



SUPPORT FOR PRIMARY
EYE CARE DEVELOPMENT

REVISED GUIDANCE
from LOC Central Support Unit
on behalf of ABDO, AOP, FODO
on
Model LOC Constitution
(29 September 2008)

This guidance from the LOC Central Support Unit, prepared by the national representative and negotiating bodies, the Association of British Dispensing Opticians (ABDO), the Association of Optometrists (AOP) and the Federation of Ophthalmic and Dispensing Opticians (FODO), is addressed to Local [Optical/Optometric] Committees (LOCs).

It does not form part of the model constitution. It cannot, therefore, be relied upon as a definitive statement of the law.

OBJECTS OF COMMITTEE

The functions of LOCs, as prescribed by law, are simply stated as being to represent local contractors and local performers. On the basis of past experience such functions, if not currently undertaken, may include the following activities:

1. Informing, advising and negotiating with the Primary Care Trust on matters affecting, or liable to affect, local contractors and local performers, including, but not limited to:
 - 1.1 the efficient administration and payment of remuneration in relation to Primary Ophthalmic Services;
 - 1.2 the introduction and implementation of any Enhanced Primary Ophthalmic Services;
 - 1.3 the terms and conditions upon which any Enhanced Primary Ophthalmic Services are provided and performed;
 - 1.4 Hospital Eye Services, in so far as they affect Primary Ophthalmic Services;
 - 1.5 complaints against local contractors and local performers in respect of Primary Ophthalmic Services and related services in the area for which the committee is formed.

2. Responding to consultations initiated by the Primary Care Trust or any other local body;
3. Facilitating and encouraging local contractors and local performers to formulate collective views on the performance and administration of Primary Ophthalmic Services and related services and, in particular, to make suggestions for their improvement within the scope of the regulations, and to transmit them to the Primary Care Trust and any other relevant body;
4. Disseminating information about Primary Ophthalmic Services and related services among local contractors and local performers and to help them to understand and comply with their contractual and other obligations;
5. Conveying the views of local contractors and local performers on Primary Ophthalmic Services and related services to the national representative bodies;
6. Contributing to the development of national policies on all levels of Primary Ophthalmic Services and related services by, *inter alia*, liaising with the national representative bodies, attending or making representations to the National Optometric Conference, its successors or equivalent events;
7. Liaising with other Local Optical Committees and the LOC Central Support Unit, whose role is to support Local Optical Committees in developing and achieving their objectives in respect of primary ophthalmic services and enhanced primary ophthalmic services.
8. Obtaining support, advice and training services from the national representative bodies and/or the LOC Central Support Unit or such other bodies to assist in the discharge of any of its functions and activities.
9. Carrying out such administrative activities as are necessary to perform the functions set out above.

10. The Committee may delegate any of its functions or activities, with or without restrictions or conditions, to such sub-committees as it may establish.

MEMBERSHIP OF COMMITTEE

The constitution stipulates that the members of the Committee must be local contractors or local performers, in other words that they either have a contract with the PCT(s) or work as performers in the area and have notified the PCT that they wish to be represented by the Committee. Thus a performer does not have to be on the Ophthalmic Performers List of the PCT in order to be eligible for election to the Committee.

Note that, according to the constitution, contractors and performers are to be elected separately to the Committee.

STATUTORY LEVY

A Committee's expenses would normally be met by means of a statutory levy on the GOS sight test fees payable to local contractors. We would expect the Committee's proposed expenses, to be incorporated in the Committee's annual business plan; and the business plan and statutory levy to be agreed at the Annual General Meeting. Note that the expenses and levy must be agreed by the PCT(s).

AMENDMENT OF CONSTITUTION

After adopting the model constitution, it is unlikely that a LOC will have to amend its constitution, unless there is a change in the law. Any changes in the law will be notified to LOCs by the LOC Central Support Unit and the national representative bodies. Alternatively, there may be a change in the circumstances of a LOC or the PCT(s).

The LOC is required to agree any proposed changes to its constitution with the PCT(s).

COMPLAINTS AGAINST COMMITTEE

In recent years, a number of complaints have arisen relating to the work of a few LOCs. Consequently, the national representative bodies make the following recommendations.

1. If a local contractor, local performer or member of the Committee of the area has a complaint against the Committee, the complaint should be directed in the first instance to the Chairman or Secretary or another officer of the Committee, as appropriate. The officer should consider whether the PCT should be informed of the complaint.
2. If the officer of the Committee, to whom the complaint has been directed, believes that it is not appropriate to deal with the complaint, the complaint should be directed to the LOC Central Support Unit or, if that is inappropriate, to the national representative bodies, which will investigate the complaint and make recommendations on the resolution of the complaint. The LOC Central Support Unit or national representative bodies should notify the Local Optical Committee and the complainant of the outcome of the investigation and the recommendations. The Local Optical Committee must either follow the recommendations or refer the matter to an Extraordinary General Meeting.
3. Nothing in this constitution should affect the legal rights of the Committee or a person making a complaint.

DISPENSING OPTICIANS

As LOCs will know, dispensing opticians (DOs) play a significant role in the delivery of high quality eye health services to the public. Although technically, since the privatisation of dispensing in the 1980s, DOs have not been eligible for membership of LOCs, many LOCs have included DOs – there have been notable examples of leadership of LOCs by DOs – and the national representative bodies have been keen to support and encourage this.

Under the new legislation, DOs – as contractors – will again be legally entitled to be members of LOCs (as will lay contractors). This is reflected in the model constitution. Although this is a matter for local decision, the national representative bodies also take the view that DOs who are not contractors should nevertheless participate in the work of LOC. They are an integral part of the eye health professions. The national representative bodies believe it important that the professions speak with one united voice at both national and local level. We would ask all LOCs, therefore, to ensure that a number of local DOs who are not contractors are also properly included in their memberships by means of co-option.

OPTOMETRIC ADVISERS

Optometric advisers (OAs) are employed by PCTs; and, as such, it would not be appropriate for an OA who was a contractor or performer to be a member of an LOC. On the other hand, OAs should be invited and encouraged to attend meetings of LOCs as observers, if only for part of the agenda.

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