

General Optical Council Freedom of Information Requests 1 July 2017 – 30 September 2017

FOI Reference No.	Original Request	Response
<b>2017 – 18 Quarter 2</b>		
<b>FOI 2017-04</b>	<p>Separately, we would be grateful for further information relating to the March 2011 GOC document entitled “Guidelines for the Approval &amp; Quality Assurance of: Route to GOC Registration for Dispensing Opticians”, as follows:</p> <ul style="list-style-type: none"> <li>• Please confirm what approval was obtained internally for the introduction of these guidelines.</li> <li>• Please provide details of any consultation process with external bodies/stakeholders that was undertaken before these guidelines were introduced.</li> <li>• We note these guidelines are now over 6 years old, whereas there are equivalent more recent guidelines available for the Routes to Registration in Optometry, for example. Please confirm the GOC’s plans for updating the March 2011 Guidelines in relation to Dispensing Opticians. Please confirm that work has commenced in relation to updating those guidelines, and the timetable for completing this work.</li> </ul>	<p><b>Please confirm what approval was obtained internally for the introduction of these guidelines.</b></p> <p>The Dispensing Opticians Handbook was approved by the Education Committee. The following extracts, relevant to your specific request, are from The General Optical Council Education Committee Minutes of the 160th Meeting of the Education Committee held on 3 February 2011. The information that has been removed is in connection with unrelated matters and considered not pertinent to your original request, as outlined above.</p> <p>DO Handbook Review</p> <p>5582. It was reported that the Project Group had met on 18 November and 13 January and a draft of the revised handbook was presented to the Committee for their approval before work on it continued. It was noted that the Project Group would meet the following day. The revised handbook would be launched alongside the updated competency framework in April 2011 for full implementation by September 2012. 5583.</p> <p>The next stage would be to hold a workshop to introduce the changes to the institutions and work with them on how these changes can be incorporated into future visits. 5584. The lay members commented that it was a good document with respect to patient protection and public safety was important. It was noted that if the standards were right and for the right reasons then it would not matter if the institutions were not in agreement with it. 5585. A question was raised on student registration and whether checks were made to ensure that all students are registered. The Chair confirmed that a guidance document was being produced for the institutions which would advise that they should check that students are registered particularly before they commence clinical work and before they sit examinations. It was agreed that it would be helpful to have this guidance as an appendix to the handbook. 5586. It was confirmed that the guidance document would come to Education Committee once it had been to Registration Committee.</p> <p>5587. It was confirmed that ABDO checked distance learning students’ registration before each block release and also before exams and had a member of staff specifically for this. 5588. It was noted that with online retention there is a facility for registrants to print a receipt which says that they are a live registrant. One possibility is that students could be asked to print a receipt and bring with them when they attend a course. The possibility of bulk verification on the GOC database was also being investigated and this was welcomed. 5589. A final formal version of the Handbook would be circulated to the Committee before its next meeting.</p> <p><b>Please provide details of any consultation process with external bodies/stakeholders that was undertaken before these guidelines were introduced.</b></p> <p>Having completed a thorough search of our records I have identified the following;</p> <ul style="list-style-type: none"> <li>• A working group was established to investigate and advise on the DO Handbook.</li> <li>• This group was called Entry Standards (Dispensing Opticians) Sub Group (ESDO) and consisted of lay and registrant participants.</li> <li>• The ESDO included individuals who represented the interests of registrants, training providers and the general public.</li> <li>• This group was established in 2003 and continued to work on the project until the launch of the DO Handbook in April 2011.</li> </ul> <p>The existence of the ESDO alongside the disclosed material in response to question one indicates that there was a detailed evaluation of both the issues and possible solutions. Aside from the above information I have not been able to identify any document that provides details of external consultations with external bodies/stakeholders regarding the DO Handbook.</p> <p><b>We note these guidelines are now over 6 years old, whereas there are equivalent more recent guidelines available for the Routes to Registration in Optometry, for example. Please confirm the GOC’s plans for updating the March 2011 Guidelines in relation to Dispensing Opticians. Please confirm that work has commenced in relation to updating those guidelines, and the timetable for completing this work.</b></p> <p>We plan to review and update our Handbooks accordingly in line with its outcomes of the Education Strategic Review (further detail about our strategic objectives 2017-2020 can be found here <a href="https://www.optical.org/en/about_us/strategic_plan/">https://www.optical.org/en/about_us/strategic_plan/</a>). We may make changes to the Dispensing Handbook in the meantime, but we do not yet have a timetable for completing any such work.</p>
<b>FOI 2017-05</b>	<ol style="list-style-type: none"> <li>1. How many current optometrists are register with the GOC?</li> <li>2. The number of Optometrists per U.K. Region e.g. South West, North East etc</li> <li>3. The names of all registered Optometrists</li> </ol>	<p><b>1. How many current optometrists are register with the GOC?</b></p> <p>As at 26 July 2017 there are 14,973 registered optometrists.</p> <p><b>2. The number of Optometrists per U.K. Region e.g. South West, North East etc</b></p> <p>Information not held. Our records are not stored in a manner to provide number of Optometrists per U.K. Region. To obtain this data would require an employee to search each individual record and allocate to a U.K region. If we work on the conservative estimate that it would take a maximum of 30 seconds per record held we calculate to complete this task for all 14,973 optometrist registrants would take 125 hrs. This would</p>

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	<p>4. E-mail addresses of all current Optometrist registrants</p>	<p>breach the acceptable cost limit as outlined in the Freedom of Information Act which is currently set at £450 for public authorities (based on an employee working 18 hours at a rate of £25 per hour).  Section 12 of the Freedom of Information Act states;  Public authorities are able to refuse to deal with a request where it estimates that it would exceed the appropriate limit to:</p> <ul style="list-style-type: none"> <li>• Either comply with the request in its entirety or;</li> <li>• Confirm or deny whether the requested information is held.</li> </ul> <p>The estimate must be reasonable in the circumstances of the case. The appropriate limit is currently £600 for central government and £450 for all other public authorities.</p> <p><b>3. The names of all registered Optometrists</b>  Information exempt from release by virtue of Section 21 of the Freedom of Information Act which states;  (1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.  (2) For the purposes of subsection (1)—  (a) Information may be reasonably accessible to the applicant even though it is accessible only on payment, and  (b) Information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.  We publish a searchable version of our register on our website. This can be accessed <a href="https://www.optical.org/en/utilities/online-registers.cfm">https://www.optical.org/en/utilities/online-registers.cfm</a></p> <p><b>4. E-mail addresses of all current Optometrist registrants</b>  Under both the Data Protection Act and the Freedom of Information Act email addresses are considered personal information. Our registrants have provided this information for the purpose of registration with the General Optical Council and we have a duty to maintain their data privacy. As such the requested information is exempt from release by virtue of Section 40 of the Freedom of Information Act which states;  (1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.  (2) Any information to which a request for information relates is also exempt information if—  (a) It constitutes personal data which do not fall within subsection (1), and  (b) Either the first or the second condition below is satisfied.  (3) The first condition is—  (a) In a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the [1998 c. 29.] Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—  (i) Any of the data protection principles, or  (ii) Section 10 of that Act (right to prevent processing likely to cause damage or distress), and  (b) In any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the exemptions in section 33A (1) of the [1998 c. 29.] Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.</p>
<p><b>FOI 2017-06</b></p>	<p>Would the GOC please forward the references and dates of all FOI requests received from me and the subject matter of each of the same?  Would the GOC detail the signature that shows offer of the contract on behalf of the GOC?  Would the GOC detail the signature that shows acceptance of the contract on behalf of Replay Learning? Was the GOC contract granted to Replay Learning on 10 April 2012 produced in house or was production of the contract out-sourced to a third party? Would the GOC please forward the names of the panel members of the GOC Fitness to Practise Hearings held on; 19-23/03/2012, 03/05/2012 and 11/06/2012? Would the GOC confirm if any of the panel members made a declaration of</p>	<p>Vexatious Request Refused. Section 14 exemption.</p>

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	<p>interest? Would the GOC please forward details of the GOC office that sanctions the membership of Fitness to Practise Hearing Panels?</p>	
<p><b>FOI 2017-07</b></p>	<p>1. Did Optical Express dismiss John Margetts following his GOC suspension in September 2015?                  2. Copies of legal advice given by GOC lawyer to the hearing on 9 August 2017.                  3. Copy of BBC video evidence and/or transcript.                  4. Fiona Moreton appeared as witness for Optical Express on 8 August. Did the GOC request that OE provide a spokesperson and if so, why not stipulate that this should be an optometrist?</p>	<p><b>1. Did Optical Express dismiss {registrant name removed} following his GOC suspension in September 2015?</b>                  This information is exempt from release by virtue of Section 21 of the Freedom of Information Act. Section 21 of the Freedom of Information Act exempts disclosure of information that is reasonably accessible by other means, and the terms of the exemption mean that we do not have to consider whether or not it would be in the public interest for you to have the information. I can confirm that we hold the information that you have requested. The information is exempt under section 21 of the FOI Act because it is reasonably accessible to you, it can be accessed via the following link:  <a href="https://www.optical.org/en/Investigating_complaints/Hearings/past_hearings/index.cfm">https://www.optical.org/en/Investigating_complaints/Hearings/past_hearings/index.cfm</a> {registrant name removed} substantive decision (redacted).                  The information you have requested can be found in the Background to the Allegations section in paragraph one.</p> <p><b>2. Copies of legal advice given by GOC lawyer to the hearing on 9 August 2017.</b> Please find attached Advice stage 1 document as requested.</p> <p><b>3. Copy of BBC video evidence and/or transcript.</b>                  The General Optical Council powers are defined by the Opticians Act. We protect the public by:</p> <ul style="list-style-type: none"> <li>• Setting standards for optical education, training, performance and behaviour</li> <li>• Approving the qualifications that lead to registration »</li> <li>• Publishing a register of opticians, students and optical businesses in the UK; and</li> <li>• Investigating and acting on concerns that a registrant is not fit to practise, train as an optician, or run a GOC-registered business</li> </ul> <p>The information requested was held and processed for the specific purpose of investigation and proceedings. Therefore is exempt from release by virtue of Section 30 (1) of the Freedom of Information Act. Freedom of Information should not undermine the investigation, prosecution or prevention of crime, or the bringing of civil or criminal proceedings by public authorities. Section 30 (1) of the Freedom of Information Act exempts information held by a public authority if it has been held by it at any time for the purposes of any investigation which it has a duty to carry out with a view to it being ascertained whether to charge someone with an offence or whether a person charged is guilty.</p> <p>During our telephone conversation, Thursday 16 August 2017, you informed me that you had requested this information from the BBC and your request was refused. You also informed me that the BBC told you that they would provide permission for us to share this information with you. The BBC providing permission to share this information with you will have no bearing on our decision to release the requested information to you. It is our responsibility to ensure that we are compliant with the legislation and we must ensure that the privacy and rights of all parties are maintained. During our conversation we also discussed your request for a transcript of the hearing. As explained we do not currently hold this information. We can contact our transcriber and request that a transcript be prepared. As the cost of the transcript would exceed the current £450 cost limit for public authorities, and in compliance with on policy on non-FOI transcript requests, there would be a charge associated with this service.</p> <p>Section 12 (1) – disproportionate cost - does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. Please advise whether you would like to go ahead with a transcript request. The current cost of transcription is £135 per hour. As such we estimate the cost to you to be approximately £2,700 (this is based upon the hearing being 20 hours in duration). Please note that the transcript will be redacted to remove any parts of the hearing that were held in private.</p> <p><b>4. Fiona Moreton appeared as witness for Optical Express on 8 August. Did the GOC request that OE provide a spokesperson and if so, why not stipulate that this should be an optometrist?</b>                  Fiona Morton appeared as a witness for the GOC on 8 August 2017, she was not acting as a spokesperson for Optical Express. Ms. Morton was addressing a specific non-clinical aspect of the case. The overriding duty of an expert witness is to provide independent, impartial and unbiased evidence to the Committee. In this case, the expert evidence was given by Dr Frank Eperjesi.</p>
<p><b>FOI 2017-08</b></p>	<p>1. Number of Optometrists in England                  2. Number of Optometrists in Scotland</p>	<p><b>1. Number of Optometrists in England</b></p>

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	<p>3. Number of Optometrists with Independent Prescribing qualification in England 4. Number of Optometrists with Independent Prescribing qualification in Scotland</p>	<p>Information not held. Our records are not stored in a manner to provide number of Optometrists per U.K. Region. To obtain this data would require an employee to search each individual record and allocate to a U.K region. If we work on the conservative estimate that it would take a maximum of 30 seconds per record held we calculate to complete this task for all 15,208 optometrist registrants would take approximately 126 hrs. This would breach the acceptable cost limit as outlined in the Freedom of Information Act which is currently set at £450 for public authorities (based on an employee working 18 hours at a rate of £25 per hour). Section 12 of the Freedom of Information Act states: Public authorities are able to refuse to deal with a request where it estimates that it would exceed the appropriate limit to: • Either comply with the request in its entirety or; • Confirm or deny whether the requested information is held. The estimate must be reasonable in the circumstances of the case. The appropriate limit is currently £600 for central government and £450 for all other public authorities.</p> <p><b>2. Number of Optometrists in Scotland</b> See above our response to question 1.</p> <p><b>3. Number of Optometrists with Independent Prescribing qualification in England:</b> As at 3 October 2017 there are 557 Optometrists with Independent Prescribing qualification in the UK. Of these 323 are in England.</p> <p><b>4. Number of Optometrists with Independent Prescribing qualification in Scotland:</b> As at 3 October 2017 there are 557 Optometrists with Independent Prescribing qualification in the UK. Of these 204 are in Scotland.</p>														
<p><b>FOI 2017-09</b></p>	<p>The number of registered Optometrists registered with the GOC as of the 31st August 2017 The number of registered Dispensing Opticians registered with the GOC as of the 31st August 2017 The number of registered Optometrists with a speciality registered with the GOC as of the 31st August 2017, broken down by each speciality The number of registered Dispensing Opticians with a speciality registered with the GOC as of the 31st August 2017, broken down by each speciality</p>	<p><b>1. The number of registered Optometrists registered with the GOC as of the 31st August 2017</b> As of the 2<sup>nd</sup> October 2017 there are 15,208 Optometrists registered with the GOC.</p> <p><b>2. The number of registered Dispensing Opticians registered with the GOC as of the 31st August 2017</b> As of the 2<sup>nd</sup> October 2017 there are 6,732 Dispensing Opticians registered with the GOC.</p> <p><b>3. The number of registered Optometrists with a speciality registered with the GOC as of the 31st August 2017, broken down by each speciality</b></p> <table border="1" data-bbox="952 1100 2807 1535"> <thead> <tr> <th>Speciality</th> <th>No. of Optometrists with speciality registered with the GOC as of 2<sup>nd</sup> October 2017</th> </tr> </thead> <tbody> <tr> <td>Additional Supply Speciality</td> <td>21</td> </tr> <tr> <td>Additional Supply Speciality &amp; Supplementary Prescribing Speciality</td> <td>10</td> </tr> <tr> <td>Additional Supply Speciality, Supplementary Prescribing Speciality &amp; Independent Prescribing Speciality</td> <td>547</td> </tr> <tr> <td>Independent Prescribing Speciality</td> <td>11</td> </tr> <tr> <td>Contact Lens Speciality</td> <td>16</td> </tr> </tbody> </table> <p><b>4. The number of registered Dispensing Opticians with a speciality registered with the GOC as of the 31st August 2017, broken down by each speciality</b></p> <table border="1" data-bbox="1095 1654 1926 1696"> <tbody> <tr> <td>Contact Lens Speciality</td> <td>1,260</td> </tr> </tbody> </table> <p><b>5. In the case of the General Optical Council and {registrant name removed}, further to the hearing of the 10th (and possibly 11th) August I would be grateful if you could provide a transcript of any decision or else inform me if a date for a further hearing has been set.</b></p>	Speciality	No. of Optometrists with speciality registered with the GOC as of 2 <sup>nd</sup> October 2017	Additional Supply Speciality	21	Additional Supply Speciality & Supplementary Prescribing Speciality	10	Additional Supply Speciality, Supplementary Prescribing Speciality & Independent Prescribing Speciality	547	Independent Prescribing Speciality	11	Contact Lens Speciality	16	Contact Lens Speciality	1,260
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		<p>We are able to provide transcripts of our hearings. There is a cost attached to this service and the current transcription fees are £135 per hour. As I am unaware of the length of the <b>{registrant name removed}</b> hearing I am unable to provide you with a total cost for this service. If you would like to go ahead with this request please let me know and I will ask our transcription provider to provide a quotation.</p>
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