

## Continuing Professional Development (CPD) exceptions policy

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## **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 Professional Development (CPD) 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 CPD (“CPD requirements”) are contained in the Opticians Act 1989 and the GOC (Continuing Professional Development) Rules 2021, hereinafter known as “the Act” and “the CPD Rules” respectively.
- 1.3 The CPD Rules establish minimum ongoing training requirements. The Act allows the Registrar to remove registrants who do not meet the statutory minimum CPD 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 CPD 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 CPD requirements.

## **2. Purpose**

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- 2.1 This policy sets out the principles the Registrar will apply in deciding whether a registrant can remain on the register without having met the CPD 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.

## **3. Scope**

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

<sup>1</sup> Under rule 25 of the CPD 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 CPD requirements under the Rules.

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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 first consider the registrant's reasons for not meeting the CPD requirements and consider whether they took all reasonable steps to meet their CPD requirements but were unable to complete these due to exceptional circumstances beyond their control (for example, a significant period of maternity/paternity/adoption leave, or serious ill health of self or a close family member).
- 4.3 If the Registrar is satisfied that the registrant has been able to demonstrate exceptional circumstances, they will determine whether public protection can be maintained by retaining them on the register, taking into account all relevant factors, including (but not limited to):
  - 4.3.1 the size and nature of the CPD shortfall, for example, whether CPD has been undertaken in each domain, whether interactive requirements have been met, if peer review has been completed (if relevant) and if specialist requirements have been met.
  - 4.3.2 the amount of CPD undertaken before, during and after the current cycle, for example, whether the shortfall was addressed shortly after the end of the cycle.
  - 4.3.3 whether the registrant has completed a personal development plan (PDP) and the reflective exercise based on their PDP. Failure to evidence satisfactory completion of these requirements will not of themselves be grounds for removal from the register but would be considered mitigating or aggravating factors alongside our consideration of a shortfall in requirements.
  - 4.3.4 how long and how recently the registrant has been practising, for example, if the registrant is an experienced practitioner who is currently maintaining their skills.
  - 4.3.5 any other steps taken to maintain their skills, for example, having recently completed relevant further and/or higher education or non GOC-approved training;
  - 4.3.6 any plans to get back on track, for example, arranging to undertake CPD shortly after the end of the cycle.
  - 4.3.7 any other concerns regarding fitness to practise, for example, whether the applicant's current health impairs their ability to practise safely.
  - 4.3.8 any other relevant factors, including whether the applicant has completed CPD that is relevant to their own specific learning needs and scope of practice.
- 4.4 Applications under this policy must be supported by appropriate evidence to demonstrate exceptional circumstances outlined in paragraph 4.2. Examples of evidence include an employer's letter confirming length of maternity, paternity or adoption leave, a doctor's letter (such as a hospital discharge letter) in applications involving serious ill health of self or a close family member, or a

death certificate in applications involving the death of a close family member.

4.5 When considering applications involving maternity, paternity or adoption leave, the Registrar will take into account the factors outlined in paragraph 4.3, as well as the overall length of such leave and the number of periods of such leave taken throughout a CPD cycle. As part of our consideration of the application, we would expect registrants on maternity, paternity or adoption 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, unless they had been suffering from ill health for example.

4.6 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***

#### *Example 1*

The registrant had one general point outstanding. During the cycle the registrant needed to provide evidence at a highly emotional court case which required documenting and revisiting difficult recollections. Evidence from the court was provided along with confirmation of doctors' visits.

It was decided to accept this application on the basis of the low number of points outstanding.

#### *Example 2*

The registrant had two general points outstanding and one interactive point outstanding. During the final few months of the cycle, the registrant's close family member passed away after a period of illness.

Evidence of the bereavement was submitted, and it was decided that as the registrant's achievements had previously been in line, combined with the low level of missing points, that this application be accepted.

#### *Example 3*

The registrant had four interactive points outstanding. Unfortunately, the registrant suffered from depression throughout the cycle, which was supported by medical evidence which required a two-week hospital stay.

It was decided that as the missing points were regarded as low that this application be accepted.

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

#### *Example 4*

The registrant appeared to have an acceptable reason for the exceptional circumstance application, but did not provide any documentary evidence, even after a further request for evidence.

It was decided that this application needed to be automatically declined as the exceptions policy stipulates the requirement for documentary evidence. This was combined with the missing points (17 general, 10 specialty, 9 interactive, 5 competencies (now domains) and no peer review) being far too great to protect public safety.

#### *Example 5*

The registrant did not meet any of their requirements within the cycle. The reason provided for the exceptional circumstance application was that the registrant lived and worked abroad.

It is a registrant's obligation to obtain all necessary CET (now CPD) requirements to remain on the GOC register whether they live abroad or within the UK.

#### *Example 6*

The registrant had met all general requirements but was missing 14 specialty points and four competencies (now domains). The registrant was no longer prescribing and had purely completed the course to retain knowledge.

It was decided that the registrant could remain on the general register but would need to be removed from the specialty register as the missing specialty requirements were too great for public safety, had the registrant decided to prescribe again.

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

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- 6.1 Where a registrant anticipates that they will be unable to meet the CPD requirements, they may contact the GOC's CPD team for advice, even if this is early in the cycle. They must continue to do everything that they can to meet their CPD requirements.

- 6.2 At the end of the cycle, we will contact registrants who have not met their CPD requirements and refer them to our CPD exceptions policy so that they have an opportunity to make an application at that stage.
- 6.3 To apply for an exceptional circumstance, please visit our website [CPD exceptional circumstances](#) and follow the guidance provided. Applications must be made within the timeframe stipulated with the appropriate documentary evidence provided.
- 6.4 The registrant should let us know if any reasonable adjustments are required in order for the application to be made or considered via email to [cpdexceptional@optical.org](mailto:cpdexceptional@optical.org) or by post to General Optical Council, CPD Department, 10 Old Bailey, London, EC4M 7NG.
- 6.5 We welcome correspondence in Welsh.

## **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 CPD 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 CPD 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 CPD 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 CPD team.



## 11. Annex

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### Annex: Application form for CPD 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 CPD</b>	
<b>Date(s) in cycle where you have been practising</b>	
<b>Length of time in practise</b>	

#### Summary of CPD shortfall

<b>Number of general CPD points outstanding</b>	
<b>Number of specialty CPD points outstanding</b>	
<b>Number of interactive CPD points outstanding</b>	
<b>Peer review outstanding</b>	
<b>PDP outstanding</b>	
<b>Reflective exercise outstanding</b>	
<b>Number of domains outstanding</b>	

**Have you already made up the shortfall? Please provide details.**

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

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

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

Examples of documentary evidence can be a letter from a medical practitioner or evidence of absence from work due to maternity, paternity or adoption leave. 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.

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**Any other steps taken to maintain skills e.g. recent completion of relevant further/higher education or non GOC-approved training**

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

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## Declaration

I confirm that the information I have given in this application form is 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.

Annex: Application form for CPD exceptions<sup>2</sup> The GOC  
(Registration Appeals) Rules 2005 can be found on our [website](#)

*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.*