

Invitation to tender: Mapping optical businesses

Summary

1. We are seeking an analysis of optical businesses to inform the GOC's work on possible reform of the Opticians Act 1989. This will involve designing and conducting the research, analysing the findings, and producing a report.
2. The aim of the research is to:
 - build a picture of the size and characteristics of UK optical businesses;
 - assess the benefits and risks these businesses present; and
 - estimate costs of different options for extending business regulation.
3. We have an approved budget of up to a total cost of **£30,000 including VAT and all other contractor costs**. Proposals over £30,000 will not be considered.
4. **The deadline for tenders is 9am on 27 October 2022.**

About the GOC

5. We are the regulator for the optical professions in the UK and our mission is to protect and promote the health and safety of the public. We currently register around 33,000 optometrists, dispensing opticians, student optometrists, student dispensing opticians and optical businesses. For more information, please visit our website: <https://www.optical.org/>
6. There were 2,861 optical businesses registered with the GOC in 2021/22. However, only a subset of optical businesses is required to register with the GOC. Section 9 of the Opticians Act provides for the GOC to register bodies corporate that meet certain eligibility requirements (including around its directors' registration and the nature of its activities). Under section 28 of the Act, it is an offence for an unregistered business to use a title, addition or description that falsely implies GOC registration, i.e. GOC registration is mandatory for bodies corporate using a protected title. It is not possible to register businesses that are sole practitioners or partnerships, and it is not mandatory for bodies corporate to register unless they use a protected title. In addition, bodies corporate can voluntarily register if they are not using a protected title but have a majority of registrant directors.
7. We launched our [Strategic Plan 'Fit for the Future 2020-2025'](#) on 1 April 2020. This outlines what we plan to do over the next five years. The three main strategic objectives for the next five years are:

- delivering world-class regulatory practice;
 - transforming customer service; and
 - building a culture of continuous improvement.
8. As part of this strategy, in March 2022 we launched a [call for evidence](#) on possible reform to the Opticians Act, including options for extending business regulation to all businesses providing restricted functions¹. Based on an initial analysis of responses, in September 2022 our governing Council agreed to commission research to produce an up-to-date picture of optical businesses. The research will help us make recommendations to Council on the case for legislative change and the data will underpin any impact assessment exercise.
9. We last commissioned a [mapping of optical businesses in 2013](#) as part of a previous review exploring the need to extend business regulation. While much of the analysis of risks remains valid, it is likely that the size and shape of the market has evolved since then, especially the growth of online services.

Research aims

10. We have split the research into three broad areas, but we would like to work with the appointed agency in finalising the research questions/topics. While we wish to build a better picture of the whole market, our main interest is in those UK businesses not currently registered with the GOC. In short, we would like the research to help us better understand:
- size and characteristics of UK optical businesses – including information on turnover and employees, business structures, services offered etc;
 - assess the benefits and risks to patients and the public these businesses present – we are interested in both clinical and consumer protection aspects (e.g. marketing claims, price transparency). The analysis should present evidence of harm where available as well as theoretical risks; and
 - estimate costs of different options for extending business regulation – the [call for evidence](#) and our [September 2022 Council paper](#) provide further information about the range of issues this involves, and we would discuss this further with the selected agency following appointment.

Methodology

11. Tenders should advise on the most appropriate methodology. The GOC can assist with information about its registrants, including numbers, complaints to the Optical Consumer Complaints Service, and fitness to practise proceedings. By its nature the unregulated part of the market is harder to measure, and we anticipate the agency will base its analysis on a mixture of published official statistics, desk research and discussions with stakeholder organisations.

¹ These currently include the testing of sight, fitting of contact lenses, and the sale and supply of optical appliances (with specific exemptions) and zero powered contact lenses.

12. The GOC is a UK-wide regulator, and it is important that the analysis includes all four nations of the UK. In addition, the optical services market is largely local in nature (notwithstanding online provision in some respects), and this should be factored into the methodology design.
13. Agencies may wish to consider the classification system for optical businesses developed for the [analysis in 2013](#) (further detail in the report), as follows:
 - sole practitioner (NHS/private/both);
 - partnership/small practice (NHS/private/both);
 - franchise;
 - joint venture; and
 - multiple.

Outputs

14. The appointed agency will be expected to deliver the following:
 - design methodology based on the research aims;
 - data collection;
 - data processing;
 - rigorous analysis of findings and drawing conclusions for the GOC;
 - production of a detailed written report (template to be agreed in advance with the GOC and include infographics) to publishable standards, including annexes and data tables as necessary;
 - preparation and delivery of a presentation of the findings for internal and external use; and
 - delivery of all background and foreground data to the GOC on fulfilment of the contract.

Budget

15. We have an approved budget of up to a total cost of £30,000 including VAT and all other contractor costs. Proposals over £30,000 will not be considered.

Timetable

16. The timetable for this project is outlined over the page. (We reserve the right to alter this timetable.)

Task	Date
Bid submitted by agency	9am, 27 October 2022
Selection process by GOC	w/c 31 October 2022
Draft report submitted by agency	16 January 2023
Final report and all other outputs submitted by agency	6 February 2023
Presentation of findings to our Council by agency	March 2023 tbc

Proposals

17. Proposals should clearly state how you would meet the requirements set out in this invitation to tender. They should include:

- evidence of an understanding of our requirements;
- details of the project team, relevant skills and experience (including examples of relevant projects previously conducted) and specific project roles;
- details of any conflicts of interest that the agency or project team members may have relevant to this work and how these would be managed;
- details of any information or assistance that will be required from the GOC;
- details of how this project will be delivered, including the project management procedures and a research timetable for the different stages;
- an assessment of the key risks and how these will be mitigated;
- a comprehensive itemised cost for all aspects of the work and total cost; and
- a breakdown of different elements of the research and costs to help us prioritise which methodologies to focus on.

Selection process

18. Tenders will be assessed with reference to the following criteria:

- extent to which proposals demonstrate understanding of the brief, and meet its stated objectives in terms of research design;
- the tenderer having appropriate skills, qualifications and a track record in delivering similar projects; and
- the ability of the tenderer to deliver this project within the specified timescale and at reasonable costs.

19. All work should comply with the Code of Conduct of the Market Research Society.

20. The Council reserves the right to pay only for work it deems to be satisfactorily completed.
21. The Council is not bound to accept the lowest offer or any tender.
22. Following assessment of proposals, we reserve the right to request of selected potential contractors a further tender, proposals or pricing details.

GOC contacts

23. Please send tenders and direct any questions to Angharad Jones (Policy Manager) by email to policy@optical.org

Data and Freedom of Information

24. The Freedom of Information Act 2000 ("FOIA") applies to the GOC and potential contractors should be aware of our obligations and responsibilities under FOIA to disclose, on written request, recorded information held by the GOC. Information provided by you in connection with this proposal, or with any contract that may be awarded as a result of this exercise, may therefore have to be disclosed in response to such a FOIA request, unless we decide that one of the statutory exemptions under the FOIA applies. If you wish to designate information supplied as part of this response as confidential, or if you believe that its disclosure would be prejudicial to any person's commercial interests, you must provide clear and specific detail as to the precise information involved. Such designation alone may not prevent disclosure if in our reasonable opinion publication is required by applicable legislation or Government policy or where disclosure is required by the Information Commissioner.

Warnings/Disclaimer

25. Offering an inducement of any kind in relation to obtaining this contract with the GOC will disqualify your proposal from being considered. You must not tell anyone else what your proposal or tender price is or will be, before the deadline for proposals. You must not try to obtain any information about anyone else's proposal or make any arrangements with another organisation about whether or not they should make a proposal, or about their or your tender price. Failure to comply with any of these conditions may disqualify your proposal.
26. Nothing contained in this ITT or any other communication made between the GOC or our representatives and any person shall constitute an agreement, contract or representation (except for the formal written contract between the GOC and our preferred supplier). Receipt by the tenderer of this ITT does not imply the existence of a contract or commitment by or with the GOC for any purpose and tenderers should note that this ITT may not result in the award of any business.
27. It is the responsibility of tenderers to obtain for themselves all information necessary for the preparation of their response to this ITT. The information contained in this ITT and the supporting documents and in any related written

or oral communication is believed to be correct at the time of publication. The GOC will not accept any liability for its accuracy, adequacy or completeness and no warranty is given as such. We reserve the right to change any aspect of, or cease, the tender process at any time.

28. By issuing this ITT the GOC is not bound in any way and does not have to accept the lowest or any tender.
29. You will not be entitled to claim from us any costs or expenses which you may incur in preparing your tender whether or not your tender is successful and regardless of whether a contract is awarded.