

Consultation document:

**Statement on verification of contact lens specifications and
definition of aftercare**

1. Overview

Section 27 of the Opticians Act 1989 ('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 copy¹ 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.

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.

Following a call for evidence on the Act in 2022, our view is 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.

We have drafted a statement setting out our position. The draft statement, together with a draft impact assessment, is available on our consultation hub in the 'related' section at the end of the page.

2. Why we are consulting

We are interested in stakeholders' views on this statement to ensure that there are no unintended consequences of this statement and/or risks that cannot be mitigated against.

This consultation will last for a period of eight weeks.

¹ A copy can be a physical copy or an electronic copy.

Please refer to our privacy statement for more information about privacy, right to erasure and our role as a data controller: [Privacy - General Optical Council - Citizen Space](#)

If you are unable to use the online survey to submit your response, please email it to: consultations@optical.org

3. Background and proposed way forward

Verification of contact lens specifications

Since the Act was written, the internet has come into common use and it is now commonplace for documents to be provided as electronic copies, for example, a scan or a photograph of an original document. We think the requirement for verification of a copy of a contact lens specification is outdated and an unnecessary burden on the original provider of the specification, potentially creating delays and costs to patients.

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.

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.

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. We are therefore not proposing to make any changes in this area.

We also considered extending this statement to prescriptions for spectacles. However, we decided not to as there is no specific requirement in the Act to verify spectacles prescriptions. We will consider the matter again when we discuss the Sale of Optical Appliances Order 1984 with the Department of Health and Social Care as part of the legislative reform programme.

Definition of aftercare

The Act does not contain a definition of aftercare required under section 27(3B).

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.

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.

Our draft statement provides 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 have used those elements that we consider are proportionate and would deliver appropriate public protection. We have not included the guidance to have a local contact/helpline for advice or to monitor whether aftercare arrangements are effective and work for the patient, as we considered those requirements are not strictly necessary – the patient is sufficiently protected if they have information on how to wear and care for the lenses, know what signs and symptoms to look out for and know who to contact if they have any problems. In addition, patients may change their contact lens supplier on a regular basis, so it would be inconvenient for them to be contacted by multiple providers as part of a contact lens supplier’s monitoring arrangements. It is still open to registrants to follow the advice of the professional bodies if they wish to do so.

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.

2006 statement on sale and supply of optical appliances

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 are considering 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.

Views

We are interested in stakeholders' views on our draft statement, particularly to identify where there might be any unintended consequences or risks that cannot be mitigated against.

Consultation

Introduction

If you select that you are responding on behalf of an organisation, please ensure that you have consent from the organisation to do so.

1. What is your name?

2. What is your email address?

3. Are you responding on behalf of an organisation?

- Yes
- No

If yes, specify name of organisation:

4. Which category best describes you or the organisation you are responding on behalf of?

- Member of the public
- Optical patient
- Optometrist
- Dispensing optician
- Therapeutic prescribing optometrist
- Contact lens optician
- Student optometrist

- Student dispensing optician
- Business registrant / employer
- CPD provider
- Education provider
- Patient representative charity/organisation
- Optical professional/representative body
- Government department
- Commissioning body
- Other

If other, please specify:

Statement

5. To what extent do you agree with the content of the draft verification and aftercare statement?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

If you answered 'disagree' or 'strongly disagree', please explain your reasons.

6. Is there anything unclear or missing in the draft verification and aftercare statement?

- Yes
- No
- Not sure

If you answered 'yes', please give details.

7. Are there any unintended consequences of the draft verification and aftercare statement or risks that cannot be mitigated against that the GOC should consider?

- Yes

- No
- Not sure

If you answered 'yes', please give details.

8. Are there any aspects of the draft verification and aftercare statement that could discriminate against stakeholders with specific characteristics? (Please consider age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, gender identity, gender expression, pregnancy or maternity, caring responsibilities or any other characteristics.)

- Yes
- No
- Not sure

If you answered 'yes', please give details.

9. Are there any aspects of the draft verification and aftercare statement that could have a positive impact on stakeholders with specific characteristics? (Please consider age, sex, race, religion or belief, disability, sexual orientation, gender reassignment, gender identity, gender expression, pregnancy or maternity, caring responsibilities or any other characteristics.)

- Yes
- No
- Not sure

If you answered 'yes', please give details.

10. Are there any other impacts (including financial) of the draft verification and aftercare statement that you would like to tell us about?

- Yes

- No
- Not sure

If you answered 'yes', please give details.

11. Are there any unintended consequences of removing our 2006 statement on the sale and supply of optical appliances?

- Yes
- No
- Not sure

If you answered 'yes', please give details.

Consent to publish your response

If you select 'Yes', this option will allow us to use quotations from your response alongside you or your organisation's name.

If you select 'Yes, but please keep my name and my organisation's name private', this option will allow us to use quotations from your response but we will not use your or your organisation's name.

If you selected 'No', this option will allow us to take your response into account as part of our analysis but we will not be able to use quotations from your response.

12. Can we publish your response?

- Yes
- Yes, but please keep my name and my organisation's name private
- No

Equality, diversity and inclusion

We welcome consultation responses from everyone, regardless of their background. We don't want anybody to miss out or be disadvantaged because of the way we work and we try hard to make sure this doesn't happen. The following questions help us to understand who we are reaching with our surveys, so that we can make sure that everybody has the opportunity to get involved.

You do not have to answer these questions (just click 'continue' at the bottom of this page if you don't want to) but we would be grateful if you did. Your answers to these questions will be treated as confidential and held securely in line with data protection requirements. They will not be considered or published alongside your name or anything else that might identify you.

For more information about how we use information like this across the General Optical Council, please visit the [equality, diversity and inclusion](#) section of our website.

If you are responding on behalf of an organisation, please do not respond to these questions.

13. Age

- Under 25
- 25 - 34
- 35 - 34
- 45 -54
- 55 - 65
- 65+

14. Gender identity

- Male
- Female
- Intersex
- Non-Binary
- Prefer not to say

15. Is the gender you identify with the same as your sex registered at birth?

- Yes
- No
- Prefer not to say

16. Sexual orientation

- Heterosexual/Straight
- Gay/Lesbian
- Bisexual
- Prefer not to say

17. Marital status

- Civil partnership
- Divorced or civil partnership dissolved

- Married
- Separated
- Single
- Widowed
- Prefer not to say

18. Ethnicity

- White: Irish
- White: English, Welsh, Scottish, Northern Irish, British
- White: Gypsy or Irish Traveller
- Other White background
- Black or Black British - Caribbean
- Black or Black British - African
- Other Black background
- Asian or Asian British - Indian
- Asian or Asian British - Pakistani
- Asian or Asian British - Bangladeshi
- Asian or Asian British - Chinese
- Other Asian background
- Mixed - White and Black Caribbean
- Mixed - White and Black African
- Mixed - White and Asian
- Other mixed background
- Other- Arab
- Other ethnic group
- Prefer not to say

19. Religion or belief

- No religion or belief
- Buddhist
- Christian (including Church of England, Catholic, Protestant and all other Christian denominations)
- Hindu
- Jewish
- Muslim
- Sikh
- Prefer not to say

20. Do you consider yourself to have a disability?

- Yes
- No

- Prefer not to say

21. Are you pregnant, on maternity leave, or returning from maternity leave?

- Yes
- No
- Prefer not to say

22. Do you perform the role of a carer?

- Yes
- No
- Prefer not to say

NB We would be grateful if you could input your responses into our [consultation hub](#).
If this is not possible, please email your response to consultations@optical.org