**Policy Name: Best Practice Relations**

**[Author]:**

**[Date]:**

**Approved by:**

 **[insert name Local Optical Committee]:**

### Best Practice Relations

[insert name Local Optical Committee ‘the LOC’] has agreed the following ten-point guide to Best Practice Relations

1. The LOC will maintain a welcoming environment to all local contractors and performers regardless of optical professional discipline or employer.
2. Following the completion of Conflict of Interest forms (Annex xxx), the LOC will not assume any individual vested interests or hidden agendas of any individuals. The LOC will follow its Conflict of Interest Guidance (page xxx).
3. If undeclared Conflicts of Interest are reasonably suspected, the LOC will allow the fullest possible opportunity for explanation.
4. Open discussion is essential to the successful running of the LOC. It is understood that discussion will sometimes lead to disagreement, which is normal. Where disagreements arise, these will be restricted to organisational matters only and never become personal, lead to abuse, bullying or any other behaviour that may be deemed intimidating.

1. It is recognised that different people have different perceptions and tolerances of conflict. Raised voices and hostile language should be avoided.
2. When working with local or national bodies, the LOC will recognise that all support is provided with the best intentions, and to the best of knowledge and abilities. The LOC is of course free to offer challenge, but this must be free from the negative behaviours outlined in point 4.
3. Where meetings take place remotely, the conduct expected is the same as that expected of a physical meeting. Participants must act professionally at all times and recognise that inappropriate personal conduct may reflect negatively on the LOC or the sector itself.
4. Social media must be used responsibly. Discussions carried out in virtual platforms must be done so professionally and fairly. Bear in mind that any comments made in social media platforms may be seen by people with no LOC or local knowledge. Comments should not be made that would not be made in person, or that could not be defended in formal environments. Individuals should make it absolutely clear whether they are speaking as a representative of the LOC or from a personal perspective.

1. It is accepted that no single individual, regardless of experience and status, is infallible. Opinions must be sought and offered equally.

1. Individuals will act towards others in the same manner they expect others to act towards them.

**Policy Name: Business Continuity Plan and Disaster Recovery**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Business Continuity Plan and Disaster Recovery

1. **Introduction and scope**

[insert name Local Optical Committee ‘the LOC’] is committed to providing the best possible support to our local contractors and performers. While the LOC does not have our own physical offices/spaces, nor hold patient identifiable data, the LOC may still be affected by local or national critical incidents. This Plan outlines the measures we have in place to mitigate the impact of disasters and recover from them as quickly as possible in order to maintain our support of the local optical sector.

We will inform local NHS teams and other key stakeholders of this Plan. We will also make use of LOCSU’s optical lead and central team for support as required.

1. **Responsibilities**

Responsibility for enacting this Plan lies with the LOC officers. The LOC’s officers ensure that all LOC members are also familiar with it so that they can implement it if officers become indisposed during a major incident.

1. **Disaster mitigation**

The following are indicative scenarios that would trigger Plan implementation with steps for mitigation:

* **Remote meetings**

During COVID-19 LOCs switched to remote meetings. Following the pandemic, the LOC will consider implementing a hybrid physical-remote model to maximise attendance. Arrangements will be made to transition to remote meetings using Zoom/Teams or equivalent.

Regular communication with local contractors and performers will be employed during a crisis to ensure that they are appraised of changes to meetings. The LOC maintains a regular list of contacts including email addresses (including alternative addresses) for all local contractors and performers, mobile numbers for members and officers, and makes full use of social media.

* **Serious illness to LOC officers and members**Although LOC officers are elected each year from the membership base, it may be necessary for members to temporarily assume some of the functions of officers in order to ensure that meetings continue to take place (virtually if necessary), and that the local optical community continues to be supported.

In the event of unusual and serious situations, local practitioners are likely to require more support than required under normal circumstances: thus, the LOC will ensure that it remains ‘open for business’ even in the event of officer absence.
* **Information loss including IT failure**

The LOC does not use local IT networks/servers and is therefore at a low risk of catastrophic IT failure; nor do LOCs hold patient identifiable information.

However, to reduce risk as far as possible we backup data by saving files on cloud systems, and do not rely upon local drives/desktops. The LOC’s digital records include key contacts held on cloud systems to ensure that knowledge is held at organisational rather than individual level. Where information is still held in paper format the LOC audits this with the overall objective of future digitising.

In addition, the LOC implements succession planning incorporating information and IT handovers to ensure that information held by key individuals is not lost when they step down from their positions.

The LOC’s officers are familiar with, and implement, LOCSU’s Data Protection Guidance designed for LOCs: <https://www.locsu.co.uk/locs/guidance/data-protection/>

* **Financial collapse**

We ensure that the LOC has enough financial reserves to withstand a period of reduced or stalled levy income but without holding unnecessarily large sums of contractor levy contributions. We worked with LOCSU during COVID-19 to assist our treasurers with financial planning and resilience and will continue to do so.

We ensure that there is more than one person able to access the LOC bank account in the event of the treasurer being indisposed.

1. **LOC constitution**

LOC officers and members are well familiar with the LOC’s constitution and encourage local contractors and performers to be as well. We do this in particular to facilitate timely responses in the event of a disaster.

1. **Risk Assessment Grids**

The risk assessment grids below can be used by LOCs to plan for disasters and establish steps for mitigation.

|  |
| --- |
| **Risk Assessment descriptors:** **Use the descriptors below to assess the Likelihood of a risk occurring** |
| **Score** | **5** | **4** | **3** | **2** | **1** |
| **Descriptor** | **Probable** | **Possible** | **Unlikely** | **Rare** | **Negligible** |
| **Likelihood of occurrence** | More likely to occur than not | Reasonable Chance of occurring | Unlikely to occur | Will only occur in rare circumstances | Will only occur in exceptional circumstances |
| >50% chance | 50% to 5% | 5% to 0.5% | 0.5% to 0.05% | 0.05% to 0.005% |
| >1 in 2 chance | 1 in 20 chance | 1 in 200 chance | 1 in 2,000 chance | 1 in 20.000 |
| **Risk Impact:** **Use the descriptors below to assess the Impact severity if a risk occurs** |
| **Score** | **5** | **4** | **3** | **2** | **1** |
| **Descriptor** | **Catastrophic** | **Major** | **Moderate** | **Minor** | **Insignificant** |
| **Severity of Impact** | Permanent loss of core service or facility | Sustained loss of service which has serious impact on delivery of patient care | Some disruption in service with unacceptable impact on patient care. Non- permanent loss of ability to provide a service | Short term disruption to service with minor impact on patient care | Interruption in a service which does not impact on the delivery of patient care or the ability to continue to provide a service. |

|  |  |
| --- | --- |
| **Record the likelihood and impact of potential hazards and /or threats together with the recovery time frame options (these are indicative examples only and are not exhaustive)** |  |
|  |  |  | **Option 1** | **Option 2**  | **Option 3** | **Risk mitigation: steps taken** |
| **Hazard or threat** | Likelihood Score | Impact Score | (2 hours) | (24 hours or more) | (5 days or more) |  |
| Loss of premises |  |  |  |  |  |  |
| Incapacity of staff |  |  |  |  |  |  |
| Loss of computer systems/ essential data |  |  |  |  |  |  |
| Financial collapse |  |  |  |  |  |  |

**Policy Name: Complaints Policy**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Complaints Policy

1. **Introduction and Scope**The LOC will endeavour to carry out its duties with fairness and diligence. We do not therefore envisage receiving many complaints but nevertheless it is important to plan for such an eventuality. This Policy demonstrates the steps that we will take in the event of complaints against the LOC and/or its members and officers.
2. **Responsibilities**

It is the responsibility of all LOC members to understand and implement this policy. Officers are primarily responsible for ensuring that this Complaints Policy is implemented by the LOC.

1. **Form of Complaints**

Complaints against LOCs may come in a variety of ways:

* + Verbally
	+ In writing or by email
	+ By social media or online
	+ Third party.

We will only consider complaints that are made formally to the Committee in which the complaint is clearly outlined. We will consider anonymous complaints although this will restrict investigation and potentially investigation outcomes.

1. **Type of Complaints**Complaints against LOCs are rare. Complaints that do occur may include those:

	* against the LOC itself concerning perceived failures of the LOC to carry out its duties
	* alleging that the LOC has shown bias for or against an optical contractor or performer
	* alleging conflicts of interest
	* against a particular LOC member.
2. **Complaints Procedure**

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 local NHS team should be informed of the complaint. As below, LOCSU can arbitrate and/or advise as requested. Nothing in this Policy should affect the legal rights of the Committee or a person making a complaint.

All complaints are acknowledged by the LOC within 3 working days. When acknowledging receipt of a complaint, the LOC offers to discuss with the complainant how and when the LOC intends to investigate and resolve the complaint. If the complainant refuses this offer, the LOC will advise the complainant in writing how long it is likely to take them to respond concerning the substance of the complaint (the ‘response period’).

The LOC endeavours to keep the complainant informed of the progress of the investigation. As soon as possible after completing the investigation, the LOC considers the complaint and what it proposes to do to resolve the complaint and any consequent action. This will be done within 10 working days where possible. The LOC endeavours to resolve the complaint within 6 months after receiving the complaint or, if it cannot be resolved, the LOC informs the complainant why they have not managed to do so.

The Company keeps a record of each complaint received, the subject matter and outcome of each complaint, each response period where applicable, and, in the cases of a response period being applicable, whether the complainant was informed of the outcome of the investigation.

1. **External mediation**

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 LOCSU or, if that is inappropriate, to the national representative bodies. They will then will investigate the complaint and make recommendations on the resolution of the complaint. LOCSU or the national representative bodies should notify the LOC and the complainant of the outcome of the investigation and the recommendations. The LOC must either follow the recommendations or refer to an Extraordinary General Meeting.

1. **Mediation**

LOCSU can be requested to act as a mediator if required.

**Document Name: Conflicts of Interest – Guidance for LOCs**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Conflicts of Interest – Guidance for LOCs

1. **Overview**

A conflict of interest is something that causes a person’s objectivity and decision making to become impaired to the potential detriment of their organisation. Financial gain is not required for conflicts to exist and perceived conflicts can have as much effect as real ones. For LOCs, conflicts of interest can be damaging and risk the reputation of the committee. This LOCSU guidance is designed to remind LOCs of the importance of understanding conflicts of interests and outlines processes to mitigate and manage these. It provides examples of potential conflict of interests, how to prevent and avoid these where possible, how to manage transparently and fairly, and how these should be recorded and outcomes communicated.

While the LOC is empowered to manage conflict of interest scenarios, in the interests of transparency it would be advisable for the committee to call an EGM where changes are made to officer roles as a result of managing potential and real conflicts of interest.

In all cases, the committee should ensure that prompt and clear communications are sent to local contractors and performers and that full transparency is implemented and documented.

LOCs should keep LOCSU informed of developments at all times and ask for direct support where necessary.

1. **LOC Conflict of Interest Fundamentals**
	1. LOC members must comply with law, guidance and good practice in relation to gifts, hospitality and other inducements and actual, potential conflicts of interest.
	2. LOC members must complete a Conflict of Interest Declaration
	Template (Annex A).  Members need to review and confirm interests to the LOC at least annually or following any material change of circumstance within twenty-eight days. Members must note the LOC Model Constitution clause below:

*15.1. Members of the Committee shall declare any interests when standing for election and on appointment to the Committee, as well as at the start of each Committee meeting and relevant item on the agenda.*

* 1. LOCs should endeavour to prevent conflicts of interest before they arise.  Be mindful that perceived conflicts can have an adverse impact as well as actual conflicts.
	2. Where doubt exists, the LOC’s default position should be to assume a conflict and manage this accordingly. This is not so as to create a climate of suspicion and mistrust but to ensure that transparency and accountability are paramount at all times.
	3. The LOC should recognise that individuals may in good faith hold an unrecognised or debatable conflict of interest. While it is important to promote robust conflict of interest prevention and management, an overly prescriptive approach is not desirable—providing that correct procedures are followed at all times.
	4. Notwithstanding 1.5, all members must ensure that they abide by this clause of the LOC Model Constitution:

*15.3. Members of the Committee as elected representatives of registered healthcare professions shall at all times behave in a professional manner and within the normal rules and expectations of commercial and professional confidentiality relating to the work of the Committee. They shall not divulge, act inappropriately upon, or use inappropriately any information obtained by virtue of their membership of the Committee or its work. They shall be demonstrably scrupulous in this regard at all times and, particularly, when they might have an actual or potential personal interest. They shall be reminded of this requirement at each meeting as appropriate. Any infringement of this requirement shall be dealt with, as the Committee judges fit and recorded in the minutes.*

**3. Managing Conflicts**

If the above fundamentals are adhered to, LOCs should be able to resolve most issues. However, in some cases conflict of interest management may be required. In all cases LOCs should keep a conflicts of interest register detailing the conflict, any investigation, outcome, and communication.

Below are some indicative scenarios that may occur from time to time and suggestions for how to manage these:

2.1 An LOC member has not declared a conflict when they should have done:

1. If the LOC member realises this then they should make an immediate declaration to the LOC, explain the omission, and update their Conflict of Interest Declaration Form. The LOC should consider the severity of the omission and the explanation. In many cases the conflict will not have a material effect on the LOC’s work and the member can continue their role in the LOC.

However, where it is felt that the conflict does have a material effect, especially in relation to commissioning of services where the associated LOC Company has contractual obligations to its commissioners, the LOC might feel it necessary to ask the individual to consider their position on the committee. The LOC Model Constitution makes provision for a member of the committee to resign his/her place at any time. In such cases a ‘casual vacancy’ shall be declared. In the event that the member with a conflict is an officer, a replacement should be identified and prepared to assume the departed person’s role, in order to ensure that the LOC does not have an important role gap. For example, a chair could step down and be replaced by a vice chair, or a secretary/treasurer by a suitable person from the membership pool. It is good practice for each officer to have a deputy already identified so that in the event of role changes the deputy is ready to step in quickly in order to avoid a skills gap emerging.

1. Where the individual has intentionally not declared a conflict, which has subsequently emerged from different sources, this is a more serious scenario. The LOC will be within its rights to ask the individual to consider their position on the committee in this case.

2.2 There is a dispute within the committee regarding a perceived conflict

A conflict may be declared to the committee which the committee does not have a unanimous view on. This will take on greater significance when the individual is an officer (chair, vice chair, treasurer, secretary).

The first stage will be for the committee to discuss this openly ensuring that
all views are heard without accusation. It is important to allow for differences of opinion and for all parties to demonstrate good faith at all times. If it is not possible to come to a clear LOC view, then the following options should be considered:

1. The member in question recognises the importance of the LOC’s reputation as a representative body for the local optical sector and to therefore consider whether it is appropriate for them to continue in their position.
2. The member remains part of the committee but to be asked to step outside meetings on particular issues as per the LOC Model Constitution:

15.2. Members of the Committee, having an actual or potential conflict of interest in relation to an issue, shall not engage in discussion, or vote, on that issue.

This will become more challenging when this member is an office holder. If so, a permanent solution along the lines of a) or c) will need to be put into place.

1. Consider co-opting members (the LOC Model Constitution allows for up to three members to be co-opted) in order to fill skills gaps where a casual vacancy has emerged. Where necessary, there is nothing to prevent a co-opted member filling an officer role providing that they are elected by the committee. Alternatively, ensure that each officer has appointed a deputy, preferably prior to any conflict of interest emerging so that the deputy can step in quickly to ensure no skills gap emerges.

2.3 A local contractor/performer or outside organisation believes a conflict of interest exists which the LOC disputes

Where this occurs, the LOC needs to allow the person or outside organisation to give their views. Even where the LOC does not exist it must treat this concern seriously and transparently. This does not mean however that it is obliged to agree with the concern raised. It should detail discussions it takes regarding this concern as part of its investigatory process. It should explain the outcome of this investigation to the enquirer.

In the interests of clarity, a person should not be assumed to be conflicted just based on who their employer is.

1. **LOCSU can be requested to act as a mediator if required.**
2. **Conclusion**

By implementing the above steps and ensuring that all parties recognise that the LOCs are vital bodies incorporated by Act of Parliament and the importance of reputation, LOCs should be able to resolve conflict of interest issues. Above all, LOC members must ensure as a baseline that all LOC members, irrespective of employer or practice type, have the same objective of supporting and driving improvements of/to the local optical sector, and that this is assumed of committee colleagues unless clearly demonstrated otherwise. Remember that LOCSU is available to offer support.

**Annex A - LOC Conflict of Interest Guidance**

**[Insert name]** LOC: Declaration of Conflict of Interests Form

This form is a mandatory document for committee members of [insert name] LOC (“the LOC”) to complete.

As part of the LOC’s activities as the body representing local contractors and performers providing primary ophthalmic services in the LOC’s area, it is essential that committee members of the LOC state any interest or position that they and/or a family member[[1]](#footnote-2) hold in any other organisation participating in NHS commissioning processes in the field of eye health care, or other specialisms in the health and social care sector.

**Declaration of Conflict of Interests Form:**

Please complete the form below in full detailing all information as requested. Mark non-applicable areas as N/A. It is very important that you complete this form accurately as non-disclosed information may affect your ability to perform as a committee member representing the LOC.

Form below:

|  |  |  |
| --- | --- | --- |
|  | **You** | **Family member** |
| *Full name* |  |  |
| *Optical profession (e.g. optometrist/dispensing optician)* |  |  |
| *Position within or involvement withthe LOC* |  |  |
| *Details of position/involvement* |  |  |
| *Positions (including directorships) or any involvement (including shareholdings) with other private or public organisations participating in the NHS Commissioning process in the field of eye health care* |  |  |
| *Positions (including directorships)or involvement (including shareholdings) in any other private or public company operating in the wider health and social care sector*  |  |  |
| *Any other role or relationship including with voluntary organisations you consider would impair or otherwise influence your work with the LOC* |  |  |

I confirm that this **Declaration of Conflict of Interests Form** has been completed to the best of my knowledge. I undertake to update as necessary the information provided and to review the accuracy of the information at least annually or following any material change of circumstances (material change of circumstances being taken as anything that would otherwise have fallen in one of the categories above). I give my consent for the information to be used for the purposes of the LOC’s activities.

Signed: Date:

**Policy Name: Data Protection and Privacy Policy**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Data Protection and Privacy Policy

**1. Data Protection**

**1.1 The principles of data processing**
[Insert LOC name] as a body that processes personal information complies with the principles of data processing under the Data Protection Act 2018 (DPA 2018). DPA 2018 reflects the EU Directive General Data Protection Regulation (GDPR). [Insert LOC name] complies with GDPR that states personal data shall be:

* processed lawfully, fairly and in a transparent manner in relation to individuals
* collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes
* adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed
* accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay
* kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and organisational measures required by the GDPR in order to safeguard the rights and freedoms of individuals.
* processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

**1.2 Meaning of personal data**The definition of personal data has been substantially expanded under the GDPR. Personal data means any information about a living individual which:

* Identifies that individual (for example, by name, address, qualifications, credit card number, national insurance number)
* together with other information, which is held by, or is likely to come into the possession of the data controller that will identify that individual; or
* includes any expression of opinion about the individual or indication of the intentions of the data controller or any other person in respect of the individual.

It also includes sensitive personal data such as cultural records, sexuality information and health records.

**1.3 Data Protection – controlling your personal information**[Insert LOC name] is registered as a Data Controller with the Information Commissioner's Office. Register Entry: insert entry details

You may choose to restrict the collection or use of your personal information in ways detailed below. You should make requests in writing to [LOC Contact address] or email to [LOC email]. We will require verification of the individual making the request.
Under GDPR you have several rights as below:

* Right to be informed: You have the right to be informed about the collection and use of your personal data. If you make a request of this nature we will provide:
* our purposes for processing your personal data
* our retention periods for your personal data
* whom it will be shared with.
* **Right of access**: Individuals have the right to access their personal data and supplementary information and be aware of and verify the processing of their personal data.

Individuals have the right to obtain:

* confirmation that their data is being processed
* access to their personal data
* other supplementary information as per our privacy notice.

We will respond to Subject Access Requests (SARs) within one month of receipt of the written request. We will extend the period of compliance by a further two months where requests are complex or numerous. There is no cost to you making an SAR unless the request is ‘manifestly unfounded or excessive.’ In this case we will charge a reasonable fee for multiple or complex requests or refuse the request. [Insert LOC name] can withhold disclosing personal data if doing so would adversely affect the rights and freedoms of others. If we refuse a request, we will explain to you within a month why we have refused it. You can appeal this to the ICO.

* **Right to rectification**: you can request that your inaccurate personal data is corrected or completed if it is incomplete. You can make this request verbally or in writing.

Upon such a request we will take reasonable steps to satisfy whether the data is accurate or inaccurate. If it is inaccurate, we will take reasonable steps to rectify this data within one month. We will also contact other organisations that we have disclosed the data to unless this proves impossible or involves disproportionate effort.

If we are satisfied that the data is accurate, we will inform you within one month that we will not be amending the data explaining our decision. If the data is an opinion it may be difficult to say that the data is inaccurate and requires rectification. We can refuse a request for rectification within one month if the request is manifestly unfounded or excessive charging a reasonable fee as necessary. You can raise this to the ICO if necessary.

We can extend the time to respond to a request by a further two months having explained within one month this is what we will be doing.

* **Right to erasure**: you have the right to have your personal data erased by [Insert LOC name] where:
* the personal data is no longer necessary for the purpose which we originally collected or processed it for
* we are relying on consent as our lawful basis for holding the data, and the individual withdraws their consent
* we are relying on legitimate interests as our basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing
* we are processing the personal data for direct marketing purposes and the individual objects to that processing
* we have processed the personal data unlawfully
* we have to do it to comply with a legal obligation
* we have processed the personal data to offer information society services to a child (not applicable to [Insert LOC name]).

Where we have disclosed the personal data to others, we will contact each recipient and inform them of the erasure, unless this proves impossible or involves disproportionate effort. If asked to, we will also inform the individuals about these recipients.

Where personal data has been made public in an online environment reasonable steps should be taken to inform other controllers who are processing the personal data to erase links to, copies or replication of that data, taking into account available technology and the cost of implementation.

The right to erasure does not apply if processing is necessary for one of the following reasons:

* to exercise the right of freedom of expression and information
* to comply with a legal obligation
* for the performance of a task carried out in the public interest or in the exercise of official authority
* for archiving purposes in the public interest, scientific research historical research or statistical purposes where erasure is likely to render impossible or seriously impair the achievement of that processing; or
* for the establishment, exercise, or defence of legal claims.
* **Right to restrict processing:** Individuals have the right to request the restriction or suppression of their personal data. This is not an absolute right and only applies in certain circumstances. When processing is restricted, we are permitted to store the personal data, but not use it. An individual can make a request for restriction verbally or in writing.

We have the right to restrict the processing of their personal data in certain circumstances. This means that an individual can limit the way that an organisation uses their data. This is an alternative to requesting the erasure of their data.

Individuals have the right to restrict the processing of their personal data where they have a particular reason for wanting the restriction. This may be because they have issues with the content of the information we hold or how we have processed their data. In most cases we will not be required to restrict an individual’s personal data indefinitely but will need to have the restriction in place for a certain period of time.

Individuals have the right to request we restrict the processing of their personal data in the following circumstances:

* you contest the accuracy of their personal data and we are verifying the accuracy of the data
* the data has been unlawfully processed and the individual opposes erasure and requests restriction instead
* we no longer need the personal data but the individual needs us to keep it in order to establish, exercise or defend a legal claim
* the individual has objected to us processing their data, and we are considering whether our legitimate grounds override those of the individual.

If an individual has challenged the accuracy of their data and asked for us to rectify it, they also have a right to request we restrict processing while we consider their rectification request. If an individual exercises their right to object under Article 21(1), they also have a right to request we restrict processing while we consider their objection request.

Therefore, as a matter of good practice we will automatically restrict the processing whilst we are considering its accuracy or the legitimate grounds for processing the personal data in question.

We will not process the restricted data in any way except to store it unless:

* we have the individual’s consent
* it is for the establishment, exercise, or defence of legal claims
* it is for the protection of the rights of another person (natural or legal) or
* it is for reasons of important public interest.

If we have disclosed the personal data in question to others, we will contact each recipient and inform them of the restriction of the personal data - unless this proves impossible or involves disproportionate effort. If asked to, we will also inform the individual about these recipients.

In many cases the restriction of processing is only temporary. Once we have made a decision on the accuracy of the data, or whether our legitimate grounds override those of the individual, we may decide to lift the restriction. If we do this, we will inform the individual **before** we lift the restriction.

You can make a complaint to the ICO or another supervisory authority or you can seek a judicial remedy.

We can refuse to comply with a request for restriction if the request is manifestly unfounded or excessive, taking into account whether the request is repetitive in nature. If we consider that a request is manifestly unfounded or excessive we can:

* request a "reasonable fee" to deal with the request
* refuse to deal with the request.

In either case we will explain our decision.

If we decide to charge a fee, we will contact the individual promptly and inform them. We do not need to comply with the request until we have received the fee.

You can make a request for restriction verbally or in writing.

We will act upon the request without undue delay and at the latest within one month of receipt. We can extend the time to respond by a further two months if the request is complex or you have received a number of requests from the individual. We must let the individual know within one month of receiving their request and explain why the extension is necessary.

* **Right to object:** Individuals have the right to object to:
* processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling)
* direct marketing ([Insert LOC name] does not engage in this)
* processing for purposes of scientific/historical research and statistics.

You must have an objection on “grounds relating to your particular situation”.

We will stop processing the personal data unless:

* we can demonstrate compelling legitimate grounds for the processing, which override the interests, rights and freedoms of the individual; or
* the processing is for the establishment, exercise or defence of legal claims.

We will inform individuals of their right to object at the point of first communication. We will stop processing personal data for direct marketing purposes as soon as we receive an objection.

We will deal with an objection to processing for direct marketing at any time and free of charge.

We will inform individuals of their right to object “at the point of first communication” and in our privacy notice. This must be “explicitly brought to the attention of the data subject and shall be presented clearly and separately from any other information”.

If we process personal data for research purposes individuals have “grounds relating to your particular situation” in order to exercise your right to object to processing for research purposes. If we are conducting research where the processing of personal data is necessary for the performance of a public interest task, we are not required to comply with an objection to the processing.

**1.4 Why we collect and process your personal data**We collect information, principally to ensure that performers and contractors and others interested in the development of primary eye care services receive the latest guidance and advice on important issues relevant to the optical sector, as well as news on extended primary eye care services.  We also collect this information to ensure that interested parties are kept informed about the range of support available from [insert name of LOC].  We may check information provided with other information held by us or by others.

We collect this information to understand your needs and provide you with a better service, and in particular for the following reasons:

* We may periodically send emails about events, and the range of [insert name of LOC] support available using the email address which you have provided.
* From time to time, we may also use your information to invite you to participate in a [insert name of LOC] survey.  We may contact you by email, phone, fax, or mail. We may use the information to customise the website according to your interests.

Our legal basis for processing personal data from contractors and performers is legitimate interest.

**1.5 What we collect**We may collect the following information:

* name, job title, and organisation
* contact information including email address
* demographic information such as postcode, preferences and interests [delete as appropriate]
* other information relevant to customer or member surveys and/or offers [delete as appropriate]
* photographs from events etc [delete as appropriate]

**1.6. Security of personal data**Personal data is stored [complete with how details of personal data is stored by the LOC]

[insert name of LOC] shall continue to take appropriate technical and organisational measures to limit the opportunity for unauthorised or unlawful processing of personal data and to guard against accidental loss or destruction of or damage to personal data. Appropriate contractual obligations shall be incorporated into contracts which [Insert LOC name] enters into with third parties.

[insert name of LOC] will continue to ensure that appropriate LOC members undertake [insert name of LOC]’s data processing and that they are aware of their responsibilities in relation to the processing of personal data as it applies to their area of work. Where appropriate, training will be given.

**1.7 Sharing of personal data**We may share your information with third parties such as other optical and health organisations and other professional bodies. We would do this for the effective performance of our work on behalf of the optical sector.

We may also share your information with third parties where we outsource certain functions, including but not limited to, our finance and logistics functions and other service products that we use. We would do this, for our legitimate interests, such as the effective financial and business management of [insert name of LOC].

**1.8 Email privacy**

We have created this email privacy policy to demonstrate our firm commitment to your privacy and the protection of your information.

**1.8.1 Why did you receive an email from us?**If you received a mailing from us, (a) your email address is either listed with us as someone who has expressly shared this address for the purpose of receiving information in the future ("opt-in"), or (b) you have an existing relationship with us. We respect your time and attention by controlling the frequency of our mailings.

**1.8.2 How can you stop receiving email from us?**Each email sent contains an easy, automated way for you to cease receiving email from us, or to change your expressed interests. If you wish to do this, simply follow the instructions at the end of any email.

If you have received unwanted, unsolicited email sent via this system or purporting to be sent via this system, please forward a copy of that email with your comments [Insert LOC email] for review.

**2. Website privacy -** [amend sections as appropriate to ensure it relates to your LOC website]

[Insert LOC name] is committed to ensuring that your privacy is protected. Should we ask you to provide certain information by which you can be identified when using this website, you can be assured that it will only be used in accordance with this privacy statement.

**2.1 Security**We are committed to ensuring that your information is secure. In order to prevent unauthorised access or disclosure, we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online.

**2.2 Cookies** [amend as appropriate to ensure it relates to cookies on your LOC website]
A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyse web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences. Follow this link to find out more about cookies and how we use them.

**2.3 Links to other websites**Our website may contain links to other websites of interest. However, once you have used these links to leave our site, you should note that we do not have any control over that other website. Therefore, we cannot be responsible for the protection and privacy of any information which you provide whilst visiting such sites and such sites are not governed by this privacy statement. You should exercise caution and look at the privacy statement applicable to the website in question.

**2.4 How we protect your privacy**We use security measures to protect against the loss, misuse and alteration of data used by our system.

**3. Changes to this Data Protection and Privacy policy**

If we change our privacy policy, we will post the changes here. Where changes are significant, we may also choose to email registered users with the new information. Where required by law, will we obtain your consent to make these changes.

**Policy Name: Equal Opportunities**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Equal Opportunities Policy

1. **Introduction and Scope**The LOC fully subscribes to equal opportunities for all. The Committee believes that diversity is a strength and practises inclusion and opportunities for all.

This Policy outlines the LOC’s best intentions with good faith to promote Equal Opportunities but does not constitute a legal document.

1. **Equality Act 2010**

The LOC recognises section 149 of the Equality Act 2010 and the Human Rights Act 1998. We will do everything possible to:

* Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.
* Permit no discrimination from any party.
* Advance equality of opportunities between persons who share a relevant protected characteristic and persons who do not share it.
* Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Company recognises protected characteristics as defined by the Equality Act 2010 to be:

* Age
* Disability
* Gender reassignment
* Pregnancy and maternity
* Race, religion or belief
* Sex and sexual orientation.
1. **Requirements for members**

We require our members to have a duty to:

* Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
* Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.
* Encourage persons who share a relevant protected characteristic to participate in LOC activities.
* Observe as far as possible and where relevant the Equality and Human Rights Commission’s Codes of Practice for Employment, Equal Pay, and Services, Public Functions and Associations.
1. **Potential breaches and Complaints**

In the event of a person, whether on the committee or a local contractor or performer believing that a committee member has breached this Policy, they may raise a complaint.

1. **Complaints Procedure**

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 local NHS team should be informed of the complaint. As below, LOCSU can arbitrate and/or advise as requested. Nothing in this Policy should affect the legal rights of the Committee or a person making a complaint.

All complaints are acknowledged by the LOC within 3 working days. When acknowledging receipt of a complaint, the LOC offers to discuss with the complainant how and when the LOC intends to investigate and resolve the complaint. If the complainant refuses this offer, the LOC will advise the complainant in writing how long it is likely to take them to respond concerning the substance of the complaint (the ‘response period’).

The LOC endeavours to keep the complainant informed of the progress of the investigation. As soon as possible after completing the investigation, the LOC considers the complaint and what it proposes to do to resolve the complaint and any consequent action. This will be done within 10 working days where possible. The LOC endeavours to resolve the complaint within 6 months after receiving the complaint or, if it cannot be resolved, the LOC informs the complainant why they have not managed to do so.

The Company keeps a record of each complaint received, the subject matter and outcome of each complaint, each response period where applicable, and, in the cases of a response period being applicable, whether the complainant was informed of the outcome of the investigation.

1. **External mediation**

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 LOCSU or, if that is inappropriate, to the national representative bodies. They will then will investigate the complaint and make recommendations on the resolution of the complaint. LOCSU or the national representative bodies should notify the LOC and the complainant of the outcome of the investigation and the recommendations. The LOC must either follow the recommendations or refer to an Extraordinary General Meeting.

1. **Confirmed breaches of this Equal Opportunities Policy**

The outcome of a breach of this Equal Opportunities being uphold from a complaint may be that (note, the outcomes below are not exclusive):

* the member or officer who has breached the Policy offers an apology to the person who has had their equal opportunities breached
* the Committee provides remedial training to the member or officer
* or where his/her position is untenable the Committee disqualifies them from the committee/their position.

**Document Name: Succession Planning**

**[Author]:**

**Approved by:**

**[Date]:**

 **[insert name Local Optical Committee]:**

### Succession Planning

1. **Introduction and scope**

[insert name Local Optical Committee ‘the LOC’] aims to provide excellent support to our local contractors and performers, now and for years to come. Our five-point succession planning programme is central to this.

 We enable a blend of experience and new ideas. We actively encourage an environment of learning and continuous development so that officers and members are on top of the latest developments and trends. And we ensure that the LOC serves our whole local optical committee and not just a portion of it.

Through the implementation of this plan, we are confident that our committee is well positioned well into the future.

1. **Responsibility**

Responsibility for enacting this plan lies with the LOC officers with support from LOC members. However, the whole local sector has an interest in the viability of the LOC into the future and so the LOC draws upon as wide a support base as possible.

1. **Succession Planning model**

The LOC implements the following succession planning model:

* **Role fulfilment**

It is essential that the LOC both retains existing expertise and positions itself to develop new expertise. In order to achieve this, we implement the staggered election system in our LOC Model constitution. In this system:

* + All membership terms are three years, with commencement dates being AGM dates
	+ At each AGM, one-third only of current membership places become open with elections held where there are more candidates than available slots. Existing members are eligible to stand for re-election but they are not permitted to ‘rollover’ their existing membership without due process at the AGM.
* **Building role profiles**Building role profiles acts as the bridge between role identification and required areas of improvement. Each LOC officer role has a role description which we share with the local sector to demonstrate the skills and experience that we think is necessary to achieve our long-term goals.
* **Skills gap analysis**

This shows the LOC where we are lacking in important areas and is the essential precursor to offering development opportunities.

* **Development opportunities**

For any organisation, training and development of new members is a key part of succession planning and LOCs are no different in this respect.

The LOC makes full use LOCSU’s training programmes to offer as wide a suite of learning as possible to develop leaders for the future. These courses, available to LOCs only are:

* + Facilitated Online Induction Programme
	+ Treasurer Online training
	+ How to Attract New Members to the LOC
	+ Coaching and Mentoring
	+ Leadership Skills Programme.

In addition, the LOC encourages local contractors and performers to utilise the training courses for extended primary care services delivered by the Wales Optometry Postgraduate Education Centre (WOPEC), with access codes provided by LOCSU.

* **Continuous quality improvement**
The LOC is committed to continuously improving its support to the local sector. Skills required in the future may be different to those of today. By continually stress-testing our succession planning approach, adapting this policy and other resources as necessary, we ensure that the LOC is ‘futureproofed’ as best as possible.
1. **Sector and wider engagement**

The LOC recognises that our members and local contractors and performers represent different optical disciplines and specialities, and work for organisations of different sizes and structures. We welcome this diversity and believe that through it we can offer a more complete service.

We ensure that we engage fully with both optometrists and dispensing opticians, independents and multiples, and also non-optical stakeholders. The LOC pledges to do everything we can to break down sector cliques and special interests.

We also work with counterpart organisations across primary care, local commissioners and authorities, national optical bodies, the third sector and any other organisation we feel that we can learn from.

1. Family member taken as: spouse (spouse to include any person who lives with another person in the same household); mother, father, son, daughter, brother, sister, and grandparents, whether directly related, in laws or stepfamily. [↑](#footnote-ref-2)