

## **Annex to Monitor Consultations Tranche 2 Optical Market Benefits March 2012**

Community opticians are regulated primary care professionals, registered with the General Optical Council (GOC), which means that optical bodies corporate and individual practitioners have to comply with:

- GOC Codes of Conduct for businesses and professionals
- Any guidance issued by our professional bodies

Uniquely within the NHS, community optical providers operate in a fully open and competitive market where practices compete for each patient on the basis of quality, access and price. Moreover community optical providers are subject to normal business regulation including the Companies Act, Office of Fair Trading, Advertising Standards Authority etc.

Any further licensing and regulation would be both unnecessary and duplicatory, adding costs to the NHS without any value or demonstrable benefit.

As a result of the open market:

- uniquely amongst NHS fees the NHS sight test fee has fallen by 10% in real terms compared to 1948
- the average cost of a private sight test is £21.67 (excluding offers) which patients usually attend for every two years
- being consumer driven, the optical market had seen leading edge technologies introduced on an ongoing basis: including visual field screening, computerised test charts, digital retinal photography, optical coherence tomography (OCT), corneal topography and electronic records – all without NHS funding or investment
- the choice of product available to patients continues to evolve on the dispensing side, for example highly oxygen permeable silicone hydrogel contact lenses, extended wear and daily disposables have all been developed to satisfy consumer demand
- globalisation has revolutionised manufacturing and reduced costs in the supply chain, reducing the real cost of optical appliances to consumers
- the cost of spectacles has been falling in real terms for many years. A pair of complete single vision spectacles is available from some providers from £15

- similarly, the cost of contact lenses has fallen in real terms and are available from 15p per day for monthly disposable lenses
- internet providers have entered the supply market
- simple magnifying ready-readers are available in many retail outlets including pharmacies, petrol stations as well as registered opticians
- similarly contact lenses once safely fitted by a registered optician can be purchased from a variety of outlets
- 21 million (NHS and private) sight tests are provided annually with vanishingly small levels of complaints at less than 0.01% (148 complaints received of which 36 were referred to the GOC Fitness to Practice Committee<sup>1</sup>)
- similarly, the number of complaints about spectacles or contact lenses is also extremely low (1640 individuals contacted the Optical Consumer Complaints Service, of which 833 cases were opened<sup>2</sup>)
- adults and children with NHS vouchers (called a GOS 3) can choose to have a complete pair of spectacles for free (ie the cost is covered by the NHS voucher value)
- existing regulators (GOC, OFT, ASA) are already effective and there is no need to replicate these with Monitor licensing for our sector
- one example of this is that the GOC recently fined a company £30,000 for a breach of dispensing rules
- two major optical companies have both been successfully challenged in complaints to the Advertising Standards Authorities
- breaches of the NHS contract can result in removal of the contract.

We would also recommend that Monitor review the following publications before imposing further regulation on community eye care providers:

NHS England (2008) General Ophthalmic Services Contracts Regulations 2008  
[http://www.legislation.gov.uk/ukxi/2008/1185/pdfs/ukxi\\_20081185\\_en.pdf](http://www.legislation.gov.uk/ukxi/2008/1185/pdfs/ukxi_20081185_en.pdf)

Mintel (2008) *Opticians Report* – February 2008

Speirs, J (2003) *Patients, Power and Responsibility* – see Chapter 19 ‘*With eyes to see: one people, one market, one service*’

Bosanquet, N. (2010) *Liberating the NHS: Eye Care, Making a Reality of Equity and Excellence*

General Optical Council (2011) *Codes of Conduct for Business and Individual Registrants*

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<sup>1</sup> GOC (2011) Annual Report <http://annualreport10-11.optical.org/the-goc-at-a-glance/>

<sup>2</sup> OCCS (2010) Annual Report <http://www.opticalcomplaints.co.uk/downloads.html>

The Optical Confederation would be pleased to meet with Monitor, the Department of Health and NHS Commissioning Board to discuss this evidence in more detail.

**This response has been submitted by  
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