



OPTOMETRY WALES
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Ms Siân Wilkins
Committee Clerk
Legislation Office
National Assembly for Wales
Cardiff Bay
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Dear Ms Wilkins

Proposed NHS Redress (Wales) Measure

Thank you for your invitation to respond to your consultation on the proposed measure.

Optometry Wales is umbrella body representing all facets of optometric practice in Wales. Over 400 optometrists practise in Wales, the vast majority doing a mixture of private and NHS work. A small number practise in hospitals.

Optometrists are required by law to be registered with the General Optical Council. It is a condition of registration with the GOC that an optometrist is covered by professional indemnity insurance. Therefore, no optometrist in Wales can carry out NHS work in the community without being, firstly, registered with the GOC; secondly, covered by professional indemnity insurance; and, thirdly, listed with a Local Health Board. Moreover, all optometrists doing NHS work in the community are required to adhere to the complaints system of the NHS.

Thus, any compensation paid to patients of community optometrists has hitherto come solely from private funds, including providers of insurance. The current system of compensation works well. Consequently, Optometry Wales sees no need for a NHS redress scheme to apply to community optometrists and, by analogy, all contractors in primary health care.

Should the proposed measure be adopted and enforced to include primary health care contractors, it would potentially undermine the current provision of professional indemnity insurance. Optometry Wales has been advised by the profession's insurers that they would have to reconsider providing appropriate cover. Since the existing insurance policies for practising members of the optometric profession cover both private and NHS practice, there is a danger that any transfer of liability to the NHS by means of the proposed redress measure could negate the insurance cover of private practice. It is unlikely that NHS Wales would wish to shoulder such an additional responsibility.

It is not clear from the proposed measure how the matter of fitness to practice within the current regime of regulation of the profession would continue to function, if the proposed measure were adopted and the principle of no-fault introduced. Optometry Wales wonders if the Welsh Assembly Government has consulted the regulatory bodies on this important matter.

Yours sincerely,



Helen Tilley
Chairman
Optometry Wales

Dictated by Ms Tilley and signed in her absence