

The Association of Optometrist's position on student registration

The Association of Optometrists (AOP) favours the removal of registration for undergraduate students and pre-registration students.

There is significant variation amongst the nine regulators as to how they regulate students.

Registration of undergraduate students

We note that, other than the General Optical Council, only one other healthcare regulator (GSCC) requires its students to register each year. We agree with the other optical bodies that regulation of undergraduates is unnecessary and do not, therefore, support the proposal in the consultation that the government be given a regulation-making power to introduce *compulsory* student registration. In our view, investigations involving student fitness to practise should be a matter for the Universities who should have formally agreed mechanisms for removing students from contact with patients if their fitness to practise is felt to be impaired. Universities may feel they would benefit from receiving support/advice from the regulators as to how best to conduct such investigations and we would support this taking place; in fact, we understand that two universities involved in the education of student optometrists have already put in place fitness to practise procedures, following dialogue with the GOC.

Registration of pre-registration students

The AOP and FODO do not agree on how best to regulate pre-registration students *pre-qualification*.

For those outside the optical sector, it may be useful to note that pre-registration optometry students are currently regulated in the same way as undergraduates: they are included on the Student Register which is maintained by the GOC and can be made subject to its Fitness to Practise proceedings in the same way. There is still no effective filter at the GOC and so any matter brought to the GOC's attention is investigated. Pre-registration students, however, have graduated and are now undertaking a compulsory work-based training scheme for a period of about a year which is overseen by the College of Optometrists. They must complete this before they can qualify.

The risk to patients from students varies across professions and with the circumstances and style of their training. Optometry is a low risk profession. Pre-registration students should be working under continuous supervision and the supervisor has legal responsibility for the care of the patient. Their supervisors are approved qualified optometrists who work to guidelines issued by the College. In addition, during the pre-registration scheme students are continuously assessed by a College assessor at quarterly face-to-face assessment visits at which their work is reviewed and any training needs identified and incorporated into an action plan shared between the pre-registration student, supervisor and assessor. Therefore, the issue as to whether there is a potential risk to the public by a student making an incorrect clinical decision is adequately addressed by them having their management of patients and clinical decision making overseen by a qualified optometrist, and by their College assessor. It could also be argued that the time to make mistakes is whilst you are undertaking training and, therefore, provided the work of students optometrists is supervised effectively any such

training and education needs should be identified and addressed; in other words, registration should not be viewed as a substitute to effective supervision.

You will find support for this in the Opticians Act 1989. Section 13 D of the Act lists the grounds upon which the fitness to practise of a registered optometrist or registered dispensing optician, or the fitness to undertake training of a student registrant, is “impaired for the purposes of this Act are –

- (a) misconduct
- (b) *except in the case of a student registrant*, deficient professional performance; (our emphasis)
- (c) a conviction or caution ...”

There was clearly no intention for students to be held to account for clinical issues during their training, presumably a decision made on the basis that all the while they are being supervised by a qualified individual. It is unclear how patients would be any more or less safe, with or without registration of students. Interestingly, there is no distinction in the Act as to how supervision of pre-registration students is intended to differ from the way that non-qualified staff are supervised during any dispensing to restricted groups, yet there is no suggestion that they are now registered in the same way as students. Another argument against student registration is that it could cause confusion for patients by blurring the distinction between qualified optometrists and students.

In summary, where the only ground on which a student’s fitness to practice could be found to be impaired is one of misconduct (or caution or conviction) this position remains the same as with undergraduates, and should, in our view, be handled in the same way. It is possible, for example, that the College’s disciplinary procedures could be developed so that they are responsible for any investigations into the conduct of students during the pre-registration year, in the same way it is suggested that Universities do for undergraduates.

The removal of registration for undergraduate students and pre-registration students would certainly reduce the cost of regulation and could produce significant savings (we disagree that an annual fee of £20 is a significant enough sum to argue that paying a registration fee can help instil professionalism). The types of cases being considered by the General Optical Council do not justify full registration, which is to our mind disproportionate and does not add to the protection afforded to patients and the wider public by the regulation of healthcare professionals.

How can the legal framework help to ensure that the principles and practices of professionalism are embedded in pre-registration training?

It is agreed that professional practice is one of the fundamental tenets of any healthcare professional. It is important that these values are instilled from an early stage in the undergraduate course, and reinforced throughout the period of pre-registration training by way of continuous teaching and assessment. As well as requiring all prospective students to declare any cautions convictions to their Universities, one other way to do this may be to require all students to sign up to a student code of conduct – this would also foster a sense of belonging - and for any breaches of that code of conduct to be required to be notified to the regulator by the University, and latterly by the College, prior to full registration. If cautions and convictions were also declared when registering with the College they could act as an

effective second gate-keeper. It is important that students understand the role of regulation and the GOC; in particular how the GOC deal with evidence of prior bad conduct. It will be important for the GOC to make students aware of their policies and procedures at an early stage so that students are not left in any doubt when the time comes to register with the GOC.

An alternative is to introduce provisional registration like the General Medical Council have for foundation year one (F1) trainee doctors rather than full registration. As we understand it, provisional registration covers a 12-month *post-qualification* period of work-based training for doctors. Once this period is complete doctors are required to apply for full registration. Whilst the procedures followed in any FTP proceedings is the same at the GMC, irrespective of whether you are provisionally registered or fully registered, the Deanery at the place where a F1 is training, which can be made up of doctors, academics etc, can and will investigate FTP matters involving F1s at a local level first and will only notify the GMC of their decision when the time comes to apply for full registration. The GMC reserve the right to investigate these matters for a second time but we are advised this is only done in extreme circumstances. Provisional registration may be a suitable alternative to full registration of pre-registration optometry students, with the College taking on a similar role to the Deanery.

If student registration remains compulsory

If a decision is made to make student registration compulsory (either undergraduate student registration, pre-registration student registration or both) the implementation of a 'fast-track' Fitness to Practise investigation process for students would be welcomed. More often than not students find themselves in limbo, held on the student register whilst unable to progress in their chosen career and uncertain how long it will take before their matter is resolved. They also risk running out of time to qualify. Pre-registration optometrists are only given 27 months to qualify from the start of their pre-registration period, hence they could still be denied the possibility of qualifying even if matters are resolved to the satisfaction of the GOC, if too long is taken to investigate. If students are required to maintain registration with the GOC we would welcome the introduction of a 'fast-track' process for students with a guarantee that cases will be heard with 9 months of the matter being notified or before completion of their pre-registration period, whichever is the shorter period. Alternatively we would seek an extension of the pre-registration period beyond 27 months to take account of the investigation.