



**STARTING AN
OPTOMETRIC PRACTICE
A GUIDE
FOR
OPTOMETRISTS AND DISPENSING OPTICIANS**

**Association Of Optometrists
61 Southwark Street, London, SE1 0HL**

Tel. 020-72 61 96 61 Fax: 020-72 61 02 28

e-mail: postbox@aop.org.uk

web: <http://www.aop.org.uk>

ID 16 Rev. 4

£25

CONTENTS

INTRODUCTION

SECTION 1: BUYING A PRACTICE

1. Starting an optometric practice
2. Business plan
3. Location
4. Businesses for sale
5. Finance
6. Premises
7. Planning permission
8. House practices
9. Practice layout, fittings, security and equipment

SECTION 2: COMMENCING PRACTICE

10. Local and Area Optometric Committees
11. Professional advisers
12. Form of practice
13. Locum optometrists (“locums”)
14. Registration with the General Optical Council (GOC)
15. Naming your practice
16. Publicity
17. Marketing the practice
18. NHS List
19. Professional standards
20. Equipment
21. Practice computers
22. Stationery, forms, appointment diary, and day-book
23. Suppliers
24. Notices to be displayed
25. Glazing spectacles (cut, edge and fit lenses) on your premises
26. Contracts
27. Staff: recruitment, duties, appointment, training, pre-registration students, and foreign optometrists
28. Insurance
29. Public relations and complaints

SECTION 3: OPTOMETRIC PRACTICE

30. Eye examination (sight test)
31. Domiciliary work
32. Patient referral
33. Patients’ records
34. Use of Therapeutic Drugs
– written orders, emergencies and patient group directives
35. Occupational vision standards
36. Eye protection
37. British and European Standards

SECTION 4: LEGISLATION

PRACTICE

38. Opticians Act 1989 and related Regulations and Orders
39. Medical Devices Regulations 2002
40. Data Protection Act 1998
41. Access to Health Records Act 1990
42. Copyright royalties for public performances of music and television
43. Disability Discrimination Act 1996: Services
44. Freedom of Information Act 2000

CONSUMER

45. Sale of goods and supply of services
46. Trade Descriptions Act 1968
47. Consumer Credit Licence
48. Price display

EMPLOYMENT

49. Employment rights legislation
50. Employment rights on the sale and purchase of a business
51. Disability Discrimination Act 1996
52. Employers' Liability Insurance
53. Equal Pay Act 1970
54. Race Relations Act 1976
55. Sex Discrimination Act 1975

HEALTH AND SAFETY

56. Health and safety at work
57. Fire precautions and fire certificates

TAXATION

58. Income Tax and National Insurance Contributions
59. Value Added Tax (VAT)

SECTION 5: ORGANISATIONS IN OPTOMETRY AND OPTICS

60. Association of Optometrists (AOP)
61. Association of British Dispensing Opticians (ABDO)
62. British Contact Lens Association (BCLA)
63. College of Optometrists ("the College")
64. Eyecare Trust
65. Federation of Manufacturing Opticians (FMO)
66. Federation of Ophthalmic and Dispensing Opticians (FODO)
67. General Optical Council (GOC)
68. Institute of Ophthalmology

69. Institute of Optometry
70. Optical Consumer Complaints Service (OCCS)
71. Sight Care Group

SECTION 6 – PROFESSIONAL PUBLICATIONS AND WEBSITES

72. *Association of Optometrists' Members Handbook*
73. *British Journal of Ophthalmology*
74. *British Orthoptic Journal*
75. *C E Optometry*
76. *Current Eye Research*
77. *Current Opinion in Ophthalmology*
78. *Dispensing Optics*
79. *Experimental Eye Research*
80. *Eye (formerly Transactions of Ophthalmological Societies of the UK, 1880)*
81. *Monoptica*
82. *Ophthalmic and Physiological Optics*
83. *Optical Product Card*
84. *Optical World*
85. *Optician*
86. *Optician Directory*
87. *Optometry Mailbase*
88. *OT (formerly Optometry Today)*
89. *Progress in Retinal & Eye Research*
90. *Vision Research*
91. *20/20 Europe*

SECTION 7 – USEFUL ADDRESSES

92. Accor Corporate Services UK Ltd
93. Advisory, Conciliation and Arbitration Service
94. Association of British Dispensing Opticians
95. Association of Optometrists
96. British Contact Lens Association
97. British Standards Institution (BSI)
98. Business Connect, Wales
99. Business in the Community
100. Business Link
101. Central Services Agency (Northern Ireland)
102. College of Optometrists
103. Commission for Racial Equality
104. Companies House
105. Criminal records disclosure services
Customs and Excise see H M Customs & Excise
106. Department for Education and Skills
107. Department for Work and Pensions
108. Department of Health
109. Department of Health Publications
110. Disability Rights Commission
111. dti (Department of Trade and Industry)
112. Equal Opportunities Commission

113. The Eyecare Trust
114. Federation of Manufacturing Opticians (FMO)
115. Federation of Ophthalmic & Dispensing Opticians (FODO)
116. Finance Wales
117. Fire Service
118. General Optical Council (GOC)
119. Health and Safety Executive
120. H M Customs & Excise
121. Home Office
122. Information Commissioner's Office
123. Inland Revenue
124. Institute of Ophthalmology
125. Institute of Optometry
126. Invest Northern Ireland (Invest NI)
127. Jobcentre Plus
128. MCPS and PRS
129. Medicines and Healthcare products Regulatory Agency (MHRA)
(formerly Medical Devices Agency)
130. NHS Executive
131. Office of Fair Trading
132. Optical Consumer Complaints Service (OCCS)
133. Phonographic Performance Limited
134. Reed Business Information Limited (formerly Reed Business Publishing)
135. Scottish Enterprise
136. Scottish Executive Health Department
137. Sight Care Group
138. Stationery Office (SO) (formerly Her Majesty's Stationery Office (HMSO))
139. Welsh Office
140. Work Permits (UK)

INTRODUCTION

The Association of Optometrists (AOP) is the professional body representing optometrists throughout the United Kingdom. We provide advice and services to our members, and represent their interests and those of the profession in dialogue with national Government, the European Commission and Parliament and other organisations with interests in optometry.

The AOP cannot provide bespoke information and advice on how to set up an optometric practice. However, as we regularly receive enquiries from people wishing to do so for the first time we have prepared this booklet and hope you will find it helpful. Our main purpose is to draw attention to some of the subjects about which it is necessary to have some knowledge, and to provide advice as to where the relevant information might be found.

The AOP *Members Handbook* (free to members) contains further details on many of the topics covered in this booklet. It also details the broad range of services available through the AOP to support members both in their professional life and outside of work.

Although the information in this guide is reviewed periodically, we cannot guarantee its accuracy for any length of time. The purpose of the guide is to alert optometrists and dispensing opticians to aspects of practice generally, rather than to give detailed specific advice and the guide must be read accordingly. The AOP cannot be held responsible for any errors, although we have made every effort to ensure that this guide is accurate. A good way of keeping up to date with the changes that are continually taking place is to read one or more professional publications, details of which are given in Section 6, towards the end of this booklet.

Copies of Acts of Parliament and Statutory Instruments (SIs – orders issued under the authority of Act of Parliament) can be obtained from the Stationery Office (formerly HMSO) and through some booksellers. (Details of the Stationery Office will be in your local telephone directory or Yellow Pages – under “HMSO” in older copies.) To find out the titles and reference numbers of statutory instruments in force under a particular Act, refer to the Index of Government Orders, which should be available at major reference libraries.

The addresses of organisations mentioned in this booklet (with the exception of local organisations) will be found in Section 7 – Useful Addresses, at the end of the booklet.

NOTE. All references to the Department of Health should, in respect of Northern Ireland, Scotland, and Wales, be read as references to the Northern Ireland Department of Health and Social Services, the 136. Scottish Executive Health Department, and the Wales Assembly Government, respectively.

SECTION 1 - BUYING A PRACTICE

1. Starting an Optometric Practice

If you are considering setting up an optometric practice, you should first think about the options available to you. Do you wish to run a practice on your own or go into partnership with others? Do you wish to set up a practice from scratch or buy an existing practice? Do you wish to run a franchise practice?

If you wish to run a practice on your own, do you wish to run it as a sole trader or a limited company?

If you wish to go into partnership, do you wish to join an existing practice or are you contemplating setting up a practice from scratch with your partners? Do you really wish to run the practice as a partnership, with unlimited liability, or would you prefer to run the practice as a limited liability partnership or company?

If you are contemplating running a franchise, what are the pros and cons compared with other forms of practice?

Guidance on the different forms of practice, and many other aspects of practice, will be found on the following pages. The emphasis of this booklet, however, is for those setting up a practice, in any form, from scratch, as most of the groundwork should have been done for those purchasing or buying into existing practices. However, whether you are setting up a practice from scratch, buying an existing practice or franchise, or buying into an existing practice, we would emphasise the need for independent professional advice on the legal, financial and business aspects of the venture.

2. Business Plan

Before starting any business it is essential to have a business plan. A business plan should include:

- i) Introduction/summary.
- ii) Background to the proposition. This will include where the business is to be located, the level at which it is to operate in the marketplace, and the market in which it is operating.
- iii) Specific practice goals in terms of sales, gross and net profits, overhead costs, number of eye examinations, etc.
- iv) A two-year cash-flow forecast, projected profit and loss accounts and a projected balance sheet. These must list any assumptions made.

As a professional practitioner the optometrist starting his or her own practice must appreciate that, in providing a professional service, s/he will also be running a business which will succeed or fail, or have varying degrees of success, according to the acumen or acuity with which it is run.

If you want financial assistance to start your practice, lenders will require a business plan, and may help you to prepare one. If you are in the fortunate position of not requiring financial assistance, you would still be advised to draw up a business plan to provide you with targets to aim for and a measure by which to judge your performance.

You may wish to obtain professional help in drawing up a business plan and you may be able to obtain financial assistance to do so. Contact the AOP and/or your local business support agency for advice. In England contact Business Link; in Scotland contact your local Business Gateway through Scottish Enterprise; in Wales contact Finance Wales; in Northern Ireland contact Invest Northern Ireland (Invest NI).

You may need or wish to provide, as background information in a business plan, general statistics on optometric practice nationally or locally. Figures on sight test volumes and manpower are available from the Department of Health. Its publication *Consultation Tables* provides a detailed regional breakdown of the number of NHS sight tests, vouchers, the workforce, and practices. It also publishes *General Ophthalmic Services Activity Statistics* covering NHS eye tests, vouchers, repairs and replacement, and domiciliary visits.

3. Location

Analyse the area in which you wish to practice. Will a practice there be viable? Matters for consideration include:

- number of other practices in the area;
- where patients will come from; and,
- public transport to the practice.

This information should be available from local sources such as the health authority and business advice services. Directories (such as *Yellow Pages*) and public libraries are often very good sources for local information and services.

Once you have decided upon the locality, the position of the practice may be key to its success. Advice may be sought from specialist consultants who may be contacted through the AOP or local business advice agencies, referred to in paragraph 2, above, as to the potential viability of the location, e.g. shopping centre, high street, secondary position, or house practice.

4. Businesses for Sale

Professional journals such as *OT* and *Optician* sometimes carry advertisements for businesses for sale. (Please see Section 6, *Professional Publications*, for details of journals and publications.)

Consult people on the local optometric committee for the area in which you would like to practice, to ascertain if there are any local practitioners who wish to sell their practices. The AOP can put members in touch with a

company which sells practices and can offer further advice with regard to purchasing practices.

It is important when looking at a practice that the seller has commissioned, or you are able to commission, an independent valuation. Optometrists who purchase practices without seeing a copy of an independent and objective valuation are taking a great risk. (It is like buying a house without a surveyor's report.) The valuation is also used to support the business plan when looking for sources of finance.

In addition to an independent valuation you will also need thorough professional advice on the purchase, including legal advice, for which purpose you should consult a solicitor. Are you, for example, purchasing the business as a going concern? If you are, who is responsible for past liabilities? If you are taking a lease you should consult a solicitor on the terms, and consider the financial implications of the key clauses in the lease, in particular rent review provisions, options to renew, rights of assignment, the benefit of improvements, repairing liabilities, permitted use, and forfeiture. If you can negotiate a right of pre-emption or an option to purchase, these are likely to prove invaluable.

The new owners will be responsible for claims made against the practice in respect of matters occurring prior to the change of ownership. The sale agreement should deal with the responsibilities of the vendor and the purchaser for practice activities before and after the sale. The outgoing proprietor should indemnify the new proprietor in respect of matters which occurred before the sale. Irrespective of the agreement the practice is liable, but it may seek redress from the previous practice owner in accordance with the responsibilities set out in the agreement. It is common for a practitioner who sells a practice to include in the sale contract a clause which will allow the practitioner access to patients' medical records should s/he require access to defend any claims, e.g. for negligence, which a patient may bring against the practitioner at a later date.

5. Finance

The AOP can advise members on sources of finance for purchasing a practice (or partnership), or equipment – see the *Members Handbook* for details. Finance may also be available to you through your local bank.

General advice and information on financing the purchase of a practice may also be available from the local business advice agencies, referred to in paragraph 2, above.

The DTI also offers a range of services including information on access to finance.

Remember that the costs of loans can escalate and careful financial planning is essential.

6. Premises

Ensure that the premises are suitable and meet the requirements laid down by current building regulations and will allow disabled people to have access to your services. Contact your local fire authority to ascertain whether the premises will require a fire certificate. Ensure that the premises are safe and that they are adequately served by essential utilities, such as water, gas, electricity, and necessary telecommunications, and that disabled people have access.

If you intend to undertake sight tests under the National Health Service, you will need to apply to the appropriate authority for the area in which you will be practising for inclusion in the ophthalmic list. In England this is the Primary Care Trust, in Wales the Local Health Board and in Scotland the Health Board. In Northern Ireland it is the Central Services Agency, which is a stand-alone agency responsible for processing payments to the healthcare professions and inspecting and approving premises and holding the ophthalmic lists on behalf of the four Area Health Boards in the province. The authority whose ophthalmic list you join will want to inspect the practice. A list of the authority's requirements should be sought at the design stage. You should check with the inspecting authority whether the practice may claim for seeing patients under the NHS before the inspection has taken place.

7. Planning Permission

You should consult the Planning Department of your local authority about the need for planning consent if you intend to:

- 1) build new premises;
- 2) make alterations to existing premises (e.g. add a consulting room);
- 3) put premises to a new use (e.g. convert part of a house into an optometric practice); or,
- 4) put up an advertising sign.

If you intend to build new premises or alter existing premises, you will need to ensure that you provide access for disabled people.

It is recommended that you obtain professional advice, e.g. from a chartered surveyor or solicitor, upon any prospective planning application.

8. House Practices

If you intend to set up a practice in a house you should pay particular attention to the following matters (a number of which are covered elsewhere in this booklet):

- a) permission from your mortgage lender;
- b) is planning permission required?;

- c) access for disabled people;
- d) is there adequate parking? (This may affect planning permission.);
- e) health and safety on the premises;
- f) insurances;
- g) rates;
- h) registration with:
 - i) the appropriate authority (see paragraph 6, above); and,
 - ii) General Optical Council.

9. Practice layout, fittings, security and equipment

The layout of the premises is extremely important and must make the patient feel comfortable during all stages of the visit: making an appointment, awaiting a consultation, looking at frames and lenses, the eye examination and dispensing. At the same time it should meet the practitioner's requirements for: a reception area, displaying frames and other items for sale; a consulting room where consultations may be conducted in private and free from interruption – College Guidelines suggest that the consulting room should be a fully enclosed unit with doors capable of being made secure; rooms for clinical tests, dispensing, contact lens instruction; office and workshop.

Appropriate fittings will be needed for displaying frames, solutions and ancillary products, and for storing these and other items such as equipment, and patient and administrative records.

Security. Attention should be paid to security of both the premises and the contents of the premises. Patients' records must be kept secure and confidential at all times. Staff vigilance is essential whilst staff are on the premises. Measures such as display locks, electronic article surveillance (i.e. security tagging), and close circuit television (CCTV) should be considered. These provide additional deterrents when staff are on the premises and security when the practice is closed. Further security measures for the practice include intruder alarms and shutters. A booklet entitled *Seeing Crime Coming – A Guide to Help Opticians Tackle Crime* is available from the Federation of Ophthalmic and Dispensing Opticians. In addition, the AOP can advise members on further sources of information on security.

Practice equipment falls broadly into two categories, administrative and clinical. (See paragraph 20, below).

SECTION 2: COMMENCING PRACTICE

10. Local and Area Optometric Committees

Local Optometric Committees (LOCs), in England and Wales, and Area Optometric Committees (AOCs), in Scotland, are local statutory bodies of optometrists, elected by optometrists in the same area as the Health Authority/Board to act as a formal link between optometrists and the Health Authority/Board. LOCs/AOCs provide information, ideas, and proposals for the provision of primary eye care within the Health Authority/Board area, promote developments in optometric care to local practitioners, and the need for professional eye care to the public. In Northern Ireland the Northern Ireland Negotiating Committee (NINC) undertakes this role.

Contact your LOC/AOC or the NIOS for informal advice on practice in the area.

Details of where to contact your LOC/AOC or the NINC are available from the Association of Optometrists or your local Health Authority/Board, or you may contact the Department of Health for this information. In Northern Ireland you may contact the Central Services Agency or the Northern Ireland Department of Health and Social Services for this information.

11. Professional Advisers

As a professional whose expertise is optometry, you will appreciate the need to find professional people to advise you in areas in which you have no expert knowledge. It is advisable to obtain professional assistance in finding, purchasing, and financing the acquisition of a practice. These matters have been dealt with above.

In running a practice is it similarly advisable to obtain guidance and advice from professionals, most notably:

- 1) a solicitor to advise on the form of practice and draw up a partnership agreement or company's Memorandum and Articles of Association, if required, and advise on contracts;
- 2) an accountant for your business and tax affairs;
- 3) your professional bodies – the AOP, the College, ABDO, and the General Optical Council – in respect of professional and practice matters;
- 4) health and safety advisers; and,
- 5) business consultants whose areas of expertise may cover, individually or collectively, running the practice as a business, and advertising and promoting the practice.

12. Form of Practice

Optometrists have a professional duty of care to the patient, which must be delivered no matter what mode of business is adopted.

Sole practitioner. You may practise on your own account as a sole practitioner, in which case you are personally responsible for the debts and other liabilities of the practice, but the benefits are that you make all the decisions connected with the practice and reap all the rewards.

Partnership. If you practice in a partnership you will be jointly and severally liable for the debts of the partnership. This means that you will be jointly liable with your partners to pay partnership debts and at the same time you will be liable to pay all the partnership debts, if your partners do not have the resources to meet them. The benefits of a partnership could include a broader range of expertise offered by different partners and greater access to finance to contribute toward the costs of the business.

If you practice in a partnership, you are advised to have a formal deed of partnership drawn up by a solicitor. This sets out the rights and responsibilities of the partners, and should cover matters such as the retirement and expulsion of partners, the introduction of new partners, and the winding up of the partnership. Needless to say, take care in choosing your partner(s) and, notwithstanding friendship or blood ties, have the terms of the partnership set out formally. **Beware.** As partnerships do not have to be evidenced in writing, it is possible to enter into a partnership arrangement informally, by virtue of the manner in which the business is conducted. Care should be taken, therefore, not to operate in the manner of a partnership where it is not intended to do so.)

An optometrist may enter into a partnership with other optometrists, with dispensing opticians or unqualified people, or any combination of these.

A partnership between an optometrist and a dispensing optician can be a distinct advantage, each bringing their own particular field of expertise to the new business. Many dispensing opticians hold qualifications in contact lenses and Delegated Functions. If used wisely they can greatly enhance a practice and allow the optometrist more time for clinical and shared care activities.

Where an optometrist sets up in partnership with a dispensing optician, each will be liable for matters within their own professional competence and responsibility. Thus the optometrist should not be liable for the dispensing optician's actions in dealing with patients in matters within his/her competence. The optometrist might, however, be liable for the activities of the DO which s/he was not competent to undertake, but which were within the optometrist's competence.

An optometrist may set up in partnership with a lay partner, i.e. someone who is not qualified to practice as an optometrist. In such a partnership, the optometrist should remember that s/he will be professionally liable for the actions of the lay partner which would be actionable if performed by the optometrist (e.g. advertisements in contravention of the GOC Rules on Publicity).

The College has guidelines setting out the responsibilities of optometrists working in association with non-optometrists as to the confidentiality of patient records.

Guidance for optometrists and dispensing opticians on partnership agreements is available from the AOP. However, potential partners are each strongly advised to seek independent legal advice on the partnership agreement.

Where the practice is run as a partnership there is a legal requirement to display a legible notice of the address for service of legal documents on the partnership and the names of the partners (with some qualified exceptions) in a conspicuous place at each place of business belonging to the partnership. Similar details must be displayed on letter heads and partnership documentation (see paragraph 22, below).

Limited Liability Partnerships (LLPs), compared with a traditional partnership, allow the members of the LLP (in an LLP partners are referred to as members) to limit their personal liability if something goes wrong with the business, in much the same way as shareholders in a company have always been able to do. However, anyone lending money to the LLP, e.g. a bank, may still require personal guarantees from the members, as they frequently do with shareholders in a company.

LLPs are taxed differently from limited liability companies in that the profits are treated as the personal income of the members as if they had run their business as a partnership. (Limited liability companies' profits are subject to corporation tax and dividends paid by the companies can then be taken as income of the shareholders.) The taxation of partnerships and companies is very different but taxation should not be the main consideration in choosing a business vehicle.

LLPs produce and publish financial accounts with a similar level of detail to a similar sized limited company and they submit accounts and an annual return to the Registrar of Companies each year. This publication requirement is more demanding than the position for normal partnerships, which do not have to publish their accounts, and specific accounting rules may lead to different profits from those of a normal partnership.

Limited liability company. An optometric practice may also be run as a limited liability company in which case the liability of the shareholders is limited to the amount of the issued share capital of the company. This should absolve the owners from personal liability for the debts of the practice, but in reality creditors will often seek personal guarantees for the debts, thereby making the guarantor personally liable. Sometimes taxation policy may appear to favour practicing as a limited company, but this may be subject to change. Advice on this should be sought from a solicitor or accountant.

The registered name of the company must be displayed in a conspicuous place, in legible lettering, outside every place of business in which its business is being carried on. Similarly,

specified statutory information must be displayed on letterheads and other company stationery (see paragraph 22, below).

If you wish to practice as a limited liability company, you should seek professional advice from a solicitor or accountant on setting up the company. You will need to register the company with Companies House. The company may also be enrolled as a body corporate with the General Optical Council. An enrolled business is required to list all of the practices.

Larger limited companies may go public and be quoted on the stock exchange as public limited companies, i.e. PLCs. This is usually done to obtain finance from external sources to aid business expansion.

Private unlimited company. Where the loss of limited liability is not important, you may consider forming a private unlimited company. In certain circumstances unlimited companies may be exempt from the necessity to file accounts with the Registrar of Companies.

Franchise. You may choose to run your practice as a franchise of an optometric chain. There are three key benefits of a franchise for the franchisee (the person taking the franchise): (1) The franchisee owns the business and therefore has far more control than an employee. (NB. With some franchises the franchisee may operate the business jointly with the franchisor from whom s/he has bought the franchise.) (2) The expertise and on-going support of the franchisor. With a good franchisor this should include access to favourable loans, business advice (e.g. where to locate), training, lower cost prices, and professional marketing. (3) A proven business concept which reduces the risk of the business failing. Please note that as with any business endeavour, it is important to obtain independent legal advice before entering upon the venture. It is particularly recommended that you seek advice on any proposed franchise agreement from your own solicitor, and not a solicitor introduced to you by franchisor.

“Mixed” practice. Some practitioners may both run a practice and work for another practitioner as a part-time optometrist or locum – see paragraph 13, below, on working as a locum optometrist. (This may occur particularly when starting up a practice, or if the locality in which the practice operates does not require a practice five or six days a week.)

13. Locum Optometrists (“Locums”)

Locums are self-employed optometrists who work peripatetically, in different places for one or more businesses. Strictly speaking a locum stands in temporarily for another optometrist in a practice, but the term is often mis-used in respect of an optometrist who may work regularly for a practice, e.g. on a Tuesday. This latter mode of employment is more properly a part-time employee rather than a locum, and as such should more properly been treated as an employee rather than self-employed, for the purpose of employment law and taxation.

An optometrist working in several locations for one company may wish to consider him/herself, for tax purposes, as a self-employed locum, but in reality is likely to be an employee, whose place of work and working hours are directed by the employer, who also provides the equipment and facilities. A locum will have a say in when and where s/he chooses to work (and should be able to refuse work), and will often carry some of his/her own equipment.

The locum optometrist will need to ensure that the practice in which s/he is working has adequate equipment (as suggested by the College) to carry out eye examinations and dispensing. If the locum carries his/her own equipment, s/he will need to ensure that the equipment is insured and that the insurance covers the equipment at home, when being carried to and from work, and/or when left in the car. The locum will also need his/her own professional indemnity insurance. Remember that car insurance will be needed to cover work and private use.

Responsibilities of locums working for unregistered persons. If you are employed as a locum by an unregistered person you will be responsible for activities within the practice which should be performed by a qualified person. You should take particular care to ensure that neither the owner nor the unqualified staff are undertaking activities which lay outside their competence and within the competence of an optometrist, e.g. fitting contact lenses.

Appointments for locums are often found through specialist bureaux. The AOP has a locum bureau service and can also direct members to other locum bureaux.

Nowadays the Inland Revenue is very strict in its interpretation of what constitutes self-employed status, as opposed to being an employee, as self-employed people enjoy many benefits under the tax system. It is important, therefore, for locums (and those employing their services) to ensure that the Inland Revenue accept their self-employed status for tax purposes.

A specimen Contract for Services for locum optometrists is set out in the AOP *Members Handbook*.

14. Registration with the General Optical Council (GOC)

Registration with the GOC. To practise as an optometrist you must be registered with the GOC. A person may register if they have a qualification formally approved by the Council, together with adequate practical experience; or, were entitled to practise in the National Health Service on 1 January 1959; or, on 1 June 1961 held a qualification then recognised by the Council.

Where your chosen form of practice is a limited company, you may enrol the business with the GOC as a body corporate.

Further information on registration and enrolment is available from the GOC.

15. Naming your practice

Section 28 of the Opticians Act 1989 protects the following titles: “Ophthalmic Optician”, “Optometrist”, “Dispensing Optician”, and “Registered or Enrolled Optician”.

Where a registered optician owns a practice, which is not run as a limited liability company, s/he can use her/his name connected to one of the protected titles, e.g. “Joan Smith Optometrist” implies that Joan Smith is a registered optometrist practising from that address, or “Joan Smith Dispensing Optician” implies that Joan Smith is a registered dispensing optician practising from that address, or “Joan Smith Optician” implies that Joan Smith is a registered optometrist or dispensing optician practising from that address. If Joan Smith chooses to practice in partnership with a registered dispensing optician, John Brown, say, they cannot call the practice “Smith and Brown, Optometrists and Dispensing Opticians”; they might however call the practice “Smith and Brown, Registered Opticians”. If Joan Smith chooses to practice as a limited company, e.g. Joan Smith Opticians Limited, she would have to request permission from the GOC to use that title, register the practice as a limited company with Companies House, then enroll the practice with the GOC as a body corporate. If a limited liability company does not include a protected title in the company name then enrolling the company with the GOC is subject to GOC rules and is optional.

If an optician owns a practice and wishes to name it something other than her/his own name, e.g. See Here Opticians, s/he would have to request permission from the GOC to use the protected title.

If you are buying a practice and wish to retain the existing name, which is that of another optometrist or dispensing optician, you may do so with the permission of the optometrist or dispensing optician whose name is being used. If the optometrist or dispensing optician is recently deceased, you may retain the name with permission of the estate. If the optometrist is long-since deceased, you may retain the name with the permission of the vendor.

The GOC can advise on practice names and the circumstances in which a company can enroll as a body corporate.

16. Publicity

The GOC *Rules on Publicity 1985* regulate the manner in which a registered optician or enrolled body corporate may publicise their practice. Publicity must be legal, decent, honest, and truthful, and must not be of a character which could reasonably be regarded as likely to bring the profession of ophthalmic optician (i.e. optometrist) or dispensing optician into disrepute. It must not contain any reference to the efficiency of, or the facilities given by, other registered opticians or enrolled bodies corporate.

A registered optician or enrolled body corporate must make no claim in relation to the practice which is not capable of substantiation, or a claim which suggests superiority over any other practice or business.

17. Marketing the practice

It is generally considered that the most effective form of advertising for a practice is recommendation by existing patients. The location and visibility of the practice will also advertise its presence and therefore an attractive appearance is important.

Other forms of advertising you may wish to consider are through the local media (usually the local press), promotions, and leaflets. Attractive leaflets about eye-care, which will allow you to stamp your business name and address on them, may be available from your suppliers. Leaflets may also be available, at a cost, from The Eyecare Trust.

You may choose to keep in touch with patients on a regular basis through a newsletter or other form of communication. If you do choose to market your services directly to patients, in this or any similar way, you may need to register with the Information Commissioner under the Data Protection Act 1998 – see paragraph 40 for further details.

Professional advice on promoting your practice is available from specialist advisers. The AOP can put members in touch with specialists in this field.

Note that any advertisements or promotions must conform with the current *GOC Rules on Publicity* – see paragraph 16, above.

18. NHS List

If you are undertaking sight tests under the National Health Service, you will need to register with the appropriate authority (see paragraph 6, above). (In Northern Ireland, upon completion of a form for the CSA, you will be issued with an ophthalmic list number specific to Northern Ireland, which will entitle you to be paid for GOS work.)

The authority with which you register will want to inspect the practice, and a list of the authority's requirements should be sought at the design stage. The practice can open for business before the inspection has taken place. If necessary, the authority will provide NHS stationery prior to inspection.

If you intend to undertake NHS work in more than one area, you must register with the appropriate authority in each area you intend to undertake work.

The authority will provide you with the terms of service and may also provide you with copies of the legislation and regulations governing work on the NHS. If you are not provided with these, you should request them.

19. Professional Standards

Standards of professional ethics in optometry are set by the College of Optometrists. Similarly, ABDO sets standards for dispensing optics. Where

ethical standards are broken the College and ABDO may each take action against its own members, and the GOC may take disciplinary action against any registered optician or enrolled body corporate.

The College's code of ethics requires an ophthalmic optician always to place the welfare of the patient before all other considerations, and to behave in a proper manner towards professional colleagues so as not to bring them or the profession into disrepute. ABDO has similar guidance for its members.

The GOC expects all registered opticians to maintain the highest standards in all of their professional activities.

In addition to setting out ethical standards for the profession the College of Optometrists produces guidelines for optometrists on practice matters. This "best practice" advice covers areas including routine eye examinations, examining patients with diabetes mellitus and patients at risk from primary open angle glaucoma, examining young children and older patients, and domiciliary eye examination. Similarly, ABDO produces guidelines on professional standards for dispensing opticians.

The GOC can, in some cases, offer advice so long as, in all the circumstances, the independent role of the GOC in dealing with any potential complaint is not prejudiced.

20. Equipment

Practice equipment falls broadly into two categories, administrative and clinical. Equipment for administration, e.g. chairs, desks, computers, cupboards, drawers and stationery, is a matter of choice and is appropriate to the style of the practice. Clinical equipment, however, falls into three categories: essential, desirable, and optional.

The College of Optometrists offers guidelines suggesting equipment which should be available for use in eye examinations and dispensing. You should refer to the current guidelines.

The AOP can also answer members' enquiries about equipment.

21. Practice Computers

It is unlikely, nowadays, that anyone would wish to manage a professional practice without a computer. Apart from handling patient recall, the computer can be used for a range of tasks including correspondence, invoicing, receipts, ordering, stock control and accounts. Increasingly computers will be used for direct communications with the outside world through e-mail and the internet.

A practice computer may eliminate the need for specially printed forms (see paragraph 22, below). The key items of stationery which may be printed on the computer are letterheads, compliments slips, and appointment reminders.

In choosing a computer you need to ensure that the hardware and software will do exactly what you want them to do. It is a good idea to write down a list of everything that you want your computer to do – patient recall, patient records, accounts, etc. Once you have your list you should contact computer suppliers, preferably those which have some experience in supplying optometrists and dispensing opticians. These will often be found through their advertisements in *OT* and *Optician*. Ask the suppliers whether they can supply the equipment (and, if necessary, training) to meet your needs. If they indicate that they are able to do so, you should then ask them if you can speak to any of their optometrist or dispensing optician clients who are using the same equipment (hardware and software). In talking to your colleagues who have experience of the computer you are thinking of buying you should learn about the day to day practicalities of using the system, and this should provide some valuable information to help you decide about your purchase.

See also paragraph 40, below, regarding the requirements of the Data Protection Act 1998 when using computers and other equipment which may store data electronically.

22. Stationery, forms, appointments' diary, and day-book

You will require stationery and forms for the practice. These should include:

- forms GOS 1 (Application for NHS sight test), GOS 2 (Patient's optical prescription or statement), GOS 3 (NHS optical voucher and patient's statement), GOS 4 (NHS optical repair/replacement voucher application form), GOS 5 (private sight test voucher application) to conduct eye examinations under the NHS, and form GOS 18 (patient referral form). These are available from your local health authority;
- form HC 1 (*Claim for help with health costs*) to allow patients who are eligible to claim for help with health costs – these are available from your local health authority and also from the Post Office and the social security office or an NHS hospital;
- a means of keeping patient records, e.g. record cards covering patients' personal details, together with detailed clinical and dispensing records. Suitable record cards are available from the AOP. [Note: Patient records may be kept on computer as an alternative to maintaining manual records, although some practitioners may wish to keep manual records as a back up.]; and,
- private eye examination request and results form.

Additional stationery, e.g. paper and envelopes for correspondence, receipts and invoices, will be required to conduct the day-to-day business of the practice, and may be designed as an effective tool to promote the practice.

Where the practice is registered for VAT (see paragraph 59), all the stationery used for financial transactions, e.g. invoices and receipts, must include the VAT registration number.

Where the practice is run as a partnership the business letter paper, order forms, invoices, receipts, and written demands for payment should include the name of each partner (there is a qualified exception to this if there are more than 20 partners) and the address for service of legal documents in the United Kingdom.

If the business is run as a limited company the registered name must appear on all business letters, notices, cheques, orders for money or goods, invoices, etc. Letters and order forms must also specify the place of registration of the company and its registration number, the address of its registered office, and that it is a limited company, if the word "limited" does not appear as the last word of the name.

Appointments' Diary. An appointments' diary should be maintained. If this is kept on computer, e.g. in conjunction with a computerised recall system, it is in the practitioner's interest to ensure that adequate back-up is maintained so that in the event of computer failure appointments are not lost, either permanently or temporarily.

Daybook. Even with a computer, many practices also have a 'day-book' to record appointment times, amounts spent by patients, and other practice management information.

23. Suppliers

Information on suppliers will be found in *Optical Yearbook* published each December by Reed Business Information Limited available free with *The Optician*. Information will also be found in advertisements in *OT*, *The Optician*, and other professional publications.

24. Notices to be displayed

There are statutory requirements for certain notices to be displayed. These relate particularly to health and safety matters, public liability insurance, and the ownership of the business. For guidance on these consult the AOP or your solicitor.

25. Glazing spectacles (cut, edge and fit lenses) on your premises

You will need to register with the Medicines and Healthcare products Regulatory Agency if you glaze spectacles (i.e. cut, edge, or fit lenses) on your premises; or sell spectacle frames or lenses manufactured outside the EU under your own name. For further information see paragraph 39, below.

26. Contracts

In the course of your practice you will be entering into contracts. A contract is a legally binding agreement which will be enforced by the Courts. A contract need not be evidenced in writing in order to be valid. [One exception to this is that a contract for the purchase of land, other than in Scotland, must be

evidenced in writing.] The intention of the parties to enter into an agreement – an offer by one party which is accepted by the other party – will be sufficient for a legally binding contract. However, it is advisable (and in the interests of all parties to the agreement) to have written contracts as proof of contractual agreements. The examples below indicate some of the parties with whom you may enter into contracts.

If you own your practice, in addition to entering into a contract for the purchase or lease of the premises, you may enter into contracts with employees (contracts of service) and locums (i.e. self-employed optometrists working in your practice – these contracts are known as “contracts for services”), the NHS, suppliers and patients.

Locums. If you are a locum optometrist you will have a contract for services with each of the firms with which you are working, you may also have contracts with different PCTs.

A specimen contract of employment and contract for services is set out in the *AOP Members Handbook*.

Suppliers. You are recommended to seek independent legal advice upon the agreement if you intend to enter into a contract for the purchase or hire of any expensive piece of equipment, or a contract which commits you over a long period of time.

Buying groups. You may enter contracts with one or more buying groups to supply you with products, in order to take advantage of the lower prices through the bulk-purchasing opportunities available to such groups.

Patients. You are not obliged to see people and you can refuse an appointment to anyone, so long as your reasons for doing so have nothing to do with the person’s race or sex, or any disability that the person may have.

When a patient makes an appointment with you, you are entering into a contract with the patient to provide an eye examination. If the patient fails to arrive for the appointment, s/he will be in breach of the contract. You would be entitled to make a charge for this breach of contract, if you had made this known to the patient before or at the time the appointment was made.

You could be in breach of contract if, having made an appointment, you refused to see the patient. The most common reasons for refusing to see a patient are where the patient is:

- 1) late (too late to be accommodated without further disruption to the practice or inconvenience to other patients);
- 2) unfit to be examined (usually intoxicated or under the influence of drugs);
or,
- 3) in need of a bath.

An optometrist refusing to see a patient for any of these reasons is unlikely to be in breach of contract but, in such circumstances, the patient may be in breach of contract.

The best way to avoid problems arising from such circumstance may be to have a written patient charter prominently displayed in the practice. The National Health Service requires optometrists seeing NHS patients to have such a charter.

Dispensing. If you do not make up your own prescriptions, you will enter into contracts with prescription houses to dispense your prescriptions.

NHS/PCT. If you are not running an entirely private practice, you will also enter into contracts with the NHS/PCT.

Public Utilities. You will also enter into contracts with the providers of public utilities – electricity, gas, telephones, water, etc.

Occupational Examinations. You may have a contract (or contracts) with local firms to undertake occupational examinations for their employees, e.g. VDU users.

Eye-care vouchers. You may also accept eye-care vouchers and thereby enter into a contractual relationship with Accor Corporate Services UK Ltd, the providers of eye-care vouchers.

27. Staff: Recruitment, duties, appointment, training, pre-registration students, and foreign optometrists

The DTI and ACAS publish booklets on employment topics including a number of subjects mentioned under this heading.

Before recruiting staff – both professionally qualified and non-qualified – you should have an idea of what you are looking for, both in terms of the person and the job you wish them to undertake. To clarify these it is advisable to draw up specifications for both. The person specification should relate to the qualifications and experience of candidates, without reference to their race or sex. The job specification should specify the job title and detail the duties to be undertaken in the job, salary, hours of work, etc.

Discrimination. In recruiting staff you must not discriminate on the basis of race, sex, or disability. Care must be taken in respect of this because such discrimination may not be deliberate, but it may be inadvertent.

Finding candidates. Once you are clear about the person you are looking for and the job you wish them to do, how do you find your candidates? Generally, this will be done through advertising, word-of-mouth, or through an agency.

Advertising for unqualified staff will usually be done locally by placing an advertisement in the local press. When advertising for qualified staff, an advertisement in an optometry journal is an option.

Recommendation, or word-of-mouth, is another way of recruiting staff. It should be noted, however, that in some circumstances this form of recruitment could fall foul of the laws against racial or sexual discrimination, e.g. if your contacts were predominantly of one racial group you may be less likely to have candidates from other racial groups recommended for the post you are seeking to fill.

Employment agencies may be able to meet your recruitment needs. There are specialist agencies to provide qualified staff for permanent, temporary and locum positions. Details of such agencies will be found among the recruitment advertisement pages of some optometry journals. Unqualified staff may be found through jobcentres or more generalist recruitment agencies, details of which will be found in *Yellow Pages* or other phone/local directories under "Employment agencies", "Personnel consultants" or similar titles.

Interviewing candidates. The interview is best carried out in circumstances where the candidate will be at his/her ease, and where you will be uninterrupted. The interviewer should explain the duties of the post to the candidate and concentrate on the candidate's ability to do the job, i.e. qualifications, experience and personal qualities. You may also wish to learn a bit more about the candidates by asking them about their hobbies and interests. However, you should steer clear of questions relating to a candidate's race or sex, to avoid accusations of racial or sexual discrimination. (Questions relating to religious practices and customs, and, when interviewing women candidates, whether they are intending to have children, are examples of questions to steer clear of to avoid such accusations.)

Criminal records disclosure. The nature of the work and training for jobs in optics will in many cases require the disclosure of criminal convictions. Criminal records disclosure services have been introduced in England and Wales and Scotland and Northern Ireland to allow detailed criminal records checks to be undertaken in order to assess the suitability of applicants for positions where they are likely to come into contact with children and vulnerable adults.

Employers can carry out checks through the appropriate disclosure service in order to assess the suitability of job candidates for the posts applied for. Undertaking these comprehensive checks should protect the interests of both vulnerable patients and the employer. For the contact details of your national criminal records disclosure service, see organisations listed under Criminal Records Disclosure Services, under "Useful Addresses" in Section 7, below.

Appointment. Following the interview you should inform all candidates – successful and unsuccessful – of the outcome. This is usually done in writing, although, following the receipt of favourable references, including a criminal records check, the successful candidate may be telephoned and a written confirmation of the appointment sent thereafter. The successful candidate should be informed of the date s/he is expected to start work and you may wish to send a written contract with the letter of appointment. (Employers often send two copies of the contract, one for the employee to keep and the other to

be signed and returned to the employer.) If a written contract of employment is not given within two months of the start of employment, within that time the employee must be provided with a written statement of particular terms of the contract. Details of these are to be found in the *AOP Members Handbook*. A specimen Written Statement of Employment Particulars (PL700) is available from the DTI.

It is becoming increasingly common for those candidates who have been unsuccessful in their application to ask for the reasons why they were not offered the job. Whilst it can be extremely helpful in their search for a job for candidates to be told how they came over at the interview, and the reasons why they were not appointed, it may be advisable not to be too specific in answering such questions, in order not to become engaged in a dialogue about your decision.

Training. You will wish to train your staff in your practice procedures. You may wish to learn different procedures which may benefit your practice, e.g. from staff who have worked in other practices. Your staff will find themselves more valued and appreciated if you are willing to listen to any suggestions they may have. In addition you may wish to provide external training for staff, not only to enhance their performance at work, but also to make them feel more valued and appreciated. This may range from providing reception skills training for reception staff to CE courses for qualified staff.

Pre-registration optometrists. If you are an optometrist who has been registered with the General Optical Council for not less than three years 9 months, you may be permitted to employ a pre-registration student, who must be supervised for at least one year after graduation before qualifying as an optometrist. The College of Optometrists sets out guidelines for the supervision of pre-registration students, and rates of pay are set by the Optical Fees Review Committee. A grant is available to optometrists, through the PCT, in respect of pre-registration students under their supervision. Contact the College for copies of the Guidelines and the AOP for details of the current rates of pay and grant.

Pre-registration dispensing opticians. A pre-registration dispensing optician may be supervised by an optometrist or a dispensing optician who has been qualified for two years. The training is undertaken under the auspices of ABDO, whom you should contact for further information.

Foreign optometrists. In order for someone to practise (and therefore be employed) as an optometrist in the United Kingdom, their name must be currently registered with the General Optical Council and appear on *The Opticians Register*. If you wish to employ people from abroad as optometrists, in addition to ensuring that they are registered with the GOC, you will also need to ensure that they have a valid work permit or, if they have not, apply to Work Permits (UK) for a work permit on their behalf.

It is essential that your professional staff have their own professional indemnity insurance ("PI") cover, which they will have automatically as AOP members.

28. Insurance

Practitioners should ensure that they have adequate insurance in respect of:

- Professional indemnity – to cover claims arising from allegations of negligence in relation to any ophthalmic professional matter. To protect the business owners should ensure that all qualified staff (optometrists, dispensing opticians, OMPs, etc) have their own professional indemnity insurance which will provide adequate cover, and that the practice is adequately insured in respect of the actions of unqualified staff, who should generally be under the supervision of qualified staff. Unqualified staff may be covered under the insurance of the qualified staff supervising them.
- Product liability – to cover claims arising from defective goods manufactured by the practice.
- Practice cover – for buildings, contents, money, accident or assault whilst at work, business interruption, etc.
- Employers' liability – to cover claims arising out of bodily injury or disease sustained by employees – see paragraph 52.
- Public liability – to cover claims made by members of the public in respect of injury or loss sustained (other than through professional negligence) as a result of visits to the premises or being in the vicinity of the premise (e.g. a business sign falling on a passer-by).
- Motor vehicle insurance – should cover business use, if travelling from one practice to another, or undertaking domiciliary visits. Ensure that instruments, frames, etc. being carried in the vehicle when you are working are insured. This should be either under the car or practice/locum insurance.

Practitioners may also consider taking out the following insurances:

- Personal medical insurance – to cover the practice in the event of illness of the proprietor or staff.
- Fidelity insurance – whereby the insurance company will ascertain the bona fides of your staff, and pay you in respect of the dishonesty of the staff, or other insured risk under the policy.

29. Public Relations and Complaints

As a matter of good public relations and maintaining goodwill it is vital that complaints against an optometrist are dealt with speedily and effectively, and the person in the best position to do this will be the optometrist. Complaints may be frivolous or unfounded. Notwithstanding this they will be important to the person complaining.

Complaints. Most complaints have commercial and professional elements. The commercial element usually involves money – a cost to the patient or a cost to the optometrist – and will be resolved through negotiation or, ultimately, through the courts, if the parties cannot resolve the matter through negotiation. However, as consumers, patients do have certain legal rights, e.g. relating to the quality of goods and services received. For further information on this see paragraph 45, “Sale of Goods and Supply of Services”, under Section 4, *Legislation*, below. Patients with contractual complaints should be referred to the Optical Consumer Complaints Service, if these cannot be easily resolved between the parties.

Far more serious than complaints of an essentially commercial nature are complaints relating to the professional competence of the optometrist. If not dealt with promptly and effectively these could lead to disciplinary hearings by the General Optical Council and ultimately to the optometrist being erased from *The Opticians Register* and losing his/her livelihood. It is essential that optometrists have PI cover to protect themselves against claims of negligence or professional incompetence. PI cover is a benefit of AOP membership, together with a system of handling claims which expedites the resolution of the complaint and minimises the difficulties and trauma which receiving such a complaint may cause the optometrist.

The NHS requires practices to have a complaints procedure for handling complaints relating to NHS matters. A booklet on the subject, entitled *Complaints – Listening ... Acting ... Improving: Guidance Pack for Optometrists*, issued by the NHS Executive, is available from the Department of Health Publications Distribution Centre or on the Department of Health’s website at www.doh.gov.uk/complaints/pbp-optometrists.PDF

SECTION 3: OPTOMETRIC PRACTICE

30. Eye Examination

[NB. *The eye examination is referred to as a “sight test” in statute, regulations, and by Government departments.*]

An optometrist is not obliged to see people and can refuse an appointment to anyone, providing there is no discrimination on the grounds of race, sex, or disability.

The AOP’s Sight Test Resource Pack gives practitioners a step-by-step guide to the implementation of a system of charging supplementary fees for procedures in order to provide a comprehensive eye examination beyond the minimum legal requirement for which practitioners are inadequately remunerated under the NHS. Copies of the Resource Pack may be obtained from the Association or the AOP website.

Upon completion of the eye examination you must, by law, give patients a copy of their prescription or, if spectacles are not required, a statement that spectacles, etc., are not required. It is illegal to require payment before issuing

the prescription or statement. Patients are entitled to take the prescription anywhere to have their spectacles made up. It is illegal for the practitioner who has undertaken the eye examination to require the patient to purchase his/her spectacles from the practice.

Where a patient is being fitted with contact lenses, a contact lens specification must be given to the patient upon completion of the fitting. This is when the optometrist is satisfied that the lenses are fitting properly and the patient is competent in handling them. If the patient has attended the practice for an eye examination and wishes to obtain the contact lenses elsewhere, the patient should be given the appropriate "direction to fit contact lenses" if the fitting practitioner is a dispensing optician and is known to the optometrist. If the fitting is not complete or the fitting practitioner (who is not an optometrist) is not known to the optometrist, the patient should be given neither the contact lens specification nor the direction to fit.

31. Domiciliary work

The College's *Guidelines for Professional Conduct* offer advice on domiciliary examinations. The standards of professional conduct and responsibility are no different from those in respect of patients seen in a practice. If an optometrist does not offer a domiciliary service, the patient, carer or GP should be able to obtain information on providers of domiciliary services from the Health Authority/Board.

Domiciliary visits are intended for the house-bound patient only as the optometrist will be restricted in the equipment available and the type of assessment provided. The domiciliary service should not be used for patients who are able to attend a practice for examination. The optometrist should encourage them to do so.

College guidelines offer advice on domiciliary eye examinations.

Since the majority of patients receiving domiciliary visits are likely to be elderly, the optometrist may wish to offer low vision assessment and advice, guidance on illumination, and visual counseling. It is important to be aware of whatever additional local services might be available.

Where domiciliary visits are made to residential homes the optometrist should be aware that some residents may already be established patients of other practitioners. The College advises, as a matter of professional conduct and ethics, that these patients should be encouraged to remain under the care of the existing practitioner.

Where domiciliary visits are undertaken on the NHS a claim for payment for the visit is submitted to the appropriate authority (see paragraph 6, above) together with the claim for payment for the sight test.

If the visit is by private arrangement between the optometrist and the patient, the patient will pay in the normal way.

32. Patient Referral

The General Optical Council Rules relating to Injury or Disease of the Eye set out the circumstances in which an optometrist should refer a patient to a medical practitioner and the actions to be taken in doing so. The College's *Guidelines for Professional Conduct* also offer advice on the subject.

The NHS Terms and Conditions also set out criteria for referral for practitioners working under the NHS.

33. Patients' Records

It is essential that optometrists keep clear, concise and comprehensive records of their dealings with patients. Records should include the patients' personal details as well as clinical and dispensing records in respect of eye examinations and supply of vision aids, and copies of all correspondence, including referrals. The records may be kept on paper or on computer. If records are kept on computer you will need to notify the Information Commissioner – see paragraph 40, below. Model record cards are available from the AOP.

Patients, and other specified persons, are allowed access to their records under the Data Protection Act 1998. The representatives of deceased patients and other specified persons are allowed access to the records of the deceased patient under the Access to Health Records Act 1990. Further information on access to patient records is set out in the *AOP Members Handbook*.

34. Use of Therapeutic Drugs

- written orders, emergencies and patient group directives

The Medicines Act 1968, and Statutory Instruments made under the Act, make provisions with respect to the sale and supply of all medicinal products. The legislation regulates optometrists in their use, sale and supply of certain drugs in their dealings with patients. Optometrists, in the course of their practice, will find Statutory Instrument 1830/1997, schedules 5 & 6 most relevant. Schedule 5 allows optometrists to issue their patients with a written order, to be filled by the pharmacist, for those prescription only medicines (POMs) which are listed in the schedule. Schedule 6 lists the POMs which optometrists can sell or supply direct to the patient, in the course of their normal practice and in an emergency. Patient Group Directives can also be used by optometrists. These are patient and condition specific, allowing optometrists to issue a written order to a named individual for a specific condition. The directives will have been agreed in advance by the other healthcare professionals involved in that patient's treatment and will need to be signed by the GP and optometrist before presentation to the pharmacist.

The Optometrists' Formulary details the drugs which optometrists can use in the course of their daily practice and in relation to the relevant Statutory Instruments regarding emergencies and POMs. The College provides its members with a copy of the Formulary, details of which can be obtained from them.

35. Occupational Vision Standards

Particular standards of vision may be specified for some jobs, occupations, or recreational activities. Guidance on vision standards is available from the AOP and is set out in the *Members Handbook*. Guidance may also be obtained from bodies representing the occupation or recreational activity which the patient wishes to pursue.

36. Eye protection

Employers have a duty to look after the health and safety of employees. The general duty under the health and safety legislation (see paragraph 56) in respect of an employee's eye protection is supplemented by regulations in respect of specific occupations.

Where you have a workshop on the premises to make spectacles, you should ensure the safety of your employees when using the workshop equipment. This is particularly relevant to eye protection where machinery is used for cutting and grinding. The safety of the machinery is paramount, and only if the equipment does not have its own inherent safety devices, e.g. guards and/or covers, to prevent particles being ejected and possibly hurled into the operator's eye, need eye protection be provided.

The optometrist should also be aware of the eye protection appropriate to particular occupations and activities. For some occupations, e.g. welding, eye protection is essential. However, for many such occupations the use of eye protectors should be seen as a last resort, i.e. all other steps should be taken

to minimise the risk to the worker's/participant's eyes before resorting to eye protectors.

The AOP is able to advise members on eye protection required for, or appropriate to, specific occupations or activities. See the *AOP Members Handbook*.

37. British and European Standards

There are a number of standards issued by the British Standards Institution (BSI), the International Organisation for Standardisation (ISO), and the Comité Européen de Normalisation (CEN). These set standards for instruments, lenses, personal protective equipment, display screen equipment, quality systems and other miscellaneous items which are relevant to optometric practice.

The use of standards is voluntary unless made mandatory under legislation, although they may be incorporated into contracts either verbally or in writing. However, where reliance is to be placed upon the quality of goods or services supplied, in respect of which a recognised standard exists, there will be a presumption in favour of the standard, and the person seeking to rebut the presumption should have cogent reasons why the goods or service should not meet the standard.

A list of the standards relating to optometric practice is to be found in the *AOP Members Handbook*. Details of all such standards (including European standards), and whether or not they have been amended or superceded, are available from the BSI, and the Standards may be purchased from the Institution.

SECTION 4 - LEGISLATION

38. Opticians Act 1989 and related Regulations and Orders

The Opticians Act 1989 governs the role and activities of the General Optical Council, the training, qualification and registration of opticians, and the conduct of disciplinary proceedings. The Act also lays down restrictions on the testing of sight, fitting of contact lenses, sale and supply of optical appliances, and the use of titles and descriptions.

In addition to the Opticians Act, there are a number of Regulations and Orders relating to optometric practice which have the force of law. These include the Sight Testing (Examination and Prescription) (No. 2) Regulations 1989 and the Sale of Optical Appliances Order of Council 1984.

39. Medical Devices Regulations 2002

By supplying prescription spectacles to your patients, you pursue one or more of the following activities:

- 1) subcontract your glazing to a prescription house; or,
- 2) glaze (i.e. cut, edge and fit) finished lenses into frames on your premises; and/or,
- 3) surface semi-finished lens blanks on your premises; and/or,
- 4) import spectacle frames or lenses manufactured outside the EU, to market them under your own name.

If you do 2, 3, or 4 above, you must register with the Medicines and Healthcare products Regulatory Agency (MHRA). All goods must be CE marked for sale in the EU.

In addition to registering with the MHRA you will have to establish appropriate methods of internal control and inspection, and supply relevant information to users.

If you sub-contract your glazing to a prescription house, you do not have to register with the MHRA.

Further information on the requirements under the Regulations is available from the AOP or MHRA.

40. Data Protection Act 1998

The Data Protection Act 1998 governs the handling and use of information about living, identifiable individuals (“personal data” – which can be as little as a name and address) held by “data users”, i.e. those who control the contents and use of a collection of personal data. The Acts give “data subjects” (the individuals to whom the personal data relates) the right of access to information held about them, whilst requiring those who record and use personal information to be open about that use and to follow proper practices. In giving data subjects access to data held on them the act governs patients’ access to their medical records, while access to the records of deceased patients is governed by the Access to Health Records Act 1990, which governs written records made on or after 1st November 1991.

The Data Protection Act 1998 sets out eight enforceable principles of good practice with which anyone processing personal data must comply. They say that data must be:

- fairly and lawfully processed;
- processed for limited purposes;
- adequate, relevant and not excessive;
- accurate;
- not kept longer than necessary;
- processed in accordance with the data subject's rights;

- secure;
- not transferred to countries without adequate protection.

These principles must be adhered to by people who process data manually and on computer.

Where optometrists and dispensing opticians, as “data users”, keep certain information on patients on computer they must notify the Information Commission and pay an annual notification fee (£35 in 2004). Where the information held on computer is simply patients’ names and addresses, data users do not have to notify the Information Commission, as the information is exempted from notification. Where the data held on computer has information relating to the patient’s eyes or health, data users should notify the commission. The requirement to notify also applies where other information on the patient is held digitally, e.g. the record of a field screening test or a photograph of a patient’s eye. One further requirement for notifying the Information Commission is where CCTV is in operation. If you are uncertain whether you should notify you should contact the Information Commission and seek their advice.

Failure to notify the Information Commission is a criminal offence punishable with a fine. Registration must be renewed annually.

Details on whether you have to register and an application form for registration are available from the Information Commission.

41. Access to Health Records Act 1990

Access to Health Records Act 1990 covers access to health records on behalf of deceased patients. Specified categories of people are entitled to have access to the deceased patient’s health records. Details of this entitlement are set out in the *AOP Members Handbook*.

42. Copyright royalties for public performances of music and television

If you play copyright music in public, e.g. in the retail area, whether through television, radio, CD/tape player, or by any other means, you will need a licence from MCPS and PRS. Similarly, you will need a licence from MCPS and PRS if you have music on a telephone system.

If you play any sound recordings (e.g. CDs, tapes, or records) in public you may also need a licence from the Phonographic Performance Ltd.

You will also need to obtain a television licence if you have a television in the public area of your practice. For information on how to obtain a television licence for your practice contact telephone 0870-241 64 68 or e-mail [**tvlicsc@capita.co.uk**](mailto:tvlicsc@capita.co.uk)

43. Disability Discrimination Act 1996: Services

The Disability Discrimination Act 1996 makes it unlawful to discriminate against disabled people in providing access to goods and services to customers. Guidance on rights of access to goods, facilities, services and premises is available from the Disability Rights Commission.

44. Freedom of Information Act 2000

Under the Freedom of Information Act 2000 optometrists, as “public authorities”, may be required to have a registered “Publication Scheme”. The purpose is to provide access to specified information held by “public authorities”. The Association of Optometrists can advise members on whether they are required to have a Publication Scheme and can provide a model publication scheme where necessary. Further guidance on the Freedom of Information Act 2002 is available from the Information Commission.

45. Sales of Goods and Supply of Services

The sale of goods and supply of services are governed by the specific terms of the contract between the practice and the patient. However, Acts of Parliament, specifically the Sale of Goods Act 1979 and the Sale and Supply of Goods Act 1994, imply terms into a contract which may override the contractual terms in respect of the sale of goods. Notably, the goods should correspond with their description, be of satisfactory quality, and be fit for their purpose.

Similarly, the Supply of Goods and Services Act 1982 implies into a contract for a service, where the supplier is acting in the course of a business, that the supplier will carry out the service with reasonable care and skill. This will govern optometrists generally in respect of eye examinations, but if the consumer (in our case the patient) has any complaint in respect of an eye examination, this is a very serious matter, in respect of which please see para 29, above.

If the consumer’s complaint is in respect of any other aspect of service, e.g. repairs to spectacles, s/he may have a legal remedy under the 1982 Act, if the service is unsatisfactory. Similarly, if goods supplied are not of satisfactory quality, the customer may have a claim under the 1979 and/or 1994 legislation, if the unsatisfactory nature of the goods is brought to the seller’s attention within a reasonable time.

46. Trade Descriptions Act 1968

Under the Trade Descriptions Act 1968 anyone who sells goods or provides services in the course of a trade or business can be prosecuted for making misleading statements about them. Misleading information, whether spoken, written or pictorial, may constitute an offence under the Act. Most examples will be where the price or provenance of goods, or the cost and range of services are incorrect. Prosecutions are usually brought by Trading Standards Officers, and the Act allows certain defences to be raised, e.g. genuine mistake.

47. Consumer Credit Licence

You may wish to offer your patients/customers credit facilities where, for example, they purchase higher value products from you. You may offer credit directly to your customers or through a third party. In either case you may have to register with the Office of Fair Trading (OFT) by applying for a Consumer Credit Licence.

You should not require a consumer credit licence where the patient pays for the goods or services in four instalments or less over a period of up to one year.

Details of the requirements for holding a Consumer Credit Licence and an application form are available from the OFT Consumer Credit Licensing Bureau. Further information about offering consumer credit facilities are available from the AOP.

48. Price Display

Under the Consumer Protection Act 1987 it is an offence to give consumers a misleading indication as to the price at which goods and services are available. This offence, which applies to businesses only, is similar to offences under the Trade Descriptions Act 1968, but under the 1987 Act imprisonment is not sanctioned as a penalty.

The Price Marking Order 1999 (SI 1999/3042) sets out how the prices of goods must be displayed. A guidance note on the Order is available from the dti.

The Price Indications (Method of Payment) Regulations 1991 allow you to make differential charges for goods and services where payment is made by credit card. To do so you must state the difference between prices charged when payment is made by credit card, cash, or cheque. The statement must appear at each public entrance to the premises and at points where payments are made. In practice, very few businesses operate differential pricing.

49. Employment Rights Legislation

The law governing employment is mainly to be found in the Employment Rights Act 1996 and associated legislation. This covers matters such as providing a written statement of main terms and conditions of employment, itemised pay statements, and dismissal and redundancy.

Advice on employment matters may be obtained from the Advisory, Conciliation and Arbitration Service (ACAS), which also issues a range of advisory publications.

Further explanatory booklets on employment topics are available from dti Publications.

The AOP *Members Handbook* has information on employment topics, including model contracts of employment for optometric practices.

50. Employment rights on the sale and purchase of a business

When a business changes hands as a going concern, the new employer takes over the employment liabilities of the former employer. This should be borne in mind if you are purchasing an existing practice. Further details are given in the leaflet *Transfers Of Undertakings* (PL699 Rev 6) a guide to the regulations available from the dti.

51. Disability Discrimination Act 1996: Employment

The Disability Discrimination Act 1996 makes it unlawful to discriminate against disabled persons in the field of employment. Guidance is set out in a Code of Practice, which is available from the Stationery Office. Free leaflets on the Act are available from the Disability Rights Commission and information will also be found on the Department for Work and Pensions Disability Unit website at: www.disability.gov.uk/dda

52. Employers' Liability Insurance

With few exceptions employers are required under the *Employers' Liability (Compulsory Insurance) Act 1969* to insure themselves against liability for injury or disease sustained by employees in the course of employment. This is a matter to raise with your insurance company or broker. General guidance is available from the Health and Safety Executive and HSE Books.

53. Equal Pay Act 1970

Under this Act it is illegal to discriminate between men and women in regard to pay and other terms of the contract of employment. A Code of Practice on the Act and a guide to the Act is available from the Equal Opportunities Commission.

54. Race Relations Act 1976

This Act makes racial discrimination unlawful in the recruitment and treatment of employees and in the provision of services, facilities and goods. A guide to the Act is available from the Commission for Racial Equality and from some local Jobcentre Plus offices.

55. Sex Discrimination Act 1975

This Act makes it unlawful to discriminate between men and women in many matters relating to recruitment and treatment of staff. Guides to the Act are available from the dti, Jobcentre Plus offices, the Equal Opportunities Commission and the Commission for Racial Equality.

56. Health and Safety at Work

The *Health and Safety at Work etc. Act 1974* requires all employers to operate a safe system of work. The *Workplace (Health Safety and Welfare) Regulations*

1992, lay down certain requirements as to safety, cleanliness, ventilation, lighting, washing facilities, etc., in premises.

The *Health and Safety at Work etc. Act 1974* requires an employer employing five or more people to draw up a written statement or policy regarding the health and safety at work of the employees, setting out the organisation and arrangements for carrying out that policy. Guidance notes on the Act and notes for use by employers in drawing up their policy statements are available from Health and Safety Executive.

The *Health and Safety Information for Employees Regulations 1989* (S.I. 1989/682), issued under the Act, require all employers to provide health and safety information to their employees, either displayed in the form of a notice or distributed in the form of a written notice or leaflet. Copies of the notice and leaflet are available from the Stationery Office.

The *Control of Substances Hazardous to Health Regulations 2002* (SI 2002/2677), often referred to as COSHH, require employers to assess the risks arising from the use of hazardous substances. In the optometric practice these may include methylated spirit or acetone, de-coater or coolant oil, aerosol containers which are inflammable and explosive if subjected to heat, and toilet cleaner. The assessment should be recorded and kept with the employer's policy statement on Health and Safety at Work (see above) so that it can be shown on any authorised enforcement officer upon request. *A step by step guide to COSHH assessment* is available from HSE Books.

The *Health and Safety at Work (First Aid) Regulations 1981*, specify first aid arrangements to be made by employers. Information on the Regulations is available from HSE Books.

The *Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995*, require the reporting of certain injuries, etc. Guidance on the Regulations is available from the Health and Safety Executive and HSE Books.

Health and safety legislation is broad and far-reaching. We have cited above only a few examples of the legislation. For more detailed information contact the Health and Safety Executive or the AOP.

57. Fire Precautions and Fire Certificates

The *Fire Precautions Act 1971* and related legislation set out those workplaces which require a fire certificate.

General safety legislation applicable to fire imposes a duty on every employer to provide as much information, instruction, training, and supervision as is necessary to ensure the safety of employees. This will include assessment of fire risks (and minimising fire hazards), conduct of regular practice fire drills, and the posting of fire instruction notices showing the location of fire alarm points, fire extinguishers, and fire exits.

Information on fire safety and whether or not you are required to have a fire certificate may be obtained from your local fire authority or from fire safety or health and safety consultants. General information on fire safety is available from the Health and Safety Executive and HSE Books.

58. Income Tax and National Insurance Contributions

If you employ staff you will need to deduct income tax and National Insurance contributions from their pay under the Pay As You Earn (PAYE) system, unless their pay is below the statutory threshold; and, your own business income will be subject to taxation. Advice should be sought from an accountant or suitably qualified person. General information and advice may be obtained from your local Inland Revenue office.

Guidance on the payment of national insurance contributions is available from the Inland Revenue.

59. Value Added Tax (VAT)

If your annual taxable turnover exceeds a certain threshold (£56,000 in 2003, but liable to change), you must register for VAT. A general guide to VAT and registration, *The VAT Guide* (HM Customs and Excise Notice No. 700) is available from your local Customs and Excise office.

A VAT Information Sheet (number 8/99 June 1999) *Opticians: Apportionment of charges for supplies of spectacles and dispensing* is available from H M Customs and Excise. As its title suggests, it deals with the apportionment of VAT in respect of supplies of spectacles.

The AOP provides advice to members on VAT matters.

SECTION 5 - ORGANISATIONS IN OPTOMETRY AND OPTICS

The following list contains a brief outline of the role of a number of organisations representing and governing the optometric profession. (Their addresses are to be found in Section 7 of this guide.)

In addition there are many other organisations, including charities, representing particular groups of practitioners or patients, working in specialist areas in the optometric field, or offering specialist advice to groups and professionals, e.g. patients with particular disabilities. Many of these organisations are listed in the *AOP Members Handbook*.

60. Association of Optometrists (AOP)

The AOP is the national organisation representing optometrists in the United Kingdom on whose behalf it negotiates with government and other bodies whose activities affect the profession.

The AOP provides a range of benefits for its members who are optometrists in all modes of practice and dispensing opticians. Benefits include:

- malpractice insurance and professional support in respect of malpractice claims
- information and advice on the range of subjects which affect members in daily practise
- a range of professional and personal benefits and services.

The AOP *Members Handbook* is a comprehensive compendium of advice for optometrists. It is updated regularly and given free to members. The *Handbook* outlines the work of the AOP. It details the vision standards required for different occupations, and provides legal advice and other useful information. In addition it sets out a broad range professional and other services available through the AOP to members. The AOP website (www.aop.org.uk) publishes a lot of useful information and news for the profession.

61. Association of British Dispensing Opticians (ABDO)

ABDO represents qualified dispensing opticians, and provides advice and services to it members. It provides training by distance learning for those wishing to qualify as dispensing opticians and examines all trainee dispensing opticians. Its qualification FBDO is recognised by the GOC.

ABDO sets guidelines for its members and the profession on ethics and professional standards in dispensing optics. The General Optical Council may refer to these when taking disciplinary action against registered dispensing opticians. Enquiries on these guidelines should be addressed to ABDO, although the AOP may also be able to advise its members on the guidelines.

62. British Contact Lens Association (BCLA)

The BCLA is a non-political Association which seeks to advance study and research in the field of contact lens practice for the ultimate benefit of the public. Its membership is drawn from a range of disciplines and includes optometrists, dispensing opticians, ophthalmologists, and manufacturers. It provides a forum for the exchange and advancement of knowledge in the field of contact lenses and encourages teaching and research.

63. College of Optometrists (“The College”)

The College is the professional and examining body for optometrists. It sets the professional qualifying examinations, and develops and provides higher qualifications in specific areas of optometric practice. It has developed and provides a comprehensive profession-wide scheme for continuing education and training, sponsoring national and local training through its administration of the Directorate for Optometric Continuing Education and Training (DOCET). In addition to its academic role, the College promotes and maintains professional standards by the publication of guidelines for professional conduct and by developments such as local peer review and quality assurance for optometric practices.

64. Eyecare Trust

The Eyecare Trust exists to promote the benefits of eye care and regular eye examinations to the public and to be the public relations and media liaison arm of the optical industry and profession.

65. Federation of Manufacturing Opticians (FMO)

The FMO represents ophthalmic optical companies involved in all aspects of manufacturing, importing and wholesaling spectacles.

66. Federation of Ophthalmic and Dispensing Opticians (FODO)

FODO represents the business interests of registered opticians.

67. General Optical Council (GOC)

The General Optical Council is the statutory body which regulates the optical professions (optometrists and dispensing opticians). The GOC's main aims are to protect the public and promote high standards of professional conduct and education amongst opticians.

The Opticians Act 1989 details the GOC's powers and duties.

68. Institute of Ophthalmology

The Institute, which is part of University College, London, specialises in research in ophthalmology.

69. Institute of Optometry

The Institute of Optometry is an independent self financing charity, dedicated to the promotion of clinical excellence, research, and education in optometry.

70. Optical Consumer Complaints Service (OCCS)

OCCS is an independent body set up to settle complaints from members of the public who are not satisfied with the optical services received in an optical practice.

71. The Sight Care Group

Business support organisation for independent practice owners offering a wide range of tangible benefits to help practices improve efficiency, effectiveness and ultimately profitability in a highly competitive environment.

It is a 'not for profit' organisation in which members automatically become shareholders of the company and thereby have an opportunity to help shape its future through a democratically elected Board of Directors. Membership is open to optometrists and dispensing opticians who are members of the Association of Optometrists.

SECTION 6 – PROFESSIONAL PUBLICATIONS AND WEBSITES

It is helpful to read at least one of the professional journals in order to keep in touch with matters affecting optometry. It is suggested that, among these, the most useful to you in running your own practice will be *OT*, *Optician* and *20/20 Europe*. However, a more comprehensive list is provided below for your information. The Optometry Mailbase on the internet also provides a forum for dialogue and the exchange of professional information.

72. Association of Optometrists' Members Handbook

Compendium of advice for optometrists, the *Handbook* is only available to AOP members. It details occupational vision standards and contains information on legal and other matters to assist practitioners. It also lists services available to AOP members to assist them in their work and outside of work.

Provided free of charge to AOP members.

73. British Journal of Ophthalmology

Papers from clinicians and laboratory workers in ophthalmology. Plus reviews and discussion papers.

Published monthly. Available on subscription. For subscription rates contact subscription department below or visit the journal's website.

BMJ Publishing Group Ltd, BMA House, Tavistock Square, London, WC1H 9JR
web: bjo.bmjournals.com

Subscriptions tel. 020-73 83 62 70 Subscriptions fax: 020-73 83 64 02
Subscriptions e-mail: subscriptions@bmjgroup.com

Editorial office: *British Journal of Ophthalmology*, Division of Ophthalmology,
Bristol Eye Hospital, Lower Maudlin Street, Bristol, BS1 2LX
Tel. 0117-929 44 96 Fax: 0117-929 46 07
e-mail: anne.williams@bristol.ac.uk

74. *British Orthoptic Journal*

Orthoptics, binocular vision, ocular motility, paediatric ophthalmology, neuro ophthalmology, visual assessment in children, strabismus.

Published annually (June) @ £50 + p&p (2004). Available from:

British Orthoptic Society, Tavistock House North,
Tavistock Square, London, WC1H 9HX

Tel. 020-73 87 79 92

Fax: 020-73 87 25 84

e-mail: jane.heany@orthoptics.org.uk

web: www.orthoptics.org.uk

75. *C E Optometry*

Continuing education journal for optometrists, opticians, orthoptists, and optical technicians, with College of Optometrists' approval for CPE credits on many articles.

Published tri-annually. Subscription £45 per annum [2003].

Available from Rila Publications, 73 Newman Street, London, W1A 4PG

Tel. 020-76 31 12 99

Fax: 020-75 80 71 66

e-mail: admin@rila.co.uk

web: www.rila.co.uk

76. *Current Eye Research*

Provides rapid publication of full papers, short communications and mini-reviews covering clinical research, anatomy, physiology, biophysics, biochemistry, pharmacology, developmental biology, microbiology and immunology of the eye.

Published monthly. Annual subscription (2004): €965.00. Available from:

Extenza-Turpin

Blackhorse Road, Letchworth, Hertfordshire, SG6 1HN

Tel. 01462-67 25 55

Fax: 01462-48 09 47

e-mail: subscriptions@extenza-turpin.com

web: www.extenza-turpin.com

77. *Current Opinion in Ophthalmology*

Perspective from world literature on the most important advances in ophthalmology. Editorials and reviews cover subjects including cataract surgery and lens implantation; glaucoma; retina and vitreous disorders; corneal and external disorders and refractive surgery; oculoplastic and orbital surgery; strabismus; neuro-ophthalmology; and ocular manifestations of systemic disease. Renowned guest editors focus on one or two topics in every issue.

Published bi-monthly. Annual subscription (2004): US\$327.00. Available from:

Lippincott Williams & Wilkins: web: www.lww.com/products/?1040-8738

78. *Dispensing Optics*

The professional journal of the Association of British Dispensing Opticians.

Published nine times a year. Annual subscription (2004): £60. Available from:

ABDO Publications Ltd, 1B Eridge Road,
Crowborough, East Sussex, TN6 2SJ
Tel. 01892-66 76 26
e-mail: do@abdo.uk.com

Fax: 01892-66 85 47
web: www.abdo.org.uk

79. *Experimental Eye Research*

Original research on anatomy, physiology, biochemistry, pharmacology, microbiology and immunology of the eye.

Published monthly. Annual subscription (1998): £790 (£146 to ARVO members). Available from:

Elsevier, P.O. Box 211, 1000 BG Amsterdam, The Netherlands

Tel. +31 20 485 35 37

Fax: +31 20 485 34 32

e-mail: nlinfo-f@elsevier.com

web: www.elsevier.com

80. *Eye* (formerly *Transactions of Ophthalmological Societies of the UK, 1880*)

Reports, transactions and proceedings, ophthalmology and opticians.

Published bi-monthly (February, April, etc).

Annual subscription (2004): £218. Available from:

Royal College of Ophthalmologists, 1 Cornwall Terrace, London, NW1 4QW

Tel. 020-78 43 48 74

Fax: 020-78 43 49 98

e-mail: heidi.packer@rcophth.ac.uk

web: www.rcophth.ac.uk

81. *Monoptica*

On-line information for optometrists, dispensing opticians and students of optometry and dispensing optics.

25-29 Queen Street, Maidenhead, Berkshire, SL6 1NB

Tel: 01628 77 39 18

web: www.monoptica.com

82. *Ophthalmic and Physiological Optics*

An interdisciplinary journal covering pure and applied visual sciences, with particular emphasis on topics of importance to optometrists.

Published bi-monthly on-line at the College's website. Available free of charge to College members and pre-registration trainees.

Paper version available on request/ Contact the Communications Department:

College of Optometrists, 42 Craven Street, London, WC2N 5NG
Tel. 020-78 39 60 00 Fax: 020-78 39 68 00
e-mail: optometry@college-optometrists.org web: www.college-optometrists.org

83. Optical Product Card

Direct mail product cards.

Published three issues annually (March/April. June/July and September/October).
Available free of charge from:

Product Card Promotions
Tatton House, 11 Old Hall Road, Gatley, Cheadle, Cheshire, SK8 4BE
Tel. 0161-428 64 35 Fax: 0161-428 64 13
e-mail: sales.pcp@thejrwgroupp.co.uk web: www.productcardpromotions.com

84. Optical World

Developments in manufacturing optics worldwide. In-depth technical articles, new product information, previews and reports on the world's major ophthalmic exhibitions. Company and personality profiles and other features.

10 editions published annually (January/February and July/August combined).
Annual subscription (2003): £70. Available from:

Optical World Ltd, 200 London Road, Southend-on-Sea, SS1 1PJ
Tel. 01702-34 54 43 Fax: 01702-43 18 06
e-mail: info@optical-world.co.uk web: www.optical-world.co.uk

85. Optician

News and features relating to all aspects of the optical industry – optical health, research, technology, and education.

Published weekly on Fridays. Annual subscription (2004): £150. Available from:

Quadrant Subscription Services, Rockwood House,
Perrymount Road, Haywards Heath, West Sussex, RH16 3DH
Tel. 01444-44 12 12 Fax: 01444-44 54 47
e-mail: rbi.subscriptions@qss-uk.com web: www.reedbusiness.co.uk

86. Optician Directory (formerly Optical Yearbook)

Comprehensive listing of companies and products for UK optics. Overview of the news year in optics. Market information on optics in the retail sector over the last 12 months and details of the latest market trends for spectacles, frames, contact lenses, and accessories. Free floppy disk with fully searchable database of all the companies listed in the yearbook together with the products and trade names with which they are associated.

Published annually in November. Issued free of charge to all *Optician* subscribers, otherwise available at £50 per copy (2003). Available from:

Optician, Quadrant House,
The Quadrant, Sutton, Surrey, SM2 5AS
Tel. 020-86 52 82 43
e-mail: kay.hevey@rbi.co.uk

Fax: 020-86 52 30 62
web: www.optometryonline.net

87. *Optometry Mailbase*

Optometrists' information exchange through the internet. For details of how to subscribe to this service please see the mailbase website at the following address <http://130.88.126.159/optomlist>

88. *OT* (formerly *Optometry Today*)

Clinical technical articles, news, new products, contact lens reviews, book reviews, CPD articles, and practice management.

Published fortnightly (Fridays). Free of charge to all practitioners on The Opticians Register. Other subscription rates (2004): £100.00 – UK; £140.00 – overseas.

Subscription enquiries:

Association of Optometrists, 61 Southwark Street, London, SE1 OHL
Tel. 020-72 61 96 61 Fax: 020-72 61 02 28
e-mail: nealburrow@aop.org.uk web: www.optometry.co.uk

89. *Progress in Retinal and Eye Research*

Leading experts write on basic and clinical aspects of the eye in a style appealing to molecular biologists, neuroscientists, physiologists, vision researchers and ophthalmologists. The journal covers all aspects of eye research, including topics pertaining to the retina and pigment epithelial layer, cornea, tears, lacrimal glands, aqueous humour, iris, ciliary body, trabeculum, lens, vitreous humour and diseases such as dry-eye, inflammation, keratoconus, corneal dystrophy, glaucoma and cataract.

6 issues published annually. Annual subscription (2004): €794,00. (This includes postage and handling charges but excludes VAT. Non-VAT registered customers will be charged with the appropriate VAT rate.) Available from:

Customer Service Department, Elsevier Science
P.O. Box 211, 1000 AE Amsterdam, The Netherlands
Tel. +31 20 485 37 57 Fax: +31 20 485 3432
e-mail: nlinfo-f@elsevier.com web: www.elsevier.nl/inca/publications/store/6/6/4/

90. *Vision Research*

Publishes experimental and observational studies, reviews, and theoretical papers on the functional aspects of human, vertebrate and invertebrate vision. It is aimed at ophthalmologists, vision researchers, neuroscientists and clinicians.

28 issues published yearly. Annual subscription (2004): € 2906.00. (This includes postage and handling charges but excludes VAT. Non-VAT registered customers will be charged with the appropriate VAT rate.) Available from:

Customer Service Department, Elsevier Science
P.O. Box 211, 1000 AE Amsterdam, The Netherlands
Tel. +31 20 485 37 57 Fax: +31 20 485 3432
e-mail: nlinfo-f@elsevier.com
web: www.elsevier.com/inca/publications/store/2/6/3/index.htm

91. 20/20 Europe

International fashion, new product and business magazine for the European optical retailer.

Six issues annually. Available free to optometrists from:

Jobson Publishing, Jobson House, Holbrooke Place,
Hill Rise, Richmond, Surrey, TW10 6UD.
Tel. 020-83 32 68 82 Fax: 020-83 32 69 18
e-mail: enquiries@jobson.com web: www.jobson.com

SECTION 7 - USEFUL ADDRESSES

92. Accor Services

50 Vauxhall Bridge Road, London, SW1 2RS
Tel. 020-78 34 66 66 Fax: 020-79 31 07 00
e-mail: customerservice@accorservices.co.uk web: www.accor-services.com

93. Advisory, Conciliation and Arbitration Service (ACAS)

(See local telephone directory for Public Enquiries Regional Offices.)

Head Office: Brandon House, 180 Borough High Street, London, SE1 1LW

Public Enquiries: Tel. 020-72 10 36 13

ACAS Helpline: 08457-47 47 47 (information on individual cases – M-F 0900-1630)

ACAS Helpline for Textphone users: 08456-06 16 00

Managing equality in the workplace: 08456-00 34 44

e-mail: library@libraryacas.demon.co.uk web: www.acas.org.uk

ACAS Publications, PO Box 235, Hayes, Middlesex, UB3 1DQ.

Telephone Orderline; 0870-242 90 90

Fax; 020-88 67 32 25

e-mail: acas@eclogistics.co.uk

94. Association of British Dispensing Opticians

199 Gloucester Terrace, London W2 6LD

Tel. 020-72 98 51 00
e-mail: general@abdo.org.uk

Fax: 020-72 98 51 11
web: www.abdo.org.uk

95. Association of Optometrists

61 Southwark Street, London, SE1 0HL

Tel. 020-72 61 96 61

e-mail: postbox@aop.org.uk

Fax: 020-72 61 02 28

web: www.aop.org.uk

96. British Contact Lens Association

Walmar House, 288-292 Regent Street, London, W1B 3AL

Tel. 020-75 80 66 61

e-mail: vfreeman@bcla.org.uk

Fax: 020-75 80 66 69

web: www.bcla.org.uk

97. British Standards Institution (BSI)

389 Chiswick High Road, London, W4 4AL

Tel. 020-89 96 90 00

e-mail: cservices@bsi-global.com

Fax: 020-89 96 70 01

web: www.bsi.org.uk

98. Business Connect, Wales

c/o Welsh Development Agency, Plas Glyndwr, Kingsway, Cardiff, CF10 3AH

Tel 08457-96 97 98 (telephoning from Wales only) Fax 029-20 64 00 31

e-mail: executive@businessconnect.org.uk

web: www.businessconnect.org.uk

99. Business in the Community

137 Shepherdess Walk, London, N1 7RQ

Tel. 0870-600 24 82

e-mail: information@bitc.org.uk

Fax: 020-72 53 18 77

web: www.bitc.org.uk

100. Business Link

Tel. 0845-600 9 006

web: www.businesslink.gov.uk

101. Central Services Agency

Ophthalmic Adviser, Central Services Agency

25 Adelaide Street, Belfast, BT2 8FH

Tel. 028-90 32 44 31

e-mail: ophthalmic@csa.n-i.nhs.uk

Fax: 028-90 23 23 04

web: www.centralservicesagency.com

102. College of Optometrists

42 Craven Street, London, WC2N 5NG

Tel. 020-78 39 60 00

e-mail: optometry@college-optometrists.org

Fax 020-78 39 68 00

web: www.college-optometrists.org

103. Commission for Racial Equality

St Dunstan's House, 201-211 Borough High Street, London, SE1 1GZ

Tel. 020-79 39 00 00

e-mail: info@cre.gov.uk

Fax: 020-79 39 00 01

web: www.cre.gov.uk

104. Companies House

Crown Way, Cardiff, CF4 3UZ

Tel. (Mon-Fri 9.00am - 5.00pm): 0870-333 36 36
web: www.companieshouse.gov.uk

Fax: 029 20 38 09 00

105. Criminal records disclosure services

England and Wales

Criminal Records Bureau, P O Box 110, Liverpool, L3 6ZZ
Telephone: 0870-90 90 811
Websites: www.crb.gov.uk and www.disclosure.gov.uk

Northern Ireland

Child Care Unit, Department of Health, Social Services and Public Safety
Room 508A, Dundonald House, Belfast, BT4 3SF
Tel. 028-90 52 50 20 e-mail: PECS@dhsspsni.gov.uk

Scotland

Disclosure Scotland, PO Box 250, Glasgow, G51 1YU
Telephone helpline: 0870-609 6006 Fax: 0870-609 6996
e-mail: info@disclosurescotland.co.uk web: www.disclosurescotland.co.uk

Customs and Excise see HM Customs & Excise (# 123)

106. Department for Education and Skills see also Work Permits (UK) (below)

Sanctuary Buildings, Great Smith Street, London, SW1P 3BT
Tel. 0870-000 22 88 Fax: 01928-79 42 48
e-mail: info@dfes.gsi.gov.uk web: www.dfes.gov.uk

107. Department for Work and Pensions (DWP)

Correspondence Unit, Room 540, The Adelphi
1-11 John Adam Street, London, WC2N 6HT
Tel. (Mon-Fri 9.00am - 5.00pm): 020-77 12 21 71 Fax: 020-77 12 23 86
web: www.dwp.gov.uk

DWP Disability Unit website: www.disability.gov.uk/dda

108. Department of Health

Department of Health, Richmond House, 79 Whitehall, London, SW1A 2NL
Tel. 020-72 10 48 50 Minicom: 020-72 10 50 25
e-mail: dhmail@doh.gsi.gov.uk web: www.doh.gov.uk

109. Department of Health Publications

Department of Health, PO Box 777, London SE1 6XH
Tel. 08701-55 54 55 Fax: 01623-72 45 24
e-mail: doh@prolog.uk.com

110. Disability Rights Commission

DRC Helpline, FREEPOST MID02164, Stratford upon Avon, CV37 9BR

Telephone: 08457-62 26 33
Textphone: 08457-62 26 44
(Telephone 8am and 8pm, Monday to Friday)
e-mail: enquiry@drc-gb.org
Fax: 08457-77 88 78
web: www.drc-gb.org

111. dti (Department of Trade and Industry)

Enquiry Unit, 1 Victoria Street, London, SW1H 0ET
Tel. 020-72 15 50 00 or Minicom: 020-72 15 67 40
e-mail: dti.enquiries@dti.gsi.gov.uk
web: www.dti.gov.uk

dti Publications website: www.dti.gov.uk/publications
Telephone Orderline: 0870-150 25 00 (calls are charged at national rate).
Minicom orderline: 0870-150 2100
Fax Orderline: 0870-150 23 33

dti Employment Relations Publications website: www.dti.gov.uk/er/inform.htm
or e-mail the DTI for information and printed versions: e-mail: publications@dti

112. Equal Opportunities Commission

Arndale House, Arndale Centre, Manchester M4 3EQ
Tel. 0845-601 59 01
e-mail: info@eoc.org.uk
Fax: 0161-838 17 33
web: www.eoc.org.uk

113. The Eyecare Trust

P O Box 131, Market Rasen, Lincs., LN8 5TS
Tel. 01673-85 78 47
e-mail: info@eyecaretrust.org.uk
Fax: 01673-85 76 96
web: www.eye-care.org.uk

114. Federation of Manufacturing Opticians (FMO)

199 Gloucester Terrace, London W2 6LD
Tel. 020-72 98 51 23
e-mail: office@fmo.co.uk
Fax: 020-72 98 51 20
web: www.fmo.co.uk

115. Federation of Ophthalmic & Dispensing Opticians (FODO)

199 Gloucester Terrace, London W2 6LD
Tel. 020-72 98 51 51
e-mail info@fodo.com
Fax: 020-72 98 51 11
web: www.fodo.com

116. Finance Wales

Oakleigh House, Park Place, Cardiff, CF10 3DQ
Tel. General enquiries: 029 20 33 81 00
Tel. Funding & Management Support Enquiries: 0800-587 41 40
Fax: 029-20 33 81 01
e-mail: info@financewales.co.uk
web: www.financewales.co.uk

117. Fire Services

For information on fire certificates and general fire safety advice contact your local fire authority, which will be listed under Fire in your local telephone book.

118. General Optical Council (GOC)

41 Harley Street, London, W1G 8DJ
Tel. 020-75 80 38 98
e-mail: goc@optical.org

Fax: 020-74 36 35 25
web: www.optical.org

119. Health and Safety Executive

HSE Infoline, Caerphilly Business Park, Caerphilly, CF83 3GG
(Local offices will be found in the telephone directory and on the HSE website.)
Tel. 08701-54 55 00 Fax: 029-20 85 92 60
Minicom: 029-20 80 85 37
(Telephone enquiries from 8 am - 6 pm)
e-mail: hseinformationservices@natbrit.com web: www.hse.gov.uk

HSE Books, PO Box 1999, Sudbury, Suffolk, CO10 2WA.
Telephone orders: 01787-88 11 65 Fax orders: 01787-31 39 95
web: www.hsebooks.co.uk

120. HM Customs and Excise

For your nearest office see your local telephone directory under "HM Customs & Excise".

121. Home Office

50 Queen Anne's Gate, London, SW1H 9AT
Tel. 0870-000 15 85 Fax: 020-72 73 34 76
e-mail: public.enquiries@homeoffice.gsi.gov.uk web: www.homeoffice.gov.uk

122. Information Commissioner's Office

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF
Tel. Information Line: 01625-54 57 45 Notification Line: 01625-54 57 40
Switchboard: 01625-54 57 00 Fax: 01625-52 45 10
e-mail: General information: data@dataprotection.gov.uk
e-mail: Notification: mail@notification.demon.co.uk
web: www.dataprotection.gov.uk

123. Inland Revenue

For your nearest office see your local telephone directory under "Inland Revenue" or visit the Inland Revenue's website at www.inlandrevenue.gov.uk
Employers' publications orderline 0845-76 46 646

124. Institute of Ophthalmology

11-43 Bath Street, London, EC1V 9EL
Tel. 020-76 08 68 00 Fax: 020-76 08 69 54
e-mail: k.bonstein@ucl.ac.uk web: www.ucl.ac.uk

125. Institute of Optometry

56-62 Newington Causeway, London, SE1 6DS
Tel. 020-74 07 41 83 Fax: 020-74 03 80 07
e-mail: admin@ioo.org.uk web: www.ioo.org.uk

126. Invest Northern Ireland (Invest NI)

64 Chichester Street, Belfast, BT1 4JX

Tel. 028-90 23 90 90
e-mail: info@investni.com

Fax 028-90 49 04 90
web: www.investni.com

127. Jobcentre Plus

Contact Jobcentre Plus for advice on employment matters. You will find your local Jobcentre Plus office in your local telephone directory under "Jobcentre Plus" or through their website at www.jobcentreplus.gov.uk

128. MCPS and PRS

The MCPS-PRS Alliance, 29-33 Berners Street, London, W1T 3AB
Tel. 08000-68 48 28 Fax: 01733-31 29 12
e-mail: musiclicence@prs.co.uk web: www.mcps-prs-alliance.co.uk

In Scotland & Northern Ireland:

Tel. 0845-309 30 90 Fax: 0870-010 13 84
e-mail: scotland.musiclicence@prs.co.uk

129. Medicines and Healthcare products Regulatory Agency (MHRA) (formerly Medical Devices Agency)

Hannibal House, Elephant & Castle, London, SE1 6TQ
Tel. 020-79 72 80 00 Text telephone: 020-79 72 83 56
Publications Orders (24-hour answering machine): Tel. 020-79 72 82 03
e-mail: devices@mhra.gsi.gov.uk web: www.mhra.gov.uk

130. NHS Executive

Room 479D, Skipton House, 80 London Road, London, SE1 6LW
Tel. 020-79 72 55 11 Fax: 020-79 72 56 61 web: www.statistics.gov.uk

131. Office of Fair Trading

Consumer Credit Licensing Bureau
Craven House, 40 Uxbridge Road, London, W5 2BS
Tel. 020-72 11 86 08
e-mail: enquiries@oft.gov.uk web: www.oft.gov.uk

132. Optical Consumer Complaints Service (OCCS)

PO Box 4685, London, SE1 6ZB
Tel. 020-72 61 10 17 web: www.opticalcomplaints.co.uk

133. Phonographic Performance Limited

1 Upper James Street, London, W1F 9DE
Tel. 020-75 34 10 00 Fax: 020-75 34 11 11
e-mail Licensing Dept.: GLD.info@ppluk.com web: www.ppluk.com

134. Reed Business Information Limited (formerly Reed Business Publishing)

Quadrant House, The Quadrant, Sutton, Surrey, SM2 5AS
Tel. 020-86 52 35 00 Fax: 020-86 52 89 93
e-mail Subscriptions: rbi.subscriptions@qss-uk.com web: www.reedbusiness.co.uk

135. Scottish Enterprise

5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU

Tel. 0141-248 27 00

Fax: 0141-221 32 17

e-mail: network.helpline@scotent.co.uk

web: www.scottish-enterprise.com

136. Scottish Executive Health Department

St Andrews House, Regent Road, Edinburgh, EH1 3DG

Tel. 0131-244 2469

Fax:

e-mail:

web: www.show.scot.nhs.uk/sehd

137. Sight Care Group

Bakers Business Park, Pardown, Oakley, Basingstoke, Hants. RG23 7DY

Tel. 01256-78 15 22

Fax: 01256-78 22 14

e-mail: info@sightcare.co.uk

web: www.sightcare.co.uk

138. The Stationery Office (TSO)

formerly Her Majesty's Stationery Office (HMSO)

Mail Order: TSO Publications Centre, PO Box 276, SW8 5DT

Tel. 0870-600 55 22

Fax: 0870-600 55 33

e-mail: book.orders@theso.co.uk

Web: www.thestationeryoffice.com (for TSO bookshops and agents)

www.tso.co.uk/bookshop (for on-line bookstore)

Counter service:

London: 123 Kingsway, London, WC2B 6PQ
Tel. 020-72 42 63 93 or 020-72 42 64 10 Fax: 020-72 42 63 94
e-mail: london.bookshop@tso.co.uk

Belfast: 16 Arthur Street, BT1 4GD
Tel. 028-90 23 84 51 Fax: 028-90 23 54 01
e-mail: belfast.bookshop@tso.co.uk

Birmingham: 68/69 Bull Street, B4 6AD
Tel. 0121-236 9696 Fax: 0121-236 9699
e-mail: birmingham.bookshop@tso.co.uk

Cardiff: 18-19 High Street, Cardiff CF10 1PT
Tel. 029-20 39 55 48 Fax: 029-20 38 43 47
e-mail: cardiff.bookshop@tso.co.uk

Edinburgh: 71 Lothian Road, EH3 9AZ
Tel. 0870-606 55 66 Fax: 0870-606 55 88
e-mail: edinburgh.bookshop@tso.co.uk

Manchester: 9-21 Princess Street, Albert Square, M60 8AS
Tel. 0161-834 72 01 Fax: 0161-833 06 34
e-mail: manchester.bookshop@tso.co.uk

139. National Assembly for Wales

Cardiff Bay, Cardiff, CF99 1NA

or

New Crown Buildings, Cathays Park, Cardiff, CF1 3NQ

Tel. 029-20 82 51 11

Fax: 029-20 82 32 04

The First Minister and members of the Cabinet can be contacted at the above addresses.

Health matters can be found at: www.wales.gov.uk/subihealth/index.htm

For business information and advice in Wales see Business Connect, Wales.

140. Work Permits (UK)

Customer Relations Team, Immigration and Nationality Directorate, Home Office, Level 5, Moorfoot, Sheffield S1 4PQ

Tel. 0114-259 40 74

Fax: 0114-259 37 76

e-mail: customrel.workpermits@wpuk.gov.uk web: www.workpermits.gov.uk

Overseas pre-registration optometrists' training & work experience:

Work Permits (UK), Integrated Casework Directorate, North (Sheffield)

PO Box 551, Heavens Walk, Doncaster Carr, Doncaster, South Yorkshire, DN1 1XU

Tel. 0114-274 33 07

Fax: 0114-274 32 00

web: www.workpermits.gov.uk/default.asp?pageid=4302

© Association of Optometrists 2004. All rights reserved. No part of this publication may be reproduced, copied, stored in an electronic retrieval system, or transmitted, except with the written permission of the Association of Optometrists or in accordance with the Copyright, Designs and Patents Act 1988, as amended.

v.8/1.05

Ref. m:/memb/adv/13.publications/2005/Starting an optometric practice.doc

ID 16 Rev. 4