



SCOTTISH EXECUTIVE

Health Department
Directorate of Service Policy and Planning

Primary Care Division
St Andrew's House
Regent Road
EDINBURGH
EH1 3DG

Dear Colleague

GENERAL OPHTHALMIC SERVICES

- 1. Increase in Optical Voucher Values**
- 2. Increase in the NHS Eye Examination Fees for Optometrists and Ophthalmic Medical Practitioners from 1 April 2007**
- 3. Revised Statement**
- 4. Amendment of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006**
- 5. Optometric Advisers**
- 6. Enhanced Criminal Record Certificates - Guidance**

Summary

1. This letter advises NHS Boards and Practitioner Services of increases in the:

1.1 NHS optical voucher values and allowances for repairs and replacements; and

1.2 NHS eye examination fees payable to optometrists and ophthalmic medical practitioners;

with effect from 1 April 2007. It also advises of amendments to the NHS (General Ophthalmic Services) (Scotland) Regulations 2006, which take effect from 1 April 2007, reminds NHS Boards that they need to employ Optometric Advisers and provides guidance on enhanced criminal record certificates.

Background

Increase in Optical Voucher Values

2. The new voucher values are shown in Annex A and B to the Memorandum to this letter. Practitioner Services will pay the revised values for vouchers presented to suppliers by patients **on or after 1 April 2007**.

16 March 2007

Addresses

For action

Chief Executive, NHS Boards

HR Directors, NHS Boards

Director,
Practitioner Services

For information

Chief Executive,
Practitioner Services

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Increased NHS Eye Examination Fees

3. NHS Boards and Practitioner Services are asked to note that following consultation with representatives of the profession, Scottish Ministers have determined that the NHS sight test fee which should be paid to:

3.1 optometrists for each NHS primary eye examination carried out on or after **1 April 2007** is £36.00;

3.2 optometrists for each NHS supplementary eye examination carried out on or after **1 April 2007** is £21.00

3.3 ophthalmic medical practitioners for NHS primary eye examinations carried out on or after **1 April 2007** is £36.00. This consists of a fee element of £26.64 and an expenses component of £9.36; and

3.4 ophthalmic medical practitioners for NHS supplementary eye examinations carried out on or after **1 April 2007** is £21.00. This consists of a fee element of £15.54 and an expenses component of £5.46.

The Statement

4. An amendment to the Statement in accordance with regulation 17 of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006 is attached at Annex C to the Memorandum to this letter.

Amendment of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006

5. Information on the amendments being made to the NHS (General Ophthalmic Services) (Scotland) Regulations 2006 (“the 2006 Regulations”) is provided in the Memorandum to this letter. NHS Boards are particularly asked to note the following amendments:

- the inclusion of a definition of “practice premises;
- the streamlining of procedures for applicants wishing to join NHS Board ophthalmic lists, further information of which is provided below; and
- the inclusion of an expiry date for training certificates where an optometrist/ophthalmic medical practitioner has not worked in Scotland for 2 years. NHS Boards should note that certificates issued prior to March 2007 do not contain issue dates. However, the Scottish Committee of Optometrists (SCO) holds information on completion dates and NHS Boards can, where required, confirm issue dates with them. SCO can be contacted at lorna.cameron@sco-online.org.

6. The amendments to the 2006 Regulations streamline entry procedures in 2 ways:
- by providing for an applicant or an optician or ophthalmic medical practitioner who is already on one or more ophthalmic lists to forward a single application to a Health Board listing all of the areas, or, in the case of a listed person, all of the additional areas in which he or she wishes to work. That Board will then check all of the information accompanying the application and inform the other Health Board(s) named on the application of its decision, enabling the other named Board or Boards to accept the optician or ophthalmic medical practitioner onto its/their ophthalmic list without further enquiry if it/they so choose; and
 - by providing for an optician or ophthalmic medical practitioner who is already on one or more ophthalmic lists and wishes to work in other areas to forward a single application to a Health Board listing all of the additional areas in which he or she wishes to work. That Board will then check all of the information accompanying the application and inform the other Health Board(s) named on the application of its decision, enabling the other named Board or Boards to accept the optician or ophthalmic medical practitioner onto its/their ophthalmic list without further enquiry if it/they so choose.

Optometric Advisers

7. At the meeting with the Scottish Executive and representatives from Optometry Scotland, NHS Boards, NHS Education and NHS National Services on 16 January 2006 about the changes to the General Ophthalmic Services from 1 April 2006 NHS Boards were advised that they must employ their own Optometric Advisers. NHS Boards are reminded of the importance of employing Optometric Advisers to provide them with advice on the expanding role of optometrists.

Enhanced Criminal Records Certificates - Guidance

8. NHS Boards are asked to note the guidance on enhanced criminal records certificates contained in the Annex to this letter.

Action

9. NHS Boards are asked to:
- **urgently** distribute to all optometrists and ophthalmic medical practitioners on their lists copies of the Memorandum to this letter, which are being sent under separate cover; and
 - send a copy of the NHS (Optical Charges and Payments) (Scotland) Amendment Regulations 2007, which bring the changes at paragraph 2 and 3 above into effect, and the NHS (General Ophthalmic Services) (Scotland) Amendment Regulations, which bring the changes at paragraph 5 and 6 above into effect, to all optometrists and ophthalmic medical practitioners on their lists. If an optometrist or ophthalmic

medical practitioner has more than one address within a NHS Board area he/she should only be sent one copy of the Regulations. Copies of the amending regulations will be sent to NHS Boards once available.


10. HR Directors of NHS Boards and their staff are asked to note the attached guidance on enhanced criminal records certificates and other information disclosed to Boards under section 113B(5) of the Police Act 1997 and to act in accordance with the guidance.

11. Practitioner Services are asked to pay the:

11.1 revised values for vouchers presented to suppliers by patients **on or after 1 April 2007**; and

11.2 pay the increased fees for NHS eye examinations undertaken **on or after 1 April 2007**.

Yours sincerely

A handwritten signature in black ink that reads "Jonathan Pryce". The signature is written in a cursive style with a large initial 'J'.

DR JONATHAN PRYCE

SCOTTISH EXECUTIVE HEALTH DEPARTMENT GUIDANCE**Enhanced Criminal Record Certificates: Section 113B of the Police Act 1997**

1. Applicants wishing to join an ophthalmic list held by an NHS Board must provide an enhanced criminal record certificate in relation to himself or herself or, where the applicant is a body corporate carrying on business as an optometrist, in relation to each director or person controlling that body corporate. This certificate must be dated not earlier than 28 days before the date of the application. Where the applicant does not have such a certificate or certificates (bodies corporate) or he/she/they have a certificate or certificates dated more than 28 days earlier than the application date, the ophthalmic list application form must be accompanied by a completed Disclosure Scotland application form, for countersignature by the Board and forwarding to Disclosure Scotland. A copy of the enhanced criminal record certificate will be forwarded by Disclosure Scotland to the Board and to the applicant. It has been agreed that the Board will reimburse the cost of this to the applicant.

2. In cases where an applicant wishes to join a number of ophthalmic lists, the areas where the applicant wishes to operate should be noted on the application form which should then be sent to one of these Boards - usually the Board where the applicant will undertake the biggest % of general ophthalmic services. That Board will countersign and forward the enhanced criminal record certificate application form to Disclosure Scotland. Disclosure Scotland will forward a copy of the enhanced criminal record certificate to this Board as well as to the applicant. Where the Board's Human Resources Division has countersigned the Disclosure Scotland application form and therefore receives the enhanced criminal record certificate, it has been agreed with Disclosure Scotland and the Association of Chief Police Officers that this should be passed to the general ophthalmic services (GOS) lead within the Board. The GOS lead should then copy the enhanced criminal record certificate with the explicit consent of the applicant (which is contained in the application form completed by the applicant), and send the copy, as required, to the GOS leads of the other Boards whose ophthalmic lists the applicant wishes to join. The GOS lead should keep a written record of the details of those to whom the information is passed for the purposes of a clear audit trail. Once the GOS leads for these other Boards have examined the enhanced criminal record certificate, it must be shredded immediately and the GOS lead in the Board from which the copy was received notified that this has been done.

3. Where the information contained in the enhanced criminal record certificate leads Boards to consider that they would not be content for the applicant to join their lists or that they would only be content for the applicant to join their lists subject to conditions, they will wish to consider a joint referral to the NHS Tribunal either for national disqualification or for national conditional disqualification. The original enhanced criminal record certificate would form part of the case. It would be usual for this certificate to be supported by other material, for example, the references obtained, the declaration, information obtained from the General Optical Council etc but not in all cases - legal advice should be sought on case preparation and presentation to the Tribunal. When considering a reference to the Tribunal based on information contained in an enhanced criminal record certificate or other information provided in respect of an ophthalmic list application, Boards should take into account when an offence took place/the seriousness, number and nature of offences and the relevance of the offence to the provision of general ophthalmic services by optometrists, ophthalmic medical practitioners and ophthalmic bodies corporate, none of whom will be NHS Board salaried employees but will provide or assist with the provision of general ophthalmic services in independent businesses. Other relevant information disclosed by the police such as police cautions, procurator fiscal fines etc should also be considered.

4. When considering a referral to the NHS Tribunal of a listed applicant or of a person or body which is already listed, in addition to patient protection, Boards should consider protection of NHS resources from potential fraud. They should also consider, in conjunction with lawyers, whether, based on the evidence, they should request substantive national disqualification or conditional national disqualification.

5. Where a Board wishes to refer a person or ophthalmic body already named on its ophthalmic list(s) to the NHS Tribunal based on information contained in an enhanced criminal record certificate, they should note that, if they wish to establish a reference committee under regulation 3(4) of the NHS (Discipline Committees) (Scotland) Regulations 2006, care must be taken over membership of that reference committee since the information on the enhanced criminal record certificate must not be shown to any person – for example a representative of the area optical committee - who is not either a salaried employee of the NHS Board or member of the Board. Reference committees may only consider cases involving those already named on a Board list.

6. Where information in an enhanced criminal record certificate, other information disclosed to a Board under section 113B(5) of the Police Act 1997 (see below) or information obtained in other ways, e.g. from the General Optical Council indicates that an applicant is currently the subject of proceedings or an investigation, the Board will wish to defer any decision on admitting the person or ophthalmic body to its ophthalmic list or making a reference to the Tribunal until such time as the proceedings have been completed and a decision handed down.

Other Information Disclosed to Boards under section 113B(5) of the Police Act 1997

7. In order to countersign a Disclosure Scotland application form, Boards must be "registered bodies" with Disclosure Scotland. In a small number of cases, where an enhanced criminal record certificate is forwarded to both the applicant and the Board, the Board **only** i.e. the registered body, may receive a separate letter disclosing further information under section 113B(5) of the Police Act 1997. This may relate to pending criminal cases or other non conviction information held by the police which might be relevant. This information is not shown on the face of the enhanced disclosure certificate **and may not be disclosed to the applicant under any circumstances in order to avoid harming the interests of prevention or detection of crime.** It is unlikely that the Board would be able to use this information to make a case to the NHS Tribunal for disqualification. Rather its intended use would be to alert the Board to the subject matter so that they may decide whether, for example, some form of monitoring needs to take place. Consequently, where Disclosure Scotland sends the information to a Board's Human Resources Division, the information must be passed to the GOS lead. This information is **completely confidential**, it must be held securely by the Board's GOS lead and must be shredded when it no longer has a use e.g. because further action has been taken (such as a pending case being completed and a judgement handed down) or the person has moved on. It would be good practice for the police force which has provided the information to be informed in writing by the GOS lead of its destruction.

8. The Scottish Executive has agreed with Disclosure Scotland and with the Association of Chief Police Officers (Scotland) Part V (of the Police Act) Users Group that, where an applicant intends to join more than one ophthalmic list, the Board which receives the enhanced disclosure certificate will also receive, where relevant, the further confidential information. On receipt of this, the Board should provide the relevant police force with a list of the other Boards whose ophthalmic list the applicant wishes to join. (It should be noted that the Board should **not** provide this when forwarding the enhanced criminal record application form to Disclosure Scotland initially.) The relevant police force will then arrange for this confidential information to be sent to the Boards.

9. Section 113B(5) of the Police Act 1997 is appended for information.
10. Disclosure Scotland and the Association of Chief Police Officers (Scotland) have been shown this guidance and have confirmed that they are content with it.

Scottish Executive Health Department
22 February 2007

Section 113B(5) The Secretary of State must also request the chief officer of every relevant police force to provide any information which, in the chief officer's opinion -

- (a) might be relevant for the purpose described in the statement under subsection (2),
- (b) ought not to be included in the certificate, in the interests of the prevention or detection of crime, and
- (c) can, without harming those interests, be disclosed to the registered person.

(6) The Secretary of State must send to the registered person who countersigned the application -

- (a) a copy of the enhanced criminal record certificate, and
- (b) any information provided in accordance with subsection (5).

**NATIONAL HEALTH SERVICE
GENERAL OPHTHALMIC SERVICES**

- 1. Increase in Optical Voucher Values**
- 2. Increase in the NHS Eye Examination Fees for Optometrists and Ophthalmic Medical Practitioners from 1 April 2007**
- 3. Revised Statement**
- 4. Amendment of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006**

1. This Memorandum advises of increases in the:

1.1 NHS optical voucher values and allowances for repairs and replacements; and

1.2 NHS eye examination fees payable to optometrists and ophthalmic medical practitioners;

from 1 April 2007. It also advises of amendment to the NHS (General Ophthalmic Services) (Scotland) Regulations 2006, which take effect from 1 April 2007.

Increases in Optical Voucher Values

2. An increase of 2.7% has been made in voucher values and supplements. The new voucher values are set out in Annex A and B to this Memorandum. The new values apply to vouchers presented to suppliers by patients **on or after 1 April 2007**.

Increased NHS Eye Examination Fees

3. Following consultation with representatives of the profession, Scottish Ministers have determined that the NHS sight test fee which should be paid to:

3.1 optometrists for each NHS primary eye examination carried out on or after **1 April 2007** is £36.00;

3.2 optometrists for each NHS supplementary eye examination carried out on or after **1 April 2007** is £21.00

3.3 ophthalmic medical practitioners for NHS primary eye examinations carried out on or after **1 April 2007** is £36.00. This consists of a fee element of £26.64 and an expenses component of £9.36; and

3.4 ophthalmic medical practitioners for NHS supplementary eye examinations carried out on or after **1 April 2007** is £21.00. This consists of a fee element of £15.54 and an expenses component of £5.46.

The Statement

4. An amendment to the Statement in accordance with regulation 17 of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006 is attached at Annex C.

Amendment of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006

5. The NHS (General Ophthalmic Services) (Scotland) Regulations 2006 are being amended with effect from 1 April 2007, as follows:

5.1 regulation 2(1) (interpretation) is being amended to include new definitions of "practice premises" and "record of complaints" and to amend the definitions of "enhanced criminal record certificate" and "records";

5.2 regulations 7 (application for including in Ophthalmic List and notification of changes) and 8 (grounds for referral of applicant) to streamline entry procedures in 2 ways:

- by providing for an applicant or an optician or ophthalmic medical practitioner who is already on one or more ophthalmic lists to forward a single application to a Health Board listing all of the areas, or, in the case of a listed person, all of the additional areas in which he or she wishes to work. That Board will then check all of the information accompanying the application and inform the other Health Board(s) named on the application of its decision, enabling the other named Board or Boards to accept the optician or ophthalmic medical practitioner onto its/their ophthalmic list without further enquiry if it/they so choose; and
- by providing for an optician or ophthalmic medical practitioner who is already on one or more ophthalmic lists and wishes to work in other areas to forward a single application to a Health Board listing all of the additional areas in which he or she wishes to work. That Board will then check all of the information accompanying the application and inform the other Health Board(s) named on the application of its decision, enabling the other named Board or Boards to accept the optician or ophthalmic medical practitioner onto its/their ophthalmic list without further enquiry if it/they so choose;

5.3 regulation 7(3)(b) (application for inclusion in Ophthalmic List and notification of changes) is being amended to clarify that it is for the NHS Board to contact the applicant's referees rather than for the applicant to provide clinical references;

5.4 regulation 14(3)(a) (disclosure of information) is being amended to clarify that a NHS Board only has to disclose information about refusals to admit, remove or suspend opticians/OMPs to or from their ophthalmic list to those people/bodies who employ the optician/OMP to provide or assist in the provision of GOS;

5.5 regulation 21 (payments to ophthalmic medical practitioners and opticians suspended) is being amended to provide for the Common Services Agency to recover payments from opticians/OMPs suspended from either the first or the second part of an ophthalmic list and decide on the factors and information to be taken into account in deciding the amount to be paid;

5.6 sub-paragraph 9(1) (deputies) of Schedule 1 is being amended to provide that an optician can arrange for either another optician or OMP to deputise for him/her and likewise an OMP can arrange for either another OMP or optician to deputise for him/her;

5.7 sub-paragraph (1) of paragraph 10 (employees) of Schedule 1 is being deleted and sub-paragraph (2) of paragraph 10 is being amended to provide that an optician can employ either another optician or OMP and likewise an OMP can employ either another OMP or optician;

5.8 paragraph 14 (eye examination) of Schedule 1 is being amended to clarify that a supplementary eye examination can only be undertaken following a primary eye examination, except where a child is referred from HES to an optician/OMP for a cycloplegic refraction;

5.9 paragraphs 3(b) of Part A and B of Schedule 2 (information, certificates, consents, declarations of undertakings to be included in an application for inclusion in the Ophthalmic List) are being amended to provide that a certificate of training must be no more than 2 years old in the case of an optician/OMP applying to join an Ophthalmic List who has not worked in Scotland within that 2 years;

5.10 Schedules 3 (primary eye examination) and 4 (supplementary eye examination) are being amended to clarify that where a patient aged 60 or over has diabetes then dilation is undertaken as part of the primary eye examination but where the patient is aged under 60 and has diabetes then any dilation can be claimed as a supplementary. It should, however, be noted that optometrists/OMPs should only consider dilating those patients aged under 60 if they are not part of the diabetic retinopathy screening programme or the optometrist/OMP considers it clinically necessary because of presentation or symptoms of the patient. The patient's record card should contain the reason for any dilation;

5.11 Schedule 3 (primary eye examination) is further amended to remove the reference to "or head mounted indirect ophthalmoscopy" in relation to dilation of patients aged 60 and over.

6. A number of minor drafting errors are also being corrected.

7. A copy of the NHS (Optical Charges and Payments) (Scotland) Amendment Regulations 2007, which bring the changes at paragraph 2 and 3 above into effect, and the NHS (General Ophthalmic Services) (Scotland) Amendment Regulations, which bring the changes at paragraph 5 above into effect, will be sent once they are available.

Enquiries

8. Any enquiries arising from this Memorandum should be taken up with your NHS Board.

Scottish Executive Health Department
16 March 2007

**VOUCHER LETTER CODES AND FACE VALUES
SUPPLY AND REPLACEMENT**

<i>Column 1 Type of optical appliance</i>	<i>Column 2 Letter code</i>	<i>Column 3 Face value of voucher</i>
1. Glasses with single vision lenses of a spherical power of not more than 6 dioptries with a cylindrical power of not more than 2 dioptries.	A	£34.60
2. Glasses with single vision lenses -	B	£52.60
(a) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of not more than 6 dioptries;		
(b) of a spherical power of less than 10 dioptries with a cylindrical power of more than 2 dioptries but not more than 6 dioptries.		
3. Glasses with single vision lenses of a spherical power of 10 or more dioptries but not more than 14 dioptries with a cylindrical power of not more than 6 dioptries.	C	£76.90
4. Glasses with single vision lenses -	D	£173.70
(a) of a spherical power of more than 14 dioptries with any cylindrical power;		
(b) of a cylindrical power of more than 6 dioptries with any spherical power.		
5. Glasses with bifocal lenses of a spherical power of not more than 6 dioptries with a cylindrical power of not more than 2 dioptries.	E	£59.80
6. Glasses with bifocal lenses -	F	£76.00
(a) of a spherical power of more than 6 dioptries but less than 10 dioptries with a cylindrical power of not more than 6 dioptries;		
(b) of a spherical power of less than 10 dioptries with a cylindrical power of more than 2 dioptries but not more than 6 dioptries.		

7. Glasses with bifocal lenses of a spherical power of 10 or more dioptries but not more than 14 dioptries with a cylindrical power of not more than 6 dioptries.	G	£98.50
8. Glasses with prism-controlled bifocal lenses of any power or with bifocal lenses - (a) of a spherical power of more than 14 dioptries with any cylindrical power; (b) with a cylindrical power of more than 6 dioptries with any spherical power.	H	£190.90
9. Glasses not falling within any of paragraphs 1 to 8 for which a prescription is given in consequence of a testing of sight by an NHS Board.	I	£177.90
10. Contact lenses for which a prescription is given in consequence of a testing of sight by an NHS Board.	J	£50.50 per lens

Supplements

	Old value	New value
Complex lens:		
Single vision	£12.70	£13.00
Bifocal	£32.10	£33.00
Tints/photochromic per lens:		
Single vision	£3.70	£3.80
Bifocal	£4.20	£4.30
Prism per lens:		
Single vision	£11.00	£11.30
Bifocal	£13.10	£13.50
Small glasses:	£55.50	£57.00
Special facial characteristics (HES or NHS Board):	£55.50	£57.00

VOUCHER VALUES - REPAIR

Column 1 Nature of Repair to Appliance	Column 2 Letter Codes – Values								
	A £	B £	C £	D £	E £	F £	G £	H £	I £
Repair or replacement of one lens	10.80	19.80	31.95	80.35	23.40	31.50	42.75	88.95	82.45
Repair or replacement of two lenses	21.60	39.60	63.90	160.70	46.80	63.00	85.50	177.90	164.90
Repair or replacement of:									
The front of a frame	11.05	11.05	11.05	11.05	11.05	11.05	11.05	11.05	11.05
a side of a frame	6.55	6.55	6.55	6.55	6.55	6.55	6.55	6.55	6.55
the whole of the frame	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00	13.00

Note

- Where the small glasses supplement applies, the amount payable for repair of:
 - the front of the frame is £50.50
 - the side of the frame is £27.30
 - the whole of the frame is £57.00
- Where more than one repair is made to an optical appliance, the total paid must not exceed the aggregate of the amount for replacing two lenses in the above schedule, and repairs to the part of the frame must not exceed £13.00.



NATIONAL HEALTH SERVICE (SCOTLAND)

GENERAL OPHTHALMIC SERVICES

THE STATEMENT

Scottish Ministers, in exercise of powers conferred on them by Regulation 17 of the National Health Services (Scotland) Regulations 2006 (“the 2006 Regulations”), having regard to Section 7(4) of the Health and Social Security Act 1984, after consultation with such organisations as appear to them to be representative of contractors providing general ophthalmic services, have determined as follows:-

1. The fees payable to ophthalmic medical practitioners and optometrists for undertaking eye examinations are set out in Appendices A and B;
2. The allowance payable to ophthalmic medical practitioners and optometrists for continuing education and training is set out in Appendix C; and
3. The allowance payable for practice expenses is set out in Appendix D.

Scottish Executive Health Department
April 2007

FEES PAYABLE TO OPHTHALMIC MEDICAL PRACTITIONERS AND OPTOMETRISTS FOR EYE EXAMINATIONS

1. Fees payable for each NHS primary eye examination carried out by an ophthalmic medical practitioner or optometrist:

on or after 1 April 2007.....£36.00

2. Fees payable for each NHS supplementary eye examination carried out by an ophthalmic medical practitioner or optometrist:

on or after 1 April 2007.....£21.00

3. The payments to ophthalmic medical practitioners under paragraph 1 and 2 above are subject to adjustment in respect of superannuation as follows:

a. in the case of an ophthalmic medical practitioner who is participating in the National Health Service Superannuation Scheme, deduction of the appropriate contribution;

b. in the case of an ophthalmic medical practitioner for whom an option under Regulation 78 of the National Health Service (Superannuation) (Scotland) Regulations 1980 continued under V2(2)(a) of the National Health Service Superannuation Scheme (Scotland) Regulations 1995 has been approved, payment of the appropriate allowance.

