

BEIS call for evidence on the recognition of professional qualifications and regulation of professions

Questions for regulators (response to annex C)

Current Regulation of Professions

1. Please tell us in which nation(s) you are a regulator of a profession:

- **England**
- **Wales**
- **Scotland**
- **Northern Ireland**

The General Optical Council (GOC) is a UK-wide regulator and regulates professions in each of the four nations.

2. Please state the sector(s) you regulate within.

We regulate in the healthcare sector which covers both private and NHS practice.

3. Please state the profession(s) you regulate.

We regulate optometrists, dispensing opticians, student optometrists, student dispensing opticians and some optical businesses as prescribed in law.

4. Please outline the rationale for regulation within your sector. Listed below are some non-exhaustive possible rationales for regulation you may like to consider in your answer. In each instance, please explain their importance to regulation within your sector

- **Protects public interest for environmental reasons**
- **Protects public safety for health reasons**
- **Value for money / protects taxpayer**
- **Enables professionals to charge more for their services**
- **Protects consumers from receiving a low quality of services**
- **Provides training**

The UK regulation of optometrists, dispensing opticians, student optometrists, student dispensing opticians and optical businesses is defined in statutory legislation for the protection of the public. We have four core functions:

- setting standards for optical education and training, performance and conduct;
- approving qualifications leading to registration;
- maintaining a register of individuals who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians; and

- investigating and acting where registrants' fitness to practise, train or carry on business is impaired.

The Opticians Act 1989 (as amended) ('the Act') requires our registrants to register with us, renew registration on an annual basis, obtain indemnity insurance, declare any cautions or convictions, declare any health issues that might affect their work, undertake mandatory continuing education and training (CET) and comply with our Standards of Practice.

Part IV of the Act restricts certain activities to optometrists and dispensing opticians (and registered medical practitioners):

- testing of sight;
- fitting contact lenses;
- selling zero-powered contact lenses; and
- dispensing to children under 16 or the visually impaired.

The Act also restricts the use of certain titles to registrants.

Research has shown the importance of ensuring that only appropriately trained registrants are carrying out restricted activities, to minimise the risk to public health and safety. In 2010 the GOC commissioned research into risks associated with optical adverse events as part of its project on enhancing continuing education and training (CET). Europe Economics produced a report¹ that highlighted the risks involved with restricted activities being carried out by someone who is not appropriately qualified to be testing sight, fitting contact lenses, selling zero-powered contact lenses and/or dispensing to children under 16 or the visually impaired. The report identified the importance of an optometrist being able to detect high-risk conditions such as glaucoma, detached retina and diabetic eye conditions during a sight test, including carrying out the appropriate tests to investigate. The identification of age-related macular degeneration (during a sight test) and inappropriately advising on contact lens wear and the management of child patients were identified as medium risks. The report also identified inappropriately advising on contact lens wear and the management of child patients as medium risks.

In 2019 we commissioned [research into the risks associated with the optical professions](#). This research showed that the risk profile of the professions could increase in the future as registrants take on more clinical work and encounter patients with more complex needs.

Optical businesses

We also register some optical businesses. The legislation around business regulation is complex and does not currently provide for a clear and consistent system of regulation for optical businesses. As specified by the Opticians Act 1989 the registration of businesses is limited to businesses that are:

- bodies corporate;

¹ Europe Economics (4 March 2010), *Risks in the Optical Profession*, GOC

- using a protected title; and
- able to meet certain 'eligibility' requirements around management structure.

In 2013 we carried out a review of optical business regulation, which included commissioning research to analyse the risks to public health and safety that could potentially result from business practices. The research concluded that there was evidence of potential risks arising from the practices of businesses, as opposed to individual practitioners. These risks related to the business environment (should provide practitioners with autonomy), clinical governance (systems and protocols) and investment (in equipment and training of staff).

Following public consultation in 2013, our Council proposed to:

- change the current system whereby a business's name and structure determine whether it has to register with the GOC to one based on whether a business is carrying out restricted functions; and
- introduce a revised code of conduct (standards) for business registrants more targeted at the identified risks associated with business practices.

We have not yet been able to achieve the legislative change required to revise the system of business registration. However, in 2019 we replaced our Code of Conduct for Businesses with our [Standards for Optical Businesses](#). We still wish to pursue legislative change to reform our system of business registration.

Students

We have registered student optometrists and student dispensing opticians since 2005. Student registration is intended to make students personally accountable for their conduct and to ensure that they do not pose a threat to the safety of the public while training.

5. Please outline any evidence you have on the consumer protection impacts provided by your regulations.

We do not have any evidence on consumer protection impacts provided by our [rules and regulations](#). We regulate to protect the health and safety of the public (patients), rather than protecting the public as consumers. We set up and fund the [Optical Consumer Complaints Service](#) to deal with consumer matters.

Further detail about how we protect the public can be found in our [annual reports](#) (particularly the fitness to practise section) and in our consultation report on continuing education and training (CET) consultation, [Fit for the Future: Lifelong Learning Review](#).

International Recognition

The following questions focus on the route to recognition you offer for applicants with international qualifications.

6. Please outline your process(es) of recognising someone with an international qualification.

In your answer, please include details of how this differs from the process of recognising a domestic applicant, the rationale for this/ the reasons why this is the case, and the costs of administering this route.

If you have different processes for different international routes (e.g. for candidates from the EU, USA, Australia, or due to any Mutual Recognition Agreements you hold), please include details on the differences between them.

Our processes for non-UK applicants are designed to assess that non-UK qualifications are equivalent to that received within a UK establishment. Our recognition process for international applicants is set out on our website: <https://www.optical.org/en/Registration/international-applicants/index.cfm>

Processes differ for optometrists and dispensing opticians. The main steps are as follows:

- a) initial scrutiny of the application by GOC officers;
- b) mapping of qualifications against the UK standards of competence and assessing whether these are equivalent to the GOC competencies and minimum patient experience requirements;
- c) an interview with the applicant;
- d) further academic training if required;
- e) for optometrists: completion of the College of Optometrists' Scheme for Registration (includes work experience and examinations);
- f) for dispensing opticians: completion of the theoretical examinations and Pre-Qualifying Period (includes work experience and examinations).

Our responses to questions 13 and 14 describe the process that UK applicants have to follow. In the UK we:

- set criteria for all higher education programmes and qualifications in optics that lead to full registration with the GOC;
- approve programmes and qualifications that meet these standards; and
- carry out quality assurance visits to check that education providers and examination bodies are maintaining and improving standards.

Once a UK applicant obtains a qualification from a GOC-accredited provider, they are then able to apply directly to our register on proof of that qualification.

Our process for recognising EEA applicants is described on our website: <https://www.optical.org/en/Registration/international-applicants/eea-applicants.cfm>

7. Please outline any additional steps and their resource implications that you face in processing applicants with international qualifications?

We maintain a team of non-UK assessors to map non-UK qualifications against the UK competencies. We also carry out interviews with applicants. We do not look to generate any profit from processing of these applicants and our most recent evaluation of the actual costs of processing applications indicates that the fee does not in fact cover the total cost of all areas of activity. We will be reviewing the actual costs of handling and processing applications and are likely to increase our fees to ensure they reflect the cost of the activity involved.

We also pay an annual subscription of £2,850 to UK NARIC to access their certificate bank database and to use their direct qualification verification services.

8. With reference to any of the additional steps outlined above, what would you suggest are the priorities for the UK Government in considering future ways to recognise international qualifications? Please include any details on what an ideal system could look like, as well as how it could operate. Please consider what the priorities would be for the profession you regulate.

Whatever system of recognition is developed, public health and safety should remain the priority. We are content with our current system of recognition for international qualifications, as we feel that it appropriately protects public health and safety.

The current EEA system under the directive which requires completion of compensation measures (particularly a period of adaptation) to address deficiencies can be difficult for applicants to progress their application due to limited capacity within UK universities to provide the actual training to support the compensation measures detailed through the mapping and assessment. This can result in lengthy delays in applicants getting a placement and often in an area that is further away from their preferred location.

9. Do you require legislation to give you powers to make changes to your international recognition routes?

No, we do not require legislation to give us powers to make changes to our international recognition routes.

10. What level of dialogue do you maintain with your international counterparts? Please outline the benefits and challenges to cooperation. Please also outline if you are a member of any international networks of regulators, what they are and your experience with them.

We are currently a member of the European Council of Optometry and Optics (ECOO), which shares information across its members with the purpose of promoting eye health to the public across borders and to harmonise clinical and educational standards of optometric and optical practice throughout Europe.

We currently use the Internal Market Information (IMI) system to effectively communicate with our counterparts in the EEA. We understand that this system may no longer be available to us once the transition period has ended and are concerned

for patient safety and public protection purposes that it will not be as easy to share information as it is currently, and that it will be more difficult to contact the relevant authority as these will differ between countries.

We maintain dialogue with our counterparts in the Republic of Ireland, CORU. By maintaining close working relationships we are able to communicate effectively and early about proposed changes that may have an impact on registrants from the Republic of Ireland joining the UK register and vice versa.

We are not a member of any other international networks of regulators.

11. What are your priorities for supporting UK professionals on your register to have access to their profession in other countries? Please outline any Government support that would help.

It is not within our remit to support UK professionals on our register to have access to their profession in other countries. We would of course provide a certificate of current professional status (CCPS) or a letter of good standing for our registrants if asked to do so – this details current registration status and fitness to practise history. We make it clear on our website what a CCPS is and how registrants can obtain one.

12. Do you have any provisions for the recognition of professional qualifications held by refugees residing in the UK? If yes, please detail what these are and why you have implemented these provisions. If no, please detail why not.

We do not have different provisions for the recognition of professional qualifications held by refugees residing in the UK. We would consider their application under the relevant EEA or international process of recognition.

Developing Professional Standards and Regulation

The following questions focus on how you develop your UK professional standards.

13. Please describe the process by which UK professionals gain qualifications to enter the profession, including detail on the types of education and training they must undergo and how long it takes to complete them.

We use the term 'route to registration' to refer to the different pathways to enter and complete the education, training and assessment that will allow entry onto the GOC register or specialist register upon successful completion of the qualification and the practical experience. There are currently three models of 'registrable pathways':

- standalone registrable pathway: a programme wholly provided by one organisation, successful completion of which leads to the qualification and GOC registration;
- integrated registrable pathway: a programme delivered by multiple organisations who work in partnership to deliver a pathway which leads to the qualification and GOC registration. For integrated registrable pathways, there

is one provider who maintains ownership of the provision, including the complete route to registration; and

- non-integrated registrable pathway: where the route to registration is provided by multiple organisations who work separately and deliver separate elements. Ownership for successful delivery and completion of each element is owned only by the delivering organisation and this is clearly identified.

Successfully completing only the academic qualification will lead to an individual being academically qualified, but they will not be eligible to apply to join the GOC fully qualified register without completing all elements of the 'route to registration' (qualification, practice-based learning, final assessments).

For optometry, the most common route to registration is a non-integrated pathway – with the student undertaking a BSc in Optometry (3 years) and completing the College of Optometrists' Scheme for Registration (12-18 months on average). There are alternative Masters (4 years) which are either integrated or standalone and enable direct entry to the GOC fully qualified register.

For ophthalmic dispensing, the most common route to registration is an integrated or non-integrated registrable pathway whereby the student undertakes a level 5 diploma or foundation degree or a level 6 BSc in Ophthalmic Dispensing (typically two-three years depending on delivery mode) and completes the Association of British Dispensing Opticians' (ABDO's) assessment scheme. There is an alternative standalone pathway (three-year foundation degree).

Further information about our role in accreditation and quality assurance of training providers is available on our website:

https://www.optical.org/en/Education/Approving_courses/index.cfm

Further information about the UK routes to registration are available on our website:

https://www.optical.org/en/Education/Criteria_for_registration/Optometrists/The_UK_route_to_registration_as_an_optometrist.cfm and

https://www.optical.org/en/Education/Criteria_for_registration/Dispensing_opticians/UK_route_to_registration.cfm

14. Please describe the process you offer for professionals who have gained the relevant UK qualifications to be brought onto your register.

Once an applicant has obtained appropriate qualifications, they can apply to join the register. The process is set out on our website:

https://www.optical.org/en/Registration/Applying_for_registration/fully-qualified.cfm

The applicant must:

- provide suitable identifying information;
- confirm that they are covered by adequate and appropriate indemnifying insurance;
- make a declaration about any criminal, disciplinary, and mental and/or physical health conditions that might affect their fitness to practise; and

- confirm that they have read, understood and will comply with the Standards of Practice.

15. How often do you review your processes and standards? In your answer, please describe both formal and informal ways this is carried out (e.g. via consultancy, membership surveys) and include detail of any changes you have recently made based to this process.

We review our education standards on a periodic basis and are currently undertaking a large-scale Education Strategic Review to ensure that both the pre-registration and post-registration education and training is fit for the future. For such major changes, we run public consultations as well as host workshops, consult our statutory advisory committees, engage with wider stakeholders, and commission specialist research. We ensure that any decisions made by our Council are informed with all of this evidence.

For our processes, we seek to continually improve our processes and, when we propose minor changes, we normally pilot these with education providers who volunteer. An example of this is the representation of our standards/requirements in a tabular format in order to clarify our requirements and make it easier for providers to navigate the different areas. It has also helped to ensure that our Education Visitor Panel's assessments are thorough and more consistent across the different visits that they conduct. We used feedback from the pilot to make an informed decision regarding the helpfulness of the supplementary document and, due to the positive nature of responses, have since implemented this for all of our visits.

16. Thinking about key changes that have been made to your qualification processes, what has been the cause for this change? Below are some non-exhaustive possible options to consider in your answer.

- **Legislative change**
- **Findings from own internal review**
- **Feedback from consumers**
- **Feedback from professionals**

The majority of changes we have made to our approval and quality assurance processes have been informed by our on-going risk reviews, lessons learnt and internal audits, as well as feedback from education providers and students. We also take an active role in inter-regulatory meetings and have considered learning from other regulators in developing our approach.

17. Do you feel that the current standards you set, against which applicants are assessed to enter onto the register, are a fair reflection of the level of skill, training, education, and experience required to practise their profession? Please explain your answer.

Whilst we believe that the current education standards are appropriate for the present day, we recognise that the optical sector is rapidly changing and registrants need to be more prepared to work as part of a multi-disciplinary team, support NHS Improvement's Outpatient Transformation Programme by undertaking previously

hospital-based appointments out in the community and delivering wider public health messages. As such, we have embarked on the Education Strategic Review and are also conducting a review of our Continuing Education and Training (i.e. Continuing Professional Development) to ensure that both current and future registrants will continue to be able to practise in the future.

18. Please detail any principles of regulation you follow (e.g. proportionality and transparency) and how you uphold them, and whether they support you in your duties as a regulator.

The interests of patients and the general public are at the heart of all we do, and we aspire to the timeless seven (Nolan) public sector principles of public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership).

Our values underpin the way we work with each other, and with the public, our registrants and partner organisations:

- We act with integrity
- We pursue excellence
- We respect other people and ideas
- We show empathy
- We behave fairly
- We are agile and responsive to change

Our website details further information about how we work with our Council and committees, how we consult on change and how we ensure fairness in our processes, particularly our fitness to practise process.

19. Please detail any requirements you may place on the professionals you regulate and why they are necessary. If you do not impose any requirements, please justify your reasons for not doing so.

We have statutory responsibility for setting standards and require our registrants to adhere to our [Standards of Practice](#). We have different sets of standards for fully qualified registrants, student registrants and business registrants.

Please also refer to question 23 regarding our CET scheme.

20. Please describe the process by which you determine your application fees. Please set out any principles or guidelines you adhere to when determining fee amounts.

The GOC is funded entirely from registrants' fees. We do not receive any other income or additional funding from other sources, such as the Government. We are required to set a budget each year in order to adequately manage the resources to run the business and deliver services in a sustainable way. Fee income is our main source of income and our fees are set annually in line with our budget planning and forecasting. When setting our fees we need to reflect inflation (including pay inflation) as a minimum and take into account:

- The Professional Standards Authority's strong steer of ensuring that fees and fee increases are not unreasonable;
- an expectation that we will deliver our core business within our income each year from 2021-22 onwards (breakeven or better), though recognising that may be subject to negative impact on fee income through the effects of COVID-19 on registrants and optical businesses;
- relevant statutory requirements and wider public law considerations; and
- legal advice in relation to the EU directive to ensure that we are compliant in setting our fees for applicants wishing to apply from within the EEA or Switzerland.

Please see our comments in response to question 7 regarding fees for international applicants.

21. Please detail any changes that you are considering for your sector to ensure the profession you regulate stays relevant to current challenges. Does current regulation allow for you to make these changes?

We are currently undertaking the following projects to ensure that our regulation is appropriate and proportionate:

- Education Strategic Review – further details about this are provided in response to questions 15 and 17;
- Review of CET – further details about this are provided in response to question 23; and
- programme of legislative reform – we are reviewing our legislation to ensure that it is fit for purpose and proportionate, working with other healthcare regulators and the Department of Health and Social Care.

22. Please detail any steps you take to help make sure that your standards and processes are adaptive, support innovation and promote social mobility.

Through the development of less prescriptive education standards we will enable qualifications to be delivered innovatively. We also have increased our focus on widening participation and equality, diversity and inclusion (EDI) which we hope will help to promote social mobility.

Continuous Professional Development

23. Please detail any continuous professional development that is required for professionals to remain on your register. Please include detail on how often this should take place, in what form, as well as the benefits of adhering and consequences of not adhering to these requirements.

We have a combined continuing professional development (CPD) and revalidation scheme, currently called CET (Continuing Education and Training). The CET scheme is a points-based scheme that runs over a three-year cycle. By the end of each cycle all fully-qualified registrants must earn a minimum number of CET points, related to all of the core competencies for education and training, in order to stay on

the registers. Further information about the scheme can be found on our website: <https://www.optical.org/en/Education/CET/index.cfm>

If registrants do not complete the required amount of CET, they risk being removed from the register.

Our CET scheme was updated in 2013 as a proportionate response to the Government's request that all healthcare professionals should undergo 'revalidation' to ensure that they continue to be fit to practise. Our current scheme therefore covers both CPD and revalidation.

We are currently undertaking a project to review our CET scheme. The optical sector has changed since the current scheme was introduced and the work optometrists and dispensing opticians carry out has expanded and diversified. We want to make sure that our CET scheme evolves, supports our registrants' learning and development needs, and continues to maintain the safety and quality of care patients receive. We carried out a 12-week public consultation on proposals to change the scheme between June and August. We are currently analysing the results and expect to make changes to the scheme in time for the start of the new cycle in 2022. We expect this to achieve the following aims:

- give registrants more control over their learning and development by freeing up the scheme;
- change the underpinning of the scheme from the core undergraduate educational competencies to our [Standards of Practice for Optometrists and Dispensing Opticians](#);
- give registrants more scope and more support to reflect on their practice;
- re-brand the scheme to CPD to bring it in line with other regulatory schemes; and
- exploring how to best support newly-qualified registrants as they transition into fully qualified professionals.

Diversity and Inclusion

24. Do you collect data on the diversity of both your UK and international applications? For example, on gender or ethnic background.

We collect EDI data from our applicants at the point of registration and renewal. This information is analysed on an annual basis and the results are published in our annual EDI report. Our process for capturing EDI data does not currently apply prior to joining the register – we will look at this as part of the EDI monitoring work we do.

25. Please outline any steps you take to eliminate unconscious bias from your recognition process.

The Registration team received training on unconscious bias from UK NARIC in 2017. That training needs to be refreshed and will be as part of GOC-wide training on EDI matters.

26. Please outline any steps you take to support job creation in the profession you regulate.

We do not have a role in supporting job creation for the professions we regulate.

27. Please outline any steps you take to attract a diverse workforce to the profession you regulate.

We do not have a role in workforce planning.

Additional Information

28. Please detail any other information or evidence that you think we should take into consideration during this Call for Evidence.

We do not have any further information to provide.