



19th February 2008

DFES Consultation on Safeguarding Vulnerable Groups Act 2006

Together our three organisations represent the vast majority of employed and independent optometrists, dispensing opticians and employers in the UK optical retail sector.

Optometrists and Dispensing Opticians

We accept the purpose of the legislation is to safeguard vulnerable groups and we understand the rationale for defining vulnerable adults to include those who receive any form of health care. Therefore, we accept that registered optometrists and registered dispensing opticians should be subject to the provisions of legislation and would argue for this to be a condition of registration to practise with the General Optical Council. However, we would also argue for proportionality in line with the recognised low levels of risk in optics.

In a typical optometric-optical practice, healthcare is delivered by optometrists and dispensing opticians. Optometrists examine patients with a view to determining their visual acuity and visual health and prescribing corrective spectacles or referring patients for medical attention. Dispensing opticians interpret the prescriptions and dispense corrective optical appliances accordingly. It is often the case that a patient will see at least one optometrist, one dispensing optician and several other staff during a consultation.

Technical and Support Staff

Other staff include receptionist and technical support staff. They are usually not involved in the specific delivery of healthcare directly to the patient; they work in an open, retail environment and under the supervision of more senior and registered staff. In our view, therefore, it would be unnecessary, and an inappropriate additional burden on optical businesses, to require such staff to be part of the safeguarding scheme. We would be strongly opposed to this.

Employing Barred Persons

Question 10: we agree that an employer considering employing a barred person should be required to obtain an enhanced disclosure.

Questions 12 a)-c): we believe that employers should carry out a risk assessment etc. – this is only good practice – but not that this should be a requirement. Not all cases can be foreseen, and sensible flexibility is key. Each case should be considered, handled and if necessary recorded on its merits. If the barred person has no way of coming into contact with patients and with personal details that could be subject to abuse, the risk assessment should be no more than a check that safeguards are in place to ensure that this remains the case.

Phasing

Question 14: we agree with the principles regarding phasing which you have proposed in your consultation document.

Personnel Suppliers

Question 15: we agree that the limit of reliability on checks by locum agencies should be three months (paragraph 9.8).

Proposal for checking ISA registration where there is already an existing statutory requirement for a CRB Enhanced Disclosure

Question 16: we agree with our proposals to retain existing statutory requirements for Enhanced Disclosures and not to add any further requirements as part of the ISA scheme.

Fees

We are also concerned about the possible levels of fees and would urge these to be kept to a minimum. The NHS sight test fee is only £19.32 for 27 minutes work and this already has to bear the costs of registration with the General Optical Council, professional indemnity insurance and continuing professional education. It cannot bear more strain in terms of regulatory fees; and so any new fees will have to be met by the NHS or passed on to patients, in either case reducing funds available for direct patient care. We would urge that the Department of Health require the Independent Safeguarding Authority to consult widely on fees and itself to consider fully those responses before it agrees fee levels for the new Authority.

Please let us know if we can be of any further help.

Yours sincerely

Sir Anthony Garrett

General Secretary
Association of British
Dispensing Opticians

Bob Hughes

Chief Executive
Association of
Optometrists

David Hewlett

Chief Executive
Federation of Ophthalmic &
Dispensing Opticians