council, and where they have been delegated by Council to the Chief Executive and Registrar. These powers and duties originate from the Opticians Act 1989.
- 2.2 The Chief Executive and Registrar has approved a scheme of delegation that sets out where these powers and duties have been further delegated to members of the executive. This scheme sets out who is responsible for a specific power or duty, and who undertakes this function on their behalf.
- 2.3 Other than where functions are delegated to committees, other structures or to the Chief of Staff (in the case of some limited governance functions), the Council regards the Chief Executive and Registrar as its single point of delegation. Council holds this position accountable for meeting the Council's expectations for organisational performance. If the Chief Executive and Registrar chooses to delegate these functions further, they will be held accountable by the Council for the discharge of all functions delegated under the Scheme. This accountability is demonstrated through monitoring reports submitted to the Council.

3. Using this scheme

- 3.1 Employees are expected to refer to this scheme before discharging any of the powers or duties described within.
- 3.2 This document is one of several that describe the GOC governance arrangements, known collectively as the GOC governance handbook. You should read this document in conjunction with the standing orders for financial management and the financial regulations. Where reference to another scheme of delegation is required, this is indicated in the notes column.
- 3.3 When using this framework, you should also follow any relevant guidance, organisational policies, and any agreed standing operating procedures within your own team or Directorate.
- 3.4 The scheme is organised alphabetically by function. It sets out two points of delegation:
 - 3.4.1 **Responsible for this power or duty:** This is the person with the responsibility for ensuring this power or duty is used for the proper purposes and in pursuit of the GOC's statutory and charitable objectives. If this is the sole person listed in the row, they are also responsible for the operational decisions connected with using this power or duty.

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3.4.2 **Undertakes this function:** This is where a further delegation of the power or duty is made by the person responsible to an individual (or individuals) to make operational decisions and undertake this function on their behalf. If no-one is listed in this column, then there is no additional delegation.

3.5 The Chief of Staff is responsible for maintaining the scheme and should be consulted if further advice is required.

3.6 The Chief of Staff has delegated authority to amend the scheme to reflect a change of job titles or minor alterations in operational responsibilities. However, this delegation is limited so they cannot alter the level of seniority that a power or duty is delegated to, or if an organisational restructure means significant amendments are required. Such amendments require the approval of the Chief Executive and Registrar.

4. Reviewing this scheme

4.1 This scheme will be reviewed at least every five years, to coincide with Council reviewing and approving its scheme of delegation.

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Origin of authority	Description of function /delegation	Responsible for this power or duty	Undertakes this function	Notes (for example, where consultation with another person is required)
Statutory powers from Opticians Act 1989 and delegated from Council				
Protection of the Public – general duties and powers				
13A(1)(b) Opticians Act 1989	To establish and keep under review effective arrangements to protect members of the public from registered optometrists, registered dispensing opticians and student registrants whose fitness to practise or, in the case of a student registrant, fitness to undertake training, is impaired.	Any Director		
13A(2)(b) Opticians Act 1989	To establish and keep under review effective arrangements to protect the public from business registrants whose fitness to carry on business as an optometrist or a dispensing optician or both is impaired.	Any Director		
Education				

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12(2)(a), Opticians Act 1989	To consult the Standards Committee before establishing competencies to be granted a qualification	Chief Executive and Registrar	Director of Regulatory Strategy	
12(2)(b), Opticians Act 1989	To consult the Education Committee before establishing requirements for the content and standard of education and training	Chief Executive and Registrar	Director of Regulatory Strategy	
12(3), Opticians Act 1989	To publish the competencies and requirements	Head of Education and CPD		
12(6), Opticians Act 1989	To provide the competencies and requirements to approved training establishments	Head of Education and CPD		
12(7), Opticians Act 1989	To approve establishments, qualifications and tests of language	Chief Executive and Registrar		
12(8), Opticians Act 1989	To commission advice on the suitability of the establishment or qualification	Chief Executive and Registrar	Director of Regulatory Strategy Head of Education and CPD	
12(9), Opticians Act 1989	To approve establishments and qualifications which provide only some education and training or qualifications which meet only some of the requirements	Chief Executive and Registrar		

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12(10), Opticians Act 1989	To publish a list of approved establishments and qualifications	Head of Education and CPD		
13(1), Opticians Act 1989	To keep themselves informed as to the instruction at each approved establishment and the assessment which leads to the approved qualification	Head of Education and CPD		
13(2), Opticians Act 1989	To appoint visitors to visit approved training establishments	Head of Education and CPD		
13(4), Opticians Act 1989	To specify matters to be addressed by visitors	Head of Education and CPD	Education Manager	
13(5), Opticians Act 1989	To give written notice of intention to withdraw the approval of a training establishment or qualification	Director of Regulatory Strategy		
13(7), Opticians Act 1989	To decide whether to withdraw the approval of qualifications of institutions (non-Serious Concerns Review (SCR))	Chief Executive and Registrar		
13(8), Opticians Act 1989	To give written notice of the decision to withdraw the approval of a training establishment or qualification	Chief Executive and Registrar		
13(9), Opticians Act 1989	To withdraw partially the approval of a training establishment	Chief Executive and Registrar		

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Finance, Governance and People & Culture				
32(1), Opticians Act 1989	To allocate monies received (other than from the payment of financial penalty orders)	Director of Corporate Services	Chief Financial Officer	
32(2), Opticians Act 1989	To keep accounts	Director of Corporate Services	Chief Financial Officer	
Sch. 1, para 1C, Opticians Act 1989	To maintain and a register of members' private interests	Chief of Staff	Head of Governance and Compliance Governance Officers	
Sch. 1, para. 11(2)(a), Opticians Act 1989	To appoint such officers and servants as the Council may determine	Chief Executive and Registrar	Any Director Head of People and Culture Chief of Staff (members only)	See the People and Culture scheme of delegation for specific authorities and approvals
Sch. 1, para. 11(2)(b), Opticians Act 1989	To determine fees (and travelling and subsistence allowances) to be paid to members of the Council or its committees and pay such fees	Chief of Staff (for Council and committee members) Head of Hearing Operations (for panel members)		Council responsible for setting overall member fees and expenses policy – individual decisions delegated as described.

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Sch. 1, para. 11(2)(c), Opticians Act 1989	To pay to their officers and servants such remuneration as the Council may determine	SMT		Remuneration Committee for Senior Management Team
Sch. 1, para. 11(2)(d), Opticians Act 1989	To determine to pay to some or all of their officers and servants payments in relation to pensions, gratuities or superannuation schemes	SMT		Remuneration Committee for Senior Management Team, Committee members and Fitness to Practise members.
Registration				
7, Opticians Act 1989	To maintain a register of optometrists and a register of dispensing opticians	Head of Registration	Registration Operation managers Registration Officers	
8(1), Opticians Act 1989	To be satisfied of entitlement to register (UK applicants)	Head of Registration	Registration Operation managers Registration Officers	
8(2), Opticians Act 1989	To be satisfied of entitlement to register (Non-UK applicants)	Head of Registration	Registration Operation managers Registration Officers	
8(2A), Opticians Act 1989	To determine additional qualifications to be obtained or tests to be passed (Non-UK applicants)	Head of Registration	Registration Operation managers Registration Officers	
8(4), Opticians Act 1989	To be satisfied of entitlement to register (Pre 1 June 1961)	Head of Registration	Registration Operation managers Registration Officers	

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8(5), Opticians Act 1989	To be satisfied of entitlement to register (Post 1 June 1961 / pre-16 February 1990)	Head of Registration	Registration Operation managers Registration Officers	
8(6), Opticians Act 1989	To be satisfied of entitlement to register (Post-16 February 1990)	Head of Registration	Registration Operation managers Registration Officers	
8A(1), Opticians Act 1989	To maintain a register of persons undertaking training as optometrists and a register of persons undertaking training as dispensing opticians	Head of Registration	Registration Operation managers Registration Officers	
8A(3), Opticians Act 1989	To be satisfied of entitlement to register as a student	Head of Registration	Registration Operation managers Registration Officers	
9(1), Opticians Act 1989	To maintain a register of bodies corporate carrying on the business of an optometrist or a dispensing optician or both	Head of Registration	Registration Operation managers Registration Officers	
9(2), Opticians Act 1989	To be satisfied of entitlement to register as a business registrant	Head of Registration	Registration Operation managers Registration Officers	
11(1), Opticians Act 1989	To publish the registers	Head of Registration	Registration Operation managers Registration Officers	
11(2), Opticians Act 1989	To direct the particulars, in addition to name and registration number, to be published in the registers	Chief Executive and Registrar		

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Sch. 1A, para 3	To serve notice of reasons and the person's right to appeal, when making an appealable registration decision	Head of Registration	Registration Operation managers Registration Officers	
Regulatory Operations				
5D(4), Opticians Act 1989	To consider appropriate training for the members of the Hearings Panel and arrange such training	Director of Regulatory Operations	Head of Hearing Operations Operation Managers (Hearings)	With others commissioned as necessary (e.g. Chief of Staff, Information Governance Officer, EDI Manager etc)
13B(1), Opticians Act 1989	To require information or documentation from a registrant or third party	Director of Regulatory Operations	Heads of Function within Regulatory Operations (excluding Hearings) Managers of Function within Regulatory Operations (excluding Hearings) Investigation Officers of Function within Regulatory Operations	

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<p>13B(2), Opticians Act 1989</p>	<p>To require registrants, about whom Fitness to Practise allegations have been received, to provide the identity of their employers</p>	<p>Director of Regulatory Operations</p>	<p>Heads of Function within Regulatory Operations (excluding Hearings)</p> <p>Managers of Function within Regulatory Operations (excluding Hearings)</p> <p>Investigation Officers of Function within Regulatory Operations</p>	
<p>13B(3), Opticians Act 1989</p>	<p>To require information to be put into a form not capable of identifying an individual</p>	<p>Director of Regulatory Operations</p>	<p>Heads of Function within Regulatory Operations</p> <p>Any Managers of Function within Regulatory Operations</p> <p>Any Officers of Function within Regulatory Operations</p>	

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13B(6), Opticians Act 1989	To enforce, through a court order, the power to require information or documentation pursuant to section 13B(1)	Director of Regulatory Operations		
13C(1), Opticians Act 1989	To disclose the receipt of a Fitness to Practise allegation to persons specified in 13C(2)	Director of Regulatory Operations	<p>Heads of Function within Regulatory Operations (excluding Hearings)</p> <p>Managers of Function within Regulatory Operations (excluding Hearings)</p> <p>Investigation Officers of Function within Regulatory Operations</p>	
13C(3), Opticians Act 1989	To disclose, in the public interest, the existence of an investigation to any person	Director of Regulatory Operations		
13H(5), Opticians Act 1989	To publish an order made under section 13H(4)	Director of Regulatory Operations		
13H(8), Opticians Act 1989	To recover any sum specified in a financial penalty order by way of enforcement in the civil courts	Director of Regulatory Operations		

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13L(6), Opticians Act 1989	To apply to the court for the extension of an interim order	Director of Regulatory Operations	Head of Fitness to Practise Legal	
23D(1), Opticians Act 1989	To appoint legal advisers for the Fitness to Practise Committee and Registration Appeal Committee	Director of Regulatory Operations	Head of Hearings Operations Head of Case Progression Hearings Officers	
23D(5), Opticians Act 1989	To determine fees, allowances and expenses to be paid to legal advisers and pay such fees	SMT	Head of Hearings Operations Head of Case Progression	Expenses policy determined by Remuneration Committee, fees determined by SMT.
23E(1)(a) Opticians Act 1989	To appoint clinical advisers for the Fitness to Practise Committee and Registration Appeals Committee	Director of Regulatory Operations	Head of Hearings Operations Hearings Officers	
23E(1)(b) Opticians Act 1989	To appoint other advisers for the Fitness to Practise Committee and Registration Appeals Committee	Director of Regulatory Operations	Head of Hearings Operations Hearings Officers	
23E(6) Opticians Act 1989	To determine fees, allowances and expenses to be paid to clinical and other advisers and pay such fees	SMT		Expenses policy determined by Remuneration Committee, fees determined by SMT.

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29, Opticians Act	To specify the period of time in which section 29 will apply following the death or bankruptcy of registered optician, if such time is longer than the three years specified in the legislation.	Chief Executive and Registrar		
30A(1), Opticians Act 1989	To determine whether the Council is in receipt of evidence sufficient to justify a prosecution	Chief Executive and Registrar	Director of Regulatory Operations	On advice from the Chief Legal Officer
Strategy, Policy and Standards				
13A(4), Opticians Act 1989	To keep under review guidance issued under sections 13A(1)(a) and (2)(a)	Director of Regulatory Strategy		