

## Continuing Education and Training (CET) exceptions policy

### 1. Statement

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- 1.1 As the UK regulator for optometrists and dispensing opticians, we are committed to protecting the public. Statutory Continuing Education and Training (CET) is the mechanism we use to assure the public that our registrants keep their skills and knowledge up to date and remain fit to practise.
- 1.2 The legal requirements for CET (“CET requirements”) are contained in the Opticians Act 1989 and the GOC (Continuing Education and Training) Rules 2005, hereinafter known as “the Act” and “the CET Rules” respectively.
- 1.3 The CET Rules establish minimum ongoing training requirements. The Act allows the Registrar to remove registrants who do not meet the statutory minimum CET requirements<sup>1</sup>.
- 1.4 We recognise that it will not always be proportionate to remove a registrant who does not meet the statutory minimum CET requirements, and this policy sets out the Registrar’s discretion for retaining such registrants in circumstances where this would not risk public protection or undermine the public interest.
- 1.5 All registrants must still make every effort to complete their CET requirements.

### 2. Purpose

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- 2.1 This policy will set out the principles the Registrar will apply in deciding whether a registrant can remain on the register without having met the CET requirements, to ensure decisions are made in a fair and consistent manner.
- 2.2 It also sets out the process for such registrants to request retention on the register.

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<sup>1</sup> Under rule 24 of the CET Rules, the Registrar may remove or refuse to retain (a) the name of a registrant or (b) particulars of a registered specialty, if the registrant has failed to meet the CET requirements under the Rules.

### **3. Scope**

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- 3.1 This policy applies to all fully-qualified registrants who have not been able to meet their CET requirements but can, exceptionally, demonstrate that their retention on the register would not risk public protection or undermine the public interest.

### **4. Principles to be applied**

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- 4.1 Public protection is paramount and overrides any individual registrant's hardship. The Registrar will consider all applications in the light of the GOC's overarching objective of protecting the public.
- 4.2 The Registrar will take account of all relevant factors, including (but not limited to):
- 4.2.1 length of time in practice, for example, if the applicant is an experienced practitioner who has been maintaining their skills over a long period of time;
  - 4.2.2 amount of CET undertaken before, during and after the current cycle, for example, whether the shortfall was addressed shortly after the end of the cycle;
  - 4.2.3 size and nature of the CET shortfall, for example, whether CET has been undertaken in each competency, whether interactive requirements have been met and if peer review has been completed (if relevant);
  - 4.2.4 steps taken to meet CET requirements, demonstrating the applicant's commitment to CET;
  - 4.2.5 any other steps taken to maintain their skills, for example, completing non-accredited training;
  - 4.2.6 any plans to get back on track, for example, arranging to undertake CET shortly after the end of the cycle;
  - 4.2.7 any other concerns regarding fitness to practise, for example, whether the applicant's current health impairs their ability to practise safely;
  - 4.2.8 the reason(s) for not meeting the CET requirements, for example, whether the applicant took all reasonable steps to meet CET requirements but was unable to complete these due to circumstances beyond their control; and
  - 4.2.9 any other relevant factors.
- 4.3 Applications must be supported by appropriate evidence, for example, a letter from a GP or hospital discharge letter in applications involving serious ill health, or a death certificate in applications involving the death of a close family member.

- 4.4 When considering applications involving maternity, paternity or adoption leave, the Registrar will take into account the factors outlined above, as well as the overall length of such leave and the number of periods of such leave taken throughout a CET cycle. We would expect registrants on such leave to have completed the equivalent of at least one point for each month that they had been on the register during the cycle and not on maternity, paternity or adoption leave.
- 4.5 Examples of decisions in respect of applications from previous cycles are available in the next section.

## **5. Examples of decisions from previous cycles**

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- 5.1 Decisions provided in this section are examples only – each application will vary in individual circumstances and will be considered on its own merits.

### ***Examples of applications we accepted under this policy***

#### *Case study 1*

The registrant had two general CET points and one competency outstanding. They suffered an accident two months prior to the end of the cycle which resulted in significant injury. They had CET booked for a week after the accident that would have covered their outstanding requirements, but they were unable to attend this due to hospitalisation.

#### *Case study 2*

The registrant had two general CET points outstanding. A close family member died six months prior to the end of the cycle, leaving them with unexpected caring responsibilities which made it difficult for them to complete CET alongside other responsibilities.

#### *Case study 3*

The registrant had six general CET points outstanding, one of which was interactive. They suffered ill health related to pregnancy and were then on maternity leave for the final year of the cycle, and felt unable to complete CET due to ill health and caring for a newborn.

### ***Examples of applications we rejected under this policy***

#### *Case study 4*

The registrant had 20 general CET points outstanding, six of which were interactive, and one competency outstanding. They suffered serious ill health in the last two years of the cycle which involved treatment and ongoing health issues.

### *Case study 5*

The registrant had a peer review outstanding. They thought that another piece of CET they were completing counted as peer review, but realised too late that it was not and was not able to organise their own peer review.

### *Case study 6*

The registrant had nine general CET points and 18 interactive CET points outstanding. They had been unable to work for over a year because of their caring responsibilities.

## **6. Process for submitting an application**

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- 6.1 Where a registrant anticipates that they will be unable to meet the CET requirements, they may contact the GOC's [CET] team for advice, even if this is early in the cycle. They must continue to do everything that they can to meet their CET requirements.
- 6.2 At the end of the cycle, we will contact registrants who have not met their CET requirements and refer them to our CET exceptions policy so that they have an opportunity to make an application at that stage.
- 6.3 Applications must be made using the form in the annex or on our website, sent with the appropriate documentary evidence by email to [cetexceptional@optical.org](mailto:cetexceptional@optical.org) or by post to 10 Old Bailey, London, EC4M 7NG.
- 6.4 The registrant should let us know if any reasonable adjustments are required in order for the application to be made or considered.

## **7. Process for GOC consideration and notification**

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- 7.1 We will aim to acknowledge applications within three working days of receipt.
- 7.2 Applications will be considered by the Registrar **after** the end of the CET cycle. We will aim to consider applications within 15 working days of the deadline for making these applications and, provided there is enough evidence, the decision will be notified by e-mail where it is possible to do so.
- 7.3 If it is not possible to reach a decision based on the evidence provided, the Registrar will request additional evidence as soon as the request has been considered. Once this evidence has been received, the application will be considered and we will aim to notify applicants of our decision by e-mail within 15 working days of receipt of the additional evidence.

7.4 Documentary evidence provided to us in support of an application made under this policy will be held securely and only viewed by those processing an application. Original evidence will be returned to the registrant on request. All evidence not returned will be retained in line with our retention schedule and destroyed after a decision has been reached, providing an appeal relating to the decision has not been made.

## **8. Appeal**

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8.1 If, following consideration of an application under this policy, the Registrar declines to retain the name or specialty of a registrant who has failed to comply with the CET Rules, the registrant can appeal under schedule 1A of the Act.

8.2 The Registration Appeals Committee will consider the appeal under the process set out in the Registration Appeals Rules<sup>2</sup>.

## **9. Transparency**

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9.1 At the end of the cycle we will publish information about how many registrants did not meet their CET requirements. Our Council papers will give information about how many cases we have considered under this policy and we will subsequently publish information about how many registrants were removed from the register.

## **10. Reasonable adjustments**

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10.1 The application form invites registrants who require reasonable adjustments in making their application to contact the CET team.

## **11. Annex**

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Annex: Application form for CET exceptions

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<sup>2</sup> The GOC (Registration Appeals) Rules 2005 can be found on our website at [www.optical.org/about\\_us/legislation/rules\\_and\\_regulations.cfm](http://www.optical.org/about_us/legislation/rules_and_regulations.cfm)

## Annex: Application form for CET exceptions

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<b>Name (as shown on the register)</b>	
<b>GOC registration number</b>	
<b>Contact telephone number</b>	
<b>Contact email address</b>	

<b>Date of application</b>	
<b>Date(s) of circumstance(s) that caused non-compliance with CET</b>	
<b>Date(s) in cycle where you have been practising</b>	
<b>Length of time in practice</b>	

### Summary of CET shortfall

<b>Number of general CET points outstanding</b>	
<b>Number of specialty CET points outstanding</b>	
<b>Number of interactive CET points outstanding</b>	
<b>Peer review outstanding</b>	
<b>Number of competencies outstanding</b>	
<b>Have you already made up the shortfall? Please provide details.</b>	

**Details of reasons for not meeting CET requirements**

**Please describe the plans you had to complete the CET requirements and why you were unable to do this**

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**List the documentary evidence being provided to support your application**

Examples of documentary evidence can be a letter from a medical practitioner or maternity certificate. All documentary evidence will be held securely and viewed only by those processing your application. Supporting documentary evidence will be destroyed in line with our retention policy after a decision has been reached, providing an appeal relating to the decision has not been made. Please inform us in your application if you would like us to return any original documentation.

**Any other steps taken to maintain skills e.g. non-accredited training**

**Plans to get back on track (which may include submission of a personal development plan (PDP))**



## Declaration

I confirm that the contents of this form are true. I understand that if I give false or misleading information, I will be in breach of the GOC's standards.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\*If you are returning this form by email, you can either type your name or paste an electronic signature. You must send it from an email address that you have previously provided to our Registration department as your contact address.

Please send this application by email to [cetexceptional@optical.org](mailto:cetexceptional@optical.org), or by post to 10 Old Bailey, London EC4M 7NG. If you require assistance in completing this form, reasonable adjustments in making your application, or information in relation to your CET requirements, please contact our CET team on 020 7307 9488 or [cet@optical.org](mailto:cet@optical.org) or access your CET record on MyCET.

All responses will be sent by email to the address at the top of this form.

*The GOC is a data controller registered with the Information Commissioner's Office. We make use of personal data to support our work as the regulator for the optical professions in the UK. We may process your personal data for purposes including updating the register, administering and maintaining registration, processing complaints and compiling statistics, in line with the Data Protection Act 2018.*