

Summary

1. This Memorandum advises on the following:
 - Recourse available to NHS Boards where there is an allegation of a breach of the Terms of Service (“ToS”) of the NHS (General Ophthalmic Services) (Scotland) Regulations 2006 (“the GOS Regulations”), as amended;
 - 2021 GOS mandatory training completion date;
 - Update on the transition to the ‘pull’ PPE ordering model;
 - Funding arrangements for PPE provision to community optometry in Scotland;
 - Arrangements for financial support in relation to practice closures.

Recourse available to NHS Boards where there is an allegation of a breach of the ToS of the GOS Regulations

2. Following the end of the first period of mandatory training for GOS practitioners on 31 December 2020 (under paragraph 3A of Schedule 1 of the GOS Regulations), the Scottish Government has been asked to clarify what recourse is available to NHS Boards when an optometrist or ophthalmic medical practitioner (“OMP”) included on a Board’s Ophthalmic List is suspected of failing to comply with the ToS set out in Schedule 1 of the GOS Regulations.
3. Paragraph 2 of Schedule 1 of the GOS Regulations incorporates various provisions into the ToS, including the [National Health Service \(Discipline Committees\) \(Scotland\) Regulations 2006](#) (“the Discipline Regulations”).
4. The Discipline Regulations make provision about the steps that NHS Boards may take where they receive an allegation of a breach of the ToS by an optometrist or OMP included on the Board’s Ophthalmic List.
5. NHS Boards should refer to the Discipline Regulations where there is an allegation about a breach of the ToS. The Discipline Regulations allows a Board to take no action, refer the individual to a Discipline Committee, or refer to the NHS Tribunal, professional body or police. Each Board is responsible for deciding on the appropriate action to be taken depending on the alleged breach of the ToS.
6. NHS Boards may wish to consult with the Central Legal Office with regard to the above, both in terms of the establishment of processes in relation to alleged breaches and the potential actions that may be deemed necessary.

2021 GOS mandatory training completion date

7. As detailed in [PCA\(O\)2020\(21\)](#), the 2021 GOS mandatory training module, “Developing Personal Leadership in Optometric Practice”, is now available to access on Turas. This is an online module and carries 1 CET point.
8. **All** optometrists and OMPs providing GOS in Scotland must, as a condition of their GOS ToS, satisfactorily complete this module, which can be accessed at: <https://learn.nes.nhs.scot/26227/optometry/gos-mandatory-training>.
9. The mandatory training module should be completed on Turas by **31 October 2021** to allow NHS Education for Scotland adequate time to record the submissions.

Update on the transition to the ‘pull’ model of PPE ordering

10. As detailed in [PCA\(O\)2021\(1\)](#), practices in phase 1 of the transition to the ‘pull’ PPE ordering model should now be in receipt of information detailing how to log in to PECOS and order PPE.
11. This information has been sent to practice-specific nhs.scot email addresses, which have been provided to all practice premises and mobile providers by their NHS Board. Practices must adopt use of their nhs.scot email account as a matter of necessity in order to access the PECOS ordering system and receive future communications.
12. The practice-specific nhs.scot email address is a key enabler in this new approach to PPE ordering, and practice premises and mobile providers in phase 1 who are not aware of what their email address is, or who are having difficulty in accessing it, should contact their NHS Board as a matter of priority, in order that the issue may be addressed.
13. Further information for practices in phases 2 and 3 of the transition to ‘pull’ will be communicated in due course.

Funding arrangements for provision of PPE to community optometry in Scotland

14. As detailed in [PCA\(O\)2020\(14\)](#), PPE is currently being provided free of charge to the four NHS Primary Care Contractor (PCC) groups to support NHS activity until 31 March 2021.
15. A commitment was made to undertake a formal review of this before 31 January 2021, to determine what will happen beyond this financial year. This review has concluded and has resulted in approval to continue funding PPE under the current arrangements to 30 June 2021. This will provide PCCs with certainty regarding PPE supply for NHS activity beyond this financial year, as well as supporting the vaccination programme for COVID-19, where required.

Arrangements for financial support in relation to permanent practice closures

16. In instances where a practice has notified a Board of their intention to permanently close, they will be eligible to receive relevant financial support up to and including the date upon which GOS ceases to be provided. This applies to practice premises, mobile practices and peripatetic service provision.
17. Financial support will be paid in line with the arrangements applicable to each of these types of practice at the date upon which GOS ceases to be provided. However, practices are advised that in order to be eligible to receive financial support, they must remain open up to and including the date upon which GOS ceases to be provided.
18. These arrangements will apply to any practice which has permanently closed since 23 March 2020.

Enquiries

19. Any practice-specific queries about the financial support measures should be emailed to Practitioner and Counter Fraud Services at: nss.psdgospayments-covid19@nhs.scot.
20. Any other queries about this Memorandum should be emailed to the Scottish Government at: eyecare@gov.scot.

Dentistry and Optometry Division
Directorate of Primary Care
Scottish Government