



Association of
Optometrists

**“I’ve just registered
with the GOC”**

**A students guide to
regulation.**



Cassandra Dighton, Head of Professional Discipline
Association of Optometrists



Introduction

- Cassandra Dighton, Head of Professional Discipline at the AOP.
- Qualified as a solicitor in 2006; worked as criminal lawyer for five years before moving into healthcare regulation. I have worked for the General Medical Council, Medical Protection Society, the Infected Blood Inquiry amongst others. I have an MA in Medical Ethics and Law and sit on a Professional Conduct Committee
- My role is to manage the Professional Discipline team in its work advising, assisting and representing members who have a case with NHSE, the Parliamentary and Healthcare Ombudsman and the GOC.



Association of
Optometrists

Lecture Objectives

- Know who the AOP are, what we do and how we can help.
- Understand the GOC's role in the regulation of optometrists.
- Know where to find the GOC's standards.
- Understand how the GOC will investigate a referral and how the AOP can help.
- Know how to avoid the most common mistakes which lead to a GOC referral.

The AOP

The AOP is the largest membership body for Optometrists in the UK.

Our vision:

- To assist our members to prosper wherever they work
- For eye health and the work of our members to be recognised by the public
- To be the unrivalled provider of support for eye health practitioners
- To defend, represent and protect the individual member (we have expert clinical negligence, employment and professional discipline teams)





Association of
Optometrists

How we can help.

Our legal teams

- Professional Discipline: GOC referrals and investigations, hearings and appeals. NHS E referrals and hearings.
- Employment, for example: Dismissal, grievances, redundancy, performance, pre-reg issues.
- Clinical negligence team - defending you against claims



Starter for 10

- What is a regulated profession ?

Finance /Health/Law are examples of other professions subject to Regulations and Codes that other jobs are not.

- The Opticians Act 1989 creates the GOC's powers and its statutory objective; to protect the public.



Association of
Optometrists

How does the GOC achieve its statutory objective?

Five core functions

- 1) Sets the Standards for optical education and training, performance and conduct;
- 2) Approves qualifications leading to registration;
- 3) Maintains the register of individuals and business registrants;
- 4) Establish standards of conduct ethics and competence (issuing guidance) with which registrants must comply in order to remain on the register
- 5) Investigates, and acts where a registrant's Fitness to Practise, to train, work or carry on a business is impaired



Association of
Optometrists

What is Fitness to Practise?



<https://optical.org/en/standards-and-guidance/standards-of-practice-for-optometrists-and-dispensing-opticians/>

- Standards for Optical Businesses, Standards for students, standard for optometrists and dispensing opticians.
- Conduct consistent with public confidence in the profession



Association of
Optometrists

All GOC cases start with a referral or self-declaration.



The referral is placed with the GOC's triage team. Some cases will be closed at this stage because they do not meet the Acceptance Criteria.



Cases that are not closed are investigated.



At the end of the investigation, it is disclosed to the registrant and their Legal Adviser. At this stage, the registrant can write a response to the allegations.



The GOC'S investigation and the registrant's representations are considered by senior decision makers at the GOC, "Case Examiners" who will decide how to progress the case.





Association of
Optometrists

Case Examiners have several options; they can refer a case to a hearing, close a case, close a case with advice, issue a warning, order a performance or health assessment.



If a case goes to a hearing the burden is on the GOC to prove, on the balance of probabilities that the registrant's fitness practise is impaired to a degree requiring action on their registration.



If proved, the tribunal can erase a registrant, suspend a registrant, make an order of conditions or a financial penalty.



Association of
Optometrists

Registrants sometimes think the GOC is like this...

Let's think about case stats before you worry

- In the chat box, jot down the percentage of cases you think were referred to a tribunal in 2019/2020 by the Case Examiners?



shutterstock.com · 1832540998



Association of
Optometrists

Some statistics....

In 2019/2020 at Case Examiner Stage

- 54% of cases were closed at this stage with no further action.
- 9% closed with no further action (with advice)
- 15% closed with a warning
- 22% referred to Fitness to Practice Hearing

(GOC'S annual report 2019/2020)



More stats...

- In 31% of cases the tribunal found that there was no case to answer (13 registrants)
- 17% were suspended (7 registrants)
- 43% were erased (18 registrants)
- 7% received an order of conditions. (3 registrants)



Association of
Optometrists

Part 2.....

Common mistakes and how to avoid them.

- Clinical errors
 - Record keeping
 - Dishonesty
- Public Confidence*
- Social media
 - Declarations



Association of
Optometrists

Clinical errors

- Inadequate examination
- Failure to refer
- Misdiagnosis
- Communication issues
- Inappropriate recall





Association of
Optometrists

Record Keeping

Why keep records?

- Good clinical practice
- Aids future care of the patient
- Could assist defence when things go wrong
- Standard 8 = Maintain adequate patient records



What should you record?

Inside examination room

- All aspects of your examination – history, examinations undertaken, findings, diagnosis, advice.

Outside examination room

- All relevant patient contact outside of the examination e.g. issues, advice, dispensing, repairs

Remember:

- You might have got something wrong, but it may not matter if you have justified your decision within your records!



Association of
Optometrists

How not to do it...

14 SEP 2003

Mr Smith

Contacts broken

wearing +2.00/0.50 x 10
Eyes +1.50/0.50 x 90

R +2.00/0.50 x 80 6/6

L +1.50/0.50 x 90 4/6

Can you see any issues here? Pop any thoughts in the chat box.



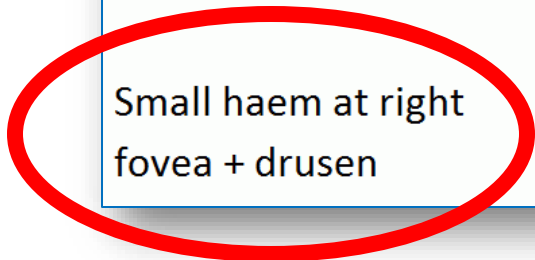
Set all to normal:

Right			Left		
Normal	Abnormal	Comment	Comment	Abnormal	Normal
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>			<input type="radio"/>	<input checked="" type="radio"/>
		0.3			0.3
Small haem at right fovea + drusen			Other Comments		



Set all to normal:

Right				Left		
Normal	Abnormal	Comment		Comment	Abnormal	Normal
<input checked="" type="radio"/>	<input type="radio"/>		Media		<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>		Lens		<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>		P.Pole		<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>		Macula		<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>		Periphery		<input type="radio"/>	<input checked="" type="radio"/>
<input checked="" type="radio"/>	<input type="radio"/>		Disc		<input type="radio"/>	<input checked="" type="radio"/>
		0.3	C:D			0.3
Small haem at right fovea + drusen			Other Comments			



Can we trust the other entries?



Association of
Optometrists

Dishonesty

(16. Be honest and trustworthy)

1. Falsifying records
2. Failing to declare
3. Overclaiming – GOS fees
4. Plagiarism
5. Criminal dishonesty
e.g, theft





Association of
Optometrists

One registrant's story





Association of
Optometrists

Social media





Did you spot it?

Jeremy Hunt provokes anger on Twitter for 'breaking patient confidentiality'

The health secretary posted a picture of himself with doctors, but the photo - since edited - showed a board with patient information written on it



▲ Picture tweeted by Jeremy Hunt, centre, which has been edited to remove patient information on a board in the background. Photograph: @Jeremy_Hunt/Twitter/PA

Jeremy Hunt has been accused of breaching patient confidentiality by





Association of
Optometrists

And finally, don't become
friends on social media
with patients.





Association of
Optometrists

PUBLIC INTEREST

The GOC can take action against an optometrist on public interest grounds but what is "public interest"

- Public must have confidence in order to trust the profession
- Must have trust for healthcare services to work



[East Anglian Daily Times](#) > [News](#)

Doctor suspended after 'extremely offensive' Facebook posts discovered



Matthew Earth



Published: 6:33 AM January 25, 2020 Updated: 6:41 PM October 11, 2020



NEWS

Barrister suspended over offensive social media posts

By [Jemma Slings](#) | 25 October 2019



A barrister who posted offensive comments on social media about a member of the public has been suspended from practice for 10 months.

Richard Miles, called to the bar by Gray's Inn in 1997, was found by a disciplinary tribunal to have acted in that was likely to diminish the trust and confidence the public places in him or in the profession.

The Bar Standards Board brought charges of professional misconduct after Miles posted a number of 'offensive and disparaging' comments about a member of the public on social media. The comments were posted on Facebook chat forums and included matters of sexual and violent nature.





Association of
Optometrists

PUBLIC CONFIDENCE

- Public Confidence means your conduct matters both in and outside the testing room
- Social Media
- Honesty
- Criminal Offences e.g Drink Drive



Association of
Optometrists

PUBLIC CONFIDENCE

Would you trust a Professional who:

- Uses racist or sexist language?
- Who gets into drunken fights or breaks the law in a reckless way?
- Who falsifies clinical records?



Declarations

A) Criminal

- Police investigations/cautions/convictions
- Some cautions and convictions are ‘protected’ – it is not straightforward – ask a lawyer!





B) Health

- Any health matters which a pre-registration student considers 'may affect their training'.
- Any health matters which an optometrist considers 'may affect their fitness to practise'.



Association of
Optometrists

GOC case or not?

Example 1

Student Registrant runs out of time to get her GOC registration form signed by an Optom and enters her close friend's name on the form as the certifying person. The Student also signs the application form on behalf of her close friend.

Example 2

Registrant manually adds loyalty card points to her loyalty card at the store where she works as she's suffering financial hardship. Registrant has not made any purchases though.

Example 3

Within an eight month period, the Registrant fails to provide an adequate standard of care to her patients. Registrant has also failed to adequately record for these patients.



Association of
Optometrists

AOP Membership

It's free for students!!

In return you will get:

- Free membership from your first year, until the end of your pre-registration year
- University visits and presentations
- Free bi-monthly copy of *Optometry Today* in print and online
- Online educational revision content
- Free legal support and representation
- Support throughout your pre-registration period and OSCE exam
- Special member-rate insurance products from our partner Lloyd & Whyte

Once qualified, we offer a reduced rate membership as a newly-qualified optometrist



Association of
Optometrists

Contact details

AOP - Main Switchboard: **020 7549 2000**

Legal : **020 7 549 2020**

Legal email: legal@aop.org.uk

