**Consultation document:**

**Hearings and Indicative Sanctions Guidance**

1. **Overview**

As the UK regulator for optometrists and dispensing opticians, we are committed to protecting the public, maintaining standards, and responding to concerns about the fitness to practise of our registrants. In doing so, there are circumstances in which we need to hold hearings.

Our hearings and indicative sanctions guidance was most recently revised on 1 December 2018. The aim of this guidance is to assist members of the Fitness to Practise Committee (“FtPC”) to understand their individual and collective responsibilities, leading to the making of fair and just decisions. It was developed by the Council for use by its FtPC when hearing cases and considering what sanction, if any, to impose following a finding of impairment.

We have made some updates to the guidance which can be summarised as follows:

* revising the format to make the document more user-friendly;
* updating the case law;
* updating references to the European Union and the GOC’s Standards framework;
* amending the section on warnings to make it clearer; and
* adding a section on adverse inferences.

The updated guidance, together with a draft impact assessment, is available on our consultation hub in the ‘related’ section at the end of the page.

1. **Why we are consulting**

We are interested in stakeholders’ views on these amendments before we finalise the updated hearings and indicative sanctions guidance.

The public consultation will last for a period of 12 weeks.

**Questions**

1. **To what extent do you agree that the updated guidance achieves our aim of assisting members of the Fitness to Practise Committee to understand their individual and collective responsibilities, leading to the making of fair and just decisions?**

a) Strongly agree b) Agree c) Neither agree nor disagree d) Disagree e) Strongly disagree

If you answered ‘disagree’ or ‘strongly disagree’, please explain your reasons.

1. **Is there anything unclear or missing in the updated guidance?**

a) Yes b) No c) Not sure

If you answered ‘yes’, please give details.

1. **Are there any aspects of the guidance that could have a negative impact on stakeholders with specific characteristics? (Please consider age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, pregnancy, or maternity, caring responsibilities, or any other characteristics.)**

a) Yes b) No c) Not sure

If you answered ‘yes’, please give details.

1. **Are there any aspects of the guidance that could have a positive impact on stakeholders with specific characteristics? (Please consider age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, pregnancy, or maternity, caring responsibilities, or any other characteristics.)**

a) Yes b) No c) Not sure

If you answered ‘yes’, please give details.

1. **Are there any other impacts or benefits of the updated guidance that you would like to tell us about?**

a) Yes b) No c) Not sure

If you answered ‘yes’, please give details.