



GOC Consultation: Indicative Sanctions Guidance - Updated Draft for Feedback

Survey questions

Introductory questions

What is your name? (optional)

Daro Bjayou

What is your email? (optional)

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What is your connection to the GOC?

- ☐ Registrant (optometrist or dispensing optician)
- ☐ Member of the Fitness to Practise Committee (FtPC)
- ☐ Legal professional
- ☐ GOC employee or contractor
- ☒ Organisation representing registrants
- ☐ Organisation representing the GOC
- ☐ Other

Are you responding on behalf of an organisation? (Optional)

☒ Yes

☐ No

If yes, please state the name of the organisation you are responding on behalf of. (Optional)

Consultation questions

1. To what extent do you agree that the updated guidance assists members of the Fitness to Practise Committee (FtPC) to understand their individual and collective responsibilities, leading to fair and just decisions?

(optional)

1. To what extent do you agree that the updated guidance assists members of the Fitness to Practise Committee (FtPC) to understand their individual and collective responsibilities, leading to fair and just decisions?

Strongly agree ☒

Agree

Neither agree nor disagree

Disagree

Strongly disagree

Don't know

2. If you answered 'Disagree' or 'Strongly disagree' to the previous question, please explain your reasons.

(optional)

3. Is there anything unclear or missing in the updated guidance?

(optional)

3. Is there anything unclear or missing in the updated guidance?

Yes ☒

No

Not sure

4. If you answered 'Yes', please provide details about what is unclear or missing.

Overall the guidance is very good. There are a just a few minor areas where the meaning is not clear and which could confuse or lead to misunderstandings. These are:

6.8 suggest 'through practice-based and preregistration training' to future-proof for ETR

9.1 b. 'criminal conviction'?

15.2 'apologise where appropriate' e.g. under professional duty of candour but this may not be possible or appropriate in all circumstances

17.2 unclear why there is a '?' after criminal conviction? Is this a drafting note?

There are also a small number of typographical errors:

5.3 'following areas of practice' – words omitted?

14.17 (fourth indent) requires

15.4 (fourth indent, vi) misconducted

16.12 personal sphere

23.7 risk is 'vitally important' – 'particularly'/'especially'?

23.9 'with a view to being distributed to publish'? - words omitted?

23.10 'the issue of proportionality'

23.22 'potential to develop into' word missing - insight'?

23.31 extraneous comma after 'sanction following'

Part C A.11 Local Optical (not Optometric) Committee

5. Do you think any aspect of the guidance could have a negative impact on stakeholders with specific protected characteristics?

Not that we can see.

(Please consider: age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, pregnancy or maternity, caring responsibilities, or other relevant characteristics.)

5. Do you think any aspect of the guidance could have a negative impact on stakeholders with specific protected characteristics?

Yes

No ☒

Not sure

6. If you answered 'Yes', please explain which characteristic(s) might be affected and how.

(optional)

7. Do you think any aspect of the guidance could have a positive impact on stakeholders with specific protected characteristics?

Yes ☒

(Please consider: age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, pregnancy or maternity, caring responsibilities, or other relevant characteristics.)

8. If you answered 'Yes', please explain which characteristic(s) might be affected and how.

Yes the clear aims in the guidance to

- ensure fairness to all parties
- consider every case taking full account of relevant circumstances
- take into account mitigating factors where appropriate
- following the law and case law

and the commitment to proportionality (Section 8)

(optional)

9. Are there any other impacts or benefits of the updated guidance that you would like to tell us about?

(optional)

9. Are there any other impacts or benefits of the updated guidance that you would like to tell us about?

Yes ☒

No

10. If you answered 'Yes', please provide details.

We welcome the updated guidance, its compliance with the rules (regulations) and the ethos of fairness and justice in fitness to practise matters which underpins it.