

**GOC response to our consultation on  
statement on verification of contact lens  
specifications and definition of aftercare**

**February 2024**

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## Executive summary

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### Introduction

1. The General Optical Council (GOC) is one of 13 organisations in the UK known as health and social care regulators. We are the regulator for the optical professions in the UK and currently register around 33,000 optometrists, dispensing opticians, student opticians and optical businesses.
2. Delivering a commitment made following our call for evidence on the Opticians Act 1989 ('the Act') in 2022, we issued a draft statement for consultation setting out our view that:
  - verification of a copy of a contact lens specification is no longer necessary, provided that the specification is clear, does not contain any obvious errors and has not obviously been tampered with; and
  - a definition of aftercare should be provided that gives sufficient detail to ensure the public is protected.
3. We undertook a full [public consultation](#) on our proposed statement, which was open for eight weeks from 29 August to 24 October 2023. We received 39 written consultation responses from a range of stakeholders including individual registrants and optical representative organisations.

### Findings

4. Key findings from the consultation were:
  - 57% agreed or strongly agreed with the content of the statement;
  - 47% felt that there was something unclear or missing in the statement;
  - 47% agreed that there were unintended consequences of the draft verification and aftercare statement or risks that cannot be mitigated against;
  - 13% thought there were aspects of the statement that could discriminate against stakeholders with specific characteristics;
  - 3% thought there were aspects of the statement that could have positive impacts on stakeholders with specific characteristics;
  - 24% told us that there were other impacts of the statement that they would like to tell us about; and
  - 34% thought that there were unintended consequences of removing our 2006 statement on the sale and supply of optical appliances.

5. We also received many free-text responses with suggestions for improving the statement that are outlined throughout this document.

## Conclusions

6. Overall, there was support for the statement from our stakeholders although the optical professional/representative bodies were divided in their opinion about the need for a definition of aftercare and had concerns about aspects of this part of the statement. There were suggestions for additions and amendments, particularly from the optical professional/representative bodies.
7. Based on the feedback, we have decided only to go ahead with the section of the statement that relates to verification of contact lens specifications. This reflects concerns expressed on the aftercare section of the statement and the availability of existing guidance from professional bodies on this issue.
8. In relation to verification, we have made the following amendments to the statement based on feedback received during the consultation (see the section on 'verification of contact lens specifications' for more information):
  - making it clear that 'in-date' means that the expiry date must not have passed and that a specification becomes invalid after its expiry date;
  - making it clear that where the conditions in paragraph 3 of the statement are not met, verification is still required;
  - removing the word 'our' from in front of the word 'registrants' in paragraph 5 of the statement (so that registered medical practitioners would not be excluded from co-operating with requests for verification); and
  - clarifying the position in respect of zero powered contact lenses – the verification requirement does not apply to zero powered contact lenses and that zero powered contact lenses can be sold only by or under the supervision of a dispensing optician, optometrist or registered medical practitioner.
9. We have decided to remove the 2006 statement on the sale and supply of optical appliances. We remain of the view that it is not required because the definition of supervision is already contained within our [Standards of Practice for Optometrists and Dispensing Opticians](#) which were published in 2006 (and are currently in the process of being reviewed) and the professional bodies produced guidance since this statement was published. We have since produced [frequently asked questions](#) on the contact lens legislation which we consider cover the points above regarding zero powered contact lenses, supervision and general direction.

## Introduction

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10. The General Optical Council (GOC) is one of 13 organisations in the UK known as health and social care regulators. We are the regulator for the optical professions in the UK and currently register around 33,000 optometrists, dispensing opticians, student opticians and optical businesses.
11. We have four primary functions:
  - setting standards for optical education and training, performance and conduct;
  - approving qualifications leading to registration;
  - maintaining a register of those who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians; and
  - investigating and acting where registrants' fitness to practise, train or carry on business may be impaired.

## The issue

12. In 2022 we issued a call for evidence on the need for change to the Act (the legislation that underpins the regulatory work of the GOC, as well as defining some aspects of optometry and dispensing optics practice). We also sought views through a consultation on associated GOC policies.
13. We had heard from stakeholders that electronic copies of contact lens specifications should now be accepted without the need for verification, provided they can be clearly read. In addition, we had heard from stakeholders that it would be helpful for the GOC to provide a definition of aftercare since this was not defined in the Act. The call for evidence sought views on both these issues.
14. Following responses to the call for evidence and consultation we set out an agenda for legislative reform and associated activities. One commitment was to consider issuing a position statement to say we will not enforce the requirement to verify a copy of a specification (until such time that legislation can be amended). Another was to consider whether it would be helpful to provide a definition of aftercare in a GOC position statement so that it is clear what sellers of contact lenses are obliged to do in order to meet their legal obligations.
15. In August 2023, we issued a draft statement for consultation setting out that:
  - verification of a copy of a contact lens specification is no longer necessary, provided that the specification is clear, does not contain any obvious errors and has not obviously been tampered with; and

- a definition of aftercare should be provided that gives sufficient detail to ensure the public is protected.
16. Our proposed statement would contradict part of the contents of our 2006 statement on the sale and supply of optical appliances in relation to verification and we considered that other developments had made the statement obsolete. Therefore, we sought views on removing the statement.

### **Consultation process**

17. We undertook a full [public consultation](#) on our proposed statement, which was open for eight weeks from 29 August to 24 October 2023.
18. We received 39 written consultation responses from a range of stakeholders. These were made up of:
- five optometrists;
  - five dispensing opticians;
  - 17 contact lens opticians;
  - two business registrants / employers;
  - six optical professional/representative bodies; and
  - four others including a former supervising optician, a student contact lens optician, a trade association, and a contact lens manufacturer.
19. The organisations who were willing to be named were:
- Association of British Dispensing Opticians (ABDO)
  - Association of Contact Lens Manufacturers (ACLM)
  - Association of Optometrists (AOP)
  - British Contact Lens Association (BCLA)
  - The College of Optometrists
  - Daysoft Limited
  - Federation of Optometrists and Dispensing Opticians (FODO)
20. We are grateful for all the feedback we received and have taken this into account in deciding how to amend the statement for publication.

### **Approach to producing this response**

21. Respondents were encouraged to provide comments where they did not support our proposed approach. We did not actively seek comments where respondents indicated support for our approach but some respondents gave these anyway. We reviewed every comment received. We are unable to include individual responses to all of these comments within this report.
22. For ease of reading, we have divided the response document into three separate sections: verification, aftercare and the 2006 statement.

## Verification of contact lens specifications

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### Background

23. Section 27 of the Act sets out the requirements for the sale and supply of prescription contact lenses. In order to be supplied with prescription contact lenses, a person must have an in-date contact lens specification which has been issued following a contact lens fitting. Where the sale is being made under the general direction (rather than supervision) of a registrant, and a copy<sup>1</sup> of the contact lens specification is provided, section 27(3)(ii) of the Act requires the copy of the specification to be verified with the person who provided the original specification.
24. We consulted on the need to verify a copy of a contact lens specification as part of our call for evidence on the Act in 2022. We issued a response to the call for evidence indicating our view that verification of a copy of a contact lens specification is no longer necessary, provided that the specification is clear, does not contain any obvious errors and has not obviously been tampered with. We said that we intend to seek legislative change to allow us to set out more detailed requirements in rules/guidance. We also said that we would consider issuing a position statement to set out our position that we will not enforce the requirement to verify a copy of a specification.
25. The analysis of the consultation responses relevant to verification of contact lens specifications is available in section 6.2 of the [GOC response to the call for evidence](#). The main points in support of not needing to verify a copy of a specification were:
  - it shouldn't be necessary to verify a copy of a signed and in-date contact lens specification (unless clarification is required) – virtual/scanned copies should be accepted;
  - it can be difficult to verify a contact lens specification with the exact person who signed it; and
  - verification creates inefficiencies that are then passed on as costs to patients.
26. We heard stakeholders' views that it was still necessary to verify the particulars of a specification where a person has not provided the original or a copy of the contact lens specification (section 27(3)(iii) of the Act), because of the risks that these patients might not have had a (recent) contact lens fitting. Therefore, we did not propose any changes in this area.

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<sup>1</sup> A copy can be a physical copy or an electronic copy.

## **Analysis of consultation comments**

### *Content of the statement*

27. Respondents in support of the statement considered that it is not necessary to verify a copy of a contact lens specification that is in-date, clear, does not contain any obvious errors, and has not obviously been tampered with. Reasons for this largely echoed the rationale in the GOC's call for evidence response document. Comments included:
  - that it is an outdated and unnecessary requirement, given technological changes since the Act and common use of online and mobile devices; and
  - it is a burden on the original prescriber and causes delays for and costs to patients.
28. The main theme identified in comments against the statement was that there was not enough evidence to support removing verification of a copy of a contact lens specification.
29. Among the optical professional/representative bodies, ABDO, AOP, BCLA and FODO were in support of the proposal (albeit with some amendments to wording to strengthen the statement). ACLM and The College of Optometrists were against removing the requirement, in part due to the argument that there would be reduced protection to the public and the lack of research into the risk of harm.
30. Some of the comments indicated a misunderstanding about the content of the statement, with several stakeholders believing that contact lens specifications would no longer be required. This is not the case – it is only that verification of a copy of a contact lens specification is not required, provided that it is in-date (i.e. has not expired), clear, does not contain any obvious errors and has not obviously been tampered with. Contact lens specifications that do not meet these requirements will still require verification.
31. There were also several comments that appeared to deal with issues outside the scope of this consultation including:
  - that the public are not adequately protected from online suppliers who supply on expired specifications;
  - concern that contact lenses can be substituted (i.e. a different lens is supplied to that which is specified on the contact lens specification) in circumstances where a different lens is deliberately supplied where there could be differences in oxygen permeability and safe wearing times to the original lenses prescribed; and

- concern that the current legislation and the draft of the statement curtails brand substitution and patients transitioning to lowest risk daily disposable lenses and lower cost brands.

32. A sample of comments is available in the box below.

Removal of requirement to verify a copy specification – in favour

*“As stated I do think verification is outdated and unnecessary especially in times where low staffing occurs in many workplaces and may hold up providing a service...”* Contact lens optician

*“We feel that the draft statement on relaxing contact lens verification reflects the technological changes since the Opticians Act 1989, particularly the common use of online and mobile devices in practice settings. We agree with the points regarding the possible burden on the original provider to verify a copy of the specification and the accompanying likelihood of delays and costs to patients...”*

AOP

*“ABDO would agree that an in-date contact lens specification signed by an appropriate registrant (including their GOC number and UK practice address) should not require further verification...”* ABDO

*“We agree that suppliers should not have to verify a copy of an in-date contact lens specification which is correctly completed and has not been tampered with.*

*We also agree that where a patient does not have a copy of the contact lens specification that meets these conditions, the supplier should continue to verify the details are correct in accordance with section 27(3)(iii) of the Opticians Act 1989.”*

FODO

Removal of requirement to verify a copy specification – against

*“...The wording and likely effect of the proposed changes to verification would reduce the protection afforded to the public...”* ACLM

*“...As verification was introduced for the protection of the public, and lenses can be supplied remotely under the circumstances above, we see no reason to relax the verification requirements at this time. There is a paucity of research into the risk of harm of not verifying a contact lens specification, so we cannot say what the impact of such a policy change will be on patient safety. The absence of available evidence does not mean there is absence of risk, which is why we support maintaining the status quo...”* The College of Optometrists

### Clarity of the statement

33. We asked respondents whether there was anything unclear or missing in the draft statement. In addition to suggestions made in the previous section, areas that were considered to be unclear or missing were as follows:

- the need to make it clear what action should be taken in the event of a specification that is not in-date, not clear, contains obvious errors and/or has obviously been tampered with;
- the statement should also cover zero powered contact lenses; and
- the statement should also cover prescribing by or under the supervision of a registrant or registered medical practitioner, not just general direction.

34. A sample of comments is available in the box below.

*“...There is no mention of a specification issued when under supervision (only under general direction is described)...” ACLM*

*“...it is not clear what the course of action should be in the event of a tampered/erred etc specification...it is important that the verification statement emphasises the particular importance of online suppliers ensuring that specifications are suitable as per the GOC’s proposed verification statement prior to sale...” AOP*

*“...there is no mention of plano coloured contact lenses...” BCLA*

#### *Unintended consequences or risks*

35. We asked respondents whether there were any unintended consequences of the draft statement or risks that cannot be mitigated against that the GOC should consider. Concerns included:

- regulation for online suppliers is being diluted and this statement is making it easier to supply lenses without a specification and for contact lenses to be substituted, leading to possible patient harm; and
- it could increase non-UK supply of lenses, with a call for the GOC to act with optical professional/representative bodies and the workforce to educate the public.

36. A sample of comments is available in the box below.

*“Online sellers playing loose with the regulations. Loosening the regulations further is absolutely the wrong direction to go if public safety is truly what the GOC is intending to protect.” Optometrist*

*“If the requirement is withdrawn without robust drafting of the replacement statement, then we may see suppliers continue and possibly increase substitution...” ABDO*

*“The main unintended consequence that may arise from the proposed statement is that it could be read as allowing too much scope for online suppliers who will not be in a position to perform the clinical oversight of optical practice professionals.*

*In terms of risks that cannot be mitigated against, the prime risk is non-UK supply of lenses. We recognise that such suppliers are by definition outside of the regulatory powers granted to the GOC by the Act. However, the GOC should work with the UK professional bodies and workforce to help educate the public about the significant risks from unsuitable lens purchases from non-UK regulated suppliers.*

*This is why we call for an enhanced statement to make specific reference to the duties of online suppliers where the GOC can exercise its authority...” AOP*

*“If the GOC withdraws the verification requirement there is a risk that there may be an increase in substitution of inappropriate lenses, and possible harm to patients...” The College of Optometrists*

#### *Discrimination against stakeholders with specific characteristics*

37. We asked respondents whether there were any aspects of the statement that could discriminate against stakeholders with specific characteristics and gave the list of protected characteristics from the Equality Act 2010 as examples. There were only a small number of comments provided in response to this section, one of which suggested that it was becoming increasingly difficult for members of the public to understand the contact lens legislation and this statement would make it even harder.

#### *Positive impact on stakeholders with specific characteristics*

38. We asked respondents whether there were any aspects of the policy that could have a positive impact on stakeholders with specific characteristics, and gave the list of protected characteristics from the Equality Act 2010 as examples.
39. None of the comments under this section related to verification.

#### *Any other impacts*

40. We asked respondents if there were any other impacts of the policy that they would like to tell us about.
41. Areas raised under this question that had not already been raised were that the statement would:
- further weaken the links between practitioners and contact lens wearers;
  - decrease footfall and therefore profits in optical practices; and

- make it easier for patients to buy contact lenses from expired contact lens specifications.

42. A sample of comments is available in the box below.

*“...Without wishing to inhibit the flexibility for patients to purchase contact lenses online using a current specification, it is very likely that the GOC’s proposals will still further weaken the link between practitioners and contact lens wearers” ACLM*

*“You are making it easier to buy contact lenses online from expired specifications...” Business registrant / employer*

*“Decrease in footfall in Opticians, patients less likely to have regular check ups. Opticians will suffer financially.” Contact lens optician*

### **Our response**

43. We were pleased to note general support for our proposal including among most sector bodies. Against this, The College of Optometrists considered there was not enough evidence to support relaxing the requirement and that doing so could lead to patients being supplied with incorrect lenses or lenses not specified on the specification (sometimes called substitution), and more contact lens wearers following risky behaviour. The ACLM was also concerned that removing verification would reduce the protection afforded to the public.
44. We have considered these concerns and do not think that there is enough evidence to continue to justify the requirement to verify a copy of a contact lens specification that is in-date (i.e. that has not passed its expiry date) provided that the copy of the specification is clear, does not contain any obvious errors and has not obviously been tampered with. We note the concern about lack of evidence to support the change but do not think it is possible to obtain such evidence in advance of removing the requirement. Also, we understand that verifying copies happens very little in practice. As we outlined in the original consultation, our view remains that the requirement is outdated and an unnecessary burden on the original provider of the specification, potentially creating delays and costs to patients.
45. We have not been presented with any evidence to show how our decision not to prosecute sellers who do not verify a copy of a specification (in the circumstances specified in the statement) would reduce protection of the public or result in more risky behaviour from contact lens wearers. We are not aware of any evidence suggesting that contact lens specifications often contain errors that verification of copies would protect against. We are not convinced by the argument that verification of copies will prevent contact lenses being provided on out of date specifications, as our statement will make it clear that the copy of

the specification must not have passed its expiry date – a specification that has passed its expiry date becomes invalid.

46. It was suggested that the statement should include mention of when a specification is issued under supervision – this is not relevant to verification, which is only required when contact lenses are sold under general direction.
47. It was suggested that the statement should emphasise the particular importance of online suppliers ensuring that lenses supplied meet the specification, as it was felt that these suppliers are not able to monitor risk of harm to patients in the same way that a bricks and mortar supplier would be able to. Comments on unintended consequences of the legislation included the concern that regulations for online sellers were being diluted, which could make it easier for them to supply lenses without a specification and for contact lenses to be substituted, leading to possible patient harm.
48. We do not consider that it would be appropriate for the statement to differentiate between online suppliers and bricks and mortar suppliers, as the legislation applies equally. Higher risk categories of patients (i.e. those under 16 and those who are registered as visually impaired) already require contact lenses to be supplied by or under the supervision of a registrant or registered medical practitioner rather than general direction.
49. We do not agree that the statement will directly lead to more contact lenses being provided by online sellers without a contact lens specification, as it makes it clear that verification is only not required where a copy of the original specification has been provided and meets particular parameters.

#### *Amendments to the statement*

50. To improve clarity, we have amended the statement to:
  - make it clear that ‘in-date’ means that the expiry date must not have passed and that a specification becomes invalid after its expiry date;
  - make it clear that where the conditions in paragraph 3 of the statement are not met, verification is still required;
  - remove the word ‘our’ from in front of the word ‘registrants’ in paragraph 5 of the statement (so that registered medical practitioners would not be excluded from co-operating with requests for verification); and
  - clarify the position in respect of zero powered contact lenses – the verification requirement does not apply to zero powered contact lenses and that zero powered contact lenses can be sold only by or under the supervision of a dispensing optician, optometrist or registered medical practitioner.

51. We have said above that we will update the statement to make the definition of “in-date” clearer (i.e. that the expiry date has not passed), as there was confusion from some respondents that the statement allowed for a specification not to be verified even if it was out of date. The legislation makes it clear that a specification is invalid if it is not within its expiry date.
52. We note the suggestion by FODO to develop a patient-facing version of the statement. Our view is that this statement is aimed at registrants and optical businesses, is very short and it might cause confusion if there are two versions of the statement. However, we have reviewed the statement and ensured that terms that patients may not be familiar with, such as contact lens specification, are defined.

## Aftercare

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### Background

53. Section 27(3B) of the Act requires that the seller must make arrangements for the buyer “to receive aftercare in so far as, and for as long as, may be reasonable in his particular case” but does not provide a definition of aftercare.
54. We consulted on the need to define aftercare as part of our call for evidence on the Act in 2022. We issued a response to the call for evidence which said that we would consider whether it would be helpful to provide a definition of aftercare in a GOC position statement so that it is clear what sellers of contact lenses are obliged to do in order to meet their legal obligations.
55. The analysis of the consultation responses relevant to aftercare is available in section 6.2 of the [GOC response to the call for evidence](#). The main relevant points in support of providing a definition of aftercare were that it should:
- be in line with recommendations from the professional bodies;
  - include information around the cleaning regime, handling and compliance with wearing time; and
  - include giving advice on how to identify signs of infection/harm and what to do in this event.
56. Our draft statement for consultation provided a suggested definition of aftercare under section 27(3B) of the Act. In drawing up this definition, we reviewed guidance by the professional bodies and used those elements that we considered were proportionate and would deliver appropriate public protection.
57. Aftercare in this context should not be confused with assessing the fit of contact lenses, sometimes referred to as a contact lens fitting, check or check-up by optical businesses. Fitting of contact lenses is covered by section 25 of the Act and the duty at section 25(5)(b) to “provide the individual with instructions and information on the care, wearing, treatment, cleaning and maintenance” of the lenses.

### Analysis of consultation comments

#### *Content of the statement*

58. Comments in support of the statement generally considered that a definition of aftercare would be helpful, although there was concern that as currently worded, the definition could lead patients to believe that they had been re-fitted for contact lenses.
59. The following themes were identified from the comments against the statement:

- a definition of aftercare is unnecessary since existing guidance issued by professional bodies is adequate and goes into more detail;
- a definition of aftercare would restrict the professional judgement of registrants in what aftercare information is required for particular patients and would potentially lower the level of aftercare currently given; and
- that the statement would make it easier for online sellers to supply to patients, many of whom already don't receive regular aftercare.

60. Opinion was divided among the optical professional/representative bodies over whether a GOC definition of aftercare is required. FODO and ACLM were in support of a definition, but ABDO, BCLA and The College of Optometrists were against it, mainly due to existing guidance and a concern that the new definition could lower patient safety.

61. A sample of comments is available in the box below.

Aftercare definition – in favour

*"...The sector has been discussing the need for an aftercare definition for some years, so it is clearly an issue which needs to be resolved. A statement, readily available to all, should be seen as supportive of best practice and the protection of contact lens wearers. Crafting a suitable definition of aftercare seems far preferable to leaving the whole matter to chance"* ACLM

Aftercare definition – against

*"Both professional bodies (ABDO & College of Optometrists) supply detailed advice and guidance on aftercare which allows registrants to utilize their clinical skills and judgement for the benefit of patients attending for aftercare appointments. Part of this is tailoring the aftercare for the specific patients' needs based on their contact lens history, contact lens type, modality, risk factors etc. A "blanket definition" would not be helpful and may indeed create addition risk factors for patients as aftercare could be reduced to a standardized "tick box exercise" and not take into account the patients' specific circumstances..."* ABDO

*"The BCLA consider a definition for after care is not needed in this instance. Registrants are able to gather guidance from their professional bodies with respect to aftercare. Aftercare of patients wearing contact lenses varies on the type of contact lens worn and varying pathological conditions for which contact lenses may be prescribed."* BCLA

*"We do not think a GOC definition of aftercare is needed. The professional bodies already provide good practice guidance for registrants to ensure safe and effective aftercare examinations and advice, which is long-standing and well-established. Membership bodies and industry also provide advice on the matter..."*

*In our view, providing a regulatory definition of aftercare would lead to a one-size-fits-all approach to aftercare information, which is not in the public interest.” The College of Optometrists*

### *Clarity of the statement*

62. We asked respondents whether there was anything unclear or missing in the draft statement. In addition to suggestions made in the previous section, areas that were considered to be unclear or missing were as follows:
- to specifically mention the risks of exposure to water, given the risks around contact lens infections such as acanthamoeba keratitis;
  - to include reference to hygiene and care of contact lenses, particularly in relation to handwashing;
  - to be clear about the meaning of ‘regular’ aftercare and to reference the expiry date of the specification;
  - what steps to take if signs or symptoms appear that the patient should look out for;
  - to include reference to the BCLA’s “do’s and don’ts” of contact lens wear information;
  - to include more information about how regular check-ups should be in line with the advice of the patient’s optometrist or contact lens optician, and include reference to sight tests;
  - a need to clarify that the statement only relates to re-supply and not fitting or specification, and a suggestion to clarify that the requirements for aftercare are only minimum requirements, with acknowledgement that some providers may choose to provide a higher level of aftercare;
  - a suggestion for aftercare information to be provided in an accessible way;
  - there is confusion about the term aftercare – as to whether it simply means advice or if it is recognised as an appointment with a clinician including an assessment of how the lens is performing on the eye; and
  - the statement should also cover zero powered contact lenses.
63. Some of the comments centred around what an optometrist’s / contact lens optician’s contact lens check-up should include, but this is not what is meant by aftercare advice in the context of general direction (as we outlined in paragraph 8 of the draft statement that we consulted on).

64. A sample of comments is available in the box below.

*“...The present suggested ‘definition of aftercare’ is disappointingly little more than the equivalent of the patient safety leaflet supplied in a packet of over the counter medication- and is as highly likely to be ignored.*

*Far better this be renamed ‘General patient safety advice to be issued by suppliers during an aftercare appointment’ and allow further discussion on a suitable definition of ‘aftercare/check-ups’ which recognize the importance of them being clinician led and incorporates our suggestion above.”* ABDO

*“In the ‘instructions and information’ bullet point add hygiene, care and wearing time. Eg Instructions and information on the hygiene, cleaning, care and storing of the contact lenses, and in particular the recommended wearing time...”* ACLM

*“...it is important that sellers explain the need for correct lens care particularly with regard to exposure to tap water. This is even more important when we consider that whereas in the past patients would habitually purchase their lenses from the initial lens fitter, this is no longer the case...”* AOP

*“...Aftercare is far more extensive than the definition you provide...”* BCLA

*“...a. There needs to be information on contact lens wearing times.*

*b. There needs to be a reminder that contact lenses should not come into contact with tap water.*

*c. There should be a specific point on hygiene, in particular hand washing, before handling lenses.*

*d. There is no mention of the do’s and don’ts on contact lens wear and care, similar to what the BCLA has published here:*

*[https://www.bcla.org.uk/Public/Consumer/Important\\_dos\\_and\\_dont\\_s\\_of\\_contact\\_lens\\_wear.aspx](https://www.bcla.org.uk/Public/Consumer/Important_dos_and_dont_s_of_contact_lens_wear.aspx)*

*e. There is no mention of providing information on what to do in an emergency or out of office hours.*

*f. There is no mention of the requirement to continue to have regular sight tests.*

*g. There is no requirement to ensure the information is presented in an accessible way.”* The College of Optometrists

*“...We support the GOC making a more up-to-date statement about aftercare.*

*However, as this is a statement for the profession, the GOC should be clearer that this is about resupply, not fitting and specification...*

*...the proposed content of the new statement is so close to the information and advice we would expect patients to be given during a powered lens fit and specification, that we consider it would be misleading to specify this level of information at resupply and could mislead patients into thinking they had been refitted...”* FODO

*“Over a period of time after the fitting of contact lenses a series of progress examinations are required. I feel the statement does not make it clear what the distinction is between a progress examination and regular aftercare examinations. Regular aftercare examinations tend to take place later on a routine, regular basis or when the patient might be experiencing some issues which they feel requires a further examination.”* Contact lens optician

#### *Unintended consequences or risks*

65. We asked respondents whether there were any unintended consequences of the draft statement or risks that cannot be mitigated against that the GOC should consider.
66. Concerns included the following:
- quality of aftercare information provided to patients will fail to meet the required standard; and
  - patients may be confused and think that they have received full aftercare (and so not attend their in-person appointments) when they have only received high level guidance.
67. A sample of comments is available in the box below.

*“It would seem that in this statement the GOC are seeking to redefine aftercare as a simple “do’s and don’ts” for contact lens wearers rather than recognize it is a bespoke clinical appointment vital to the success of a patient’s long-term contact lens wear.”* ABDO

*“... There is a risk the quality of information provided to patients will fail to meet the required standard...”* The College of Optometrists

#### *Discrimination against stakeholders with specific characteristics*

68. We asked respondents whether there were any aspects of the statement that could discriminate against stakeholders with specific characteristics and gave the list of protected characteristics from the Equality Act 2010 as examples.
69. There were only a small number of comments provided in response to this section. A few responses suggested that the aftercare section of the statement was not adequate to protect the public, particularly those with vulnerabilities.
70. A sample of comments is available in the box below.

*“Registrants are currently able to utilise their professional judgment to provide care and information that is centred on patient needs, and have sufficient flexibility to customise aftercare based on what is clinically indicated and in a way that is most effective for the individual patient. The risk of a one-size-fits-all aftercare definition is that the needs of certain groups of patients will not be met, e.g. patients with certain disabilities, patients who have limited or no English, and children.”* The College of Optometrists

#### *Positive impact on stakeholders with specific characteristics*

71. We asked respondents whether there were any aspects of the policy that could have a positive impact on stakeholders with specific characteristics, and gave the list of protected characteristics from the Equality Act 2010 as examples.
72. Only one comment was received in response to this section which suggested that defining aftercare would be helpful in reminding patients how to care for contact lenses.

#### *Any other impacts*

73. We asked respondents if there were any other impacts of the policy that they would like to tell us about.
74. No comments appeared to be specifically related to the aftercare section of the statement (please see the ‘any other impacts’ section of the verification section of this document for more information about the comments received).

#### **Our response**

75. We note that ABDO, BCLA and The College of Optometrists were not in support of the statement including a definition of aftercare. Also, the general concern that the definition of aftercare in the statement we consulted on could lead to a lower level of care being provided (as it was lower than those specified in guidance by the professional/representative bodies) and that it would be inappropriate to have a “one-size-fits-all” approach to aftercare.
76. It is important to remember that the intention was to set minimum requirements for regulatory and public protection purposes rather than be comprehensive or identify good practice. Even so, having considered the feedback in this area and in the absence of agreement over whether this section of the statement is required, we have decided not to include reference to aftercare in our statement. We do not have recent history of significant queries or fitness to practise cases in this area, and it is not our role to provide clinical advice. If we were to have any such cases in the future, we consider it would be sufficient to rely on our [Standards of Practice for Optometrists and Dispensing Opticians](#)

and any relevant guidance in deciding whether the legislation had been complied with.

## 2006 statement on the sale and supply of optical appliances

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### Background

77. We advised in the consultation that if our draft statement on verification and aftercare comes into effect, it will contradict part of the contents of our [2006 statement on the sale and supply of optical appliances](#) in relation to verification. We therefore proposed removing the 2006 statement as its original purpose has been replaced by a definition of supervision within our [Standards of Practice for Optometrists and Dispensing Opticians](#). The 2006 statement also references the professional bodies being asked to review and update their guidance as necessary, which has long since taken place.

### Analysis of consultation comments

78. We asked respondents if there were any unintended consequences of removing our 2006 statement. Areas raised included:

- the statement should be retained as it includes reference to zero powered contact lenses;
- it contains helpful definitions of supervision and general direction that may not be accessible to patients through the standards of practice; and
- it is helpful and should be updated with reference to the new draft statement and remove any sections no longer relevant.

79. A sample of comments is available in the box below.

*"...The 2006 statement included provision for plano (zero powered) contact lenses as an simpler alternative to re-defining the Opticians Act at that time. The principle has therefore been established so the statement should be retained and amended in line with the other suggestions made in this consultation..."* ACLM

*"This statement has been helpful to the sector over many years, and we would like to see it retained as a helpful reminder for providers and practitioners.*

*We would therefore prefer the GOC to:*

- *amend the sight-corrected (powered) contact lens section to reflect the new statement - include a hyperlink and cross reference to new statement - following the outcome of this consultation*
- *remove the references to optical bodies' work long completed, and*
- *replace them with references and links to the standards."* FODO

## **Our response**

80. We have decided to remove the 2006 statement. We remain of the view that it is not required because the definition of supervision is already contained within our [Standards of Practice for Optometrists and Dispensing Opticians](#) which were published in 2006 (and are currently in the process of being reviewed) and the professional bodies produced guidance since this statement was published. We have since produced [frequently asked questions](#) on the contact lens legislation which we consider cover the points above regarding zero powered contact lenses, supervision and general direction.

## **Next steps**

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81. The finalised statement on verification of contact lens specifications will be published on the GOC's website alongside publication of this response document. This will set out our position that we will not enforce the requirement to verify a copy of a specification provided that the specification is clear, does not contain any obvious errors and has not obviously been tampered with. We will seek legislative change to section 27(3)(ii) of the Act as part of our wider programme of work on updating the Act.
82. The 2006 statement on the sale and supply of optical appliances will be removed from the GOC's website alongside publication of this response document.