

# **ADVICE & GUIDELINES ON PROFESSIONAL CONDUCT FOR DISPENSING OPTICIANS**

## **APPENDIX F - GOC CODE OF CONDUCT FOR INDIVIDUAL REGISTRANTS**

### **The Code**

Patients (including customers) must be able to trust optometrists and dispensing opticians with their wellbeing. To justify that trust, professionals have a duty to maintain a good standard of practice and care and to show respect for all aspects of human life.

In all matters, a practitioner must never discriminate unfairly against patients or colleagues and must always be prepared to justify his or her actions.

This document describes principles of good practice in professional conduct and standards and sets out the framework of conduct expected in all aspects of professional work. The principles are linked to the values which have been agreed by healthcare professionals to be common to each profession.

Failure to comply with the duties and responsibilities set out in the Code may put registration at risk.

The GOC recognises that other bodies have issued detailed guidance with regard to the matters covered in this Code. Practitioners are expected therefore to be familiar with the relevant guidance and advice issued by other organisations and, in particular, that of the professional and representative bodies. Reference may be made by the GOC to the guidance and advice of other bodies in the exercise of its functions. In addition, the GOC may from time to time supplement the Code with guidance on specific matters.

A registered optometrist or dispensing optician must:

1. make the care of the patient his or her first and continuing concern;
2. treat every patient politely and considerately;
3. respect patients' dignity and privacy;
4. listen to patients and respect their views;
5. give patients information in a way they can understand and make them aware of the options available;
6. maintain adequate patients' records;
7. respect the rights of patients to be fully involved in decisions about their care;

8. keep professional knowledge and skills up to date;
9. recognise the limits of his or her professional competence;
10. be honest and trustworthy;
11. ensure that financial and commercial dealings do not compromise the interests of the patient;
12. respect and protect confidential information;
13. make sure that personal beliefs do not prejudice your patients' care;
14. act quickly to protect patients from risk if you have good reason to believe that he or she, or a colleague, may not be fit to practise;
15. avoid abusing his or her position as an optometrist or dispensing optician;;
16. work with colleagues in the ways that best serve patients' interest;
17. register with and maintain registration with the GOC.

## **EXPLANATORY NOTES TO CLARIFY THE GOC CODE**

### **Maintaining Trust**

1. Successful relationships between registrants and patients depend on trust. To establish and maintain that trust you must comply with the duties and responsibilities set out in the Code. (The use of the word "registrant" means a dispensing optician, optometrist, or student, as appropriate).
2. Good communication between patients and registrants is essential to effective care and relationships of trust.
3. You must not allow your personal relationships to undermine the trust which patients place in you. In particular you must not use your professional position to establish or pursue a sexual or improper emotional relationship with a patient or someone close to them.
4. You must ensure that patients are aware of your identity.

### **Obtaining Consent**

5. It is a general legal and ethical principle that valid consent must be obtained before starting treatment or physical intervention, or providing personal care for a patient. This principle reflects the right of patients to determine what happens to their own bodies and is a fundamental part of good practice. If you do not respect this principle you may be liable both

to legal action by the patient and you may be putting your registration at risk. Employing bodies may also be liable for the actions of their staff.

6. Patients must be given sufficient oral, and where appropriate, written information in a way that they can understand in order to enable them to exercise their right to make informed decisions about their care.

### **Standards of practice and care**

7. The efficacy and effectiveness of treatment or care you provide or recommend must be based on your professional judgement of patients' needs. You must not allow your views about a patient's lifestyle, culture, beliefs, race, colour, gender, sexuality, disability, age, or social or economic status, to prejudice treatment or care you provide or recommend. You must not refuse or delay treatment or care because you believe that a patient's actions have contributed to his/her condition.

8. If you feel that your beliefs might affect the advice or care you provide or recommend, you must explain this to patients, and tell them of their right to see another registrant.

9. In an emergency, wherever it may arise, you must offer anyone at risk the assistance you could reasonably be expected to provide.

### **Writing of reports, giving evidence and signing documents**

10. You must be honest and trustworthy when writing reports, completing or signing forms, or providing evidence in litigation or other formal inquiries.

### **Ending professional relationships with patients**

11. Rarely, there may be circumstances in which the trust between you and the patient has been broken and you find it necessary to end a professional relationship with a patient. In such circumstances, you must be satisfied that your decision is fair and that it does not contravene paragraph 7; you must be prepared to justify your decision if called upon to do so.

### **Protection from harm**

12. If a patient while under your care has suffered harm, through misadventure or for any other reason, you must act immediately to put the matter right. In so doing, you should take account of any guidance issued by professional bodies.

### **Research**

13. If you are involved in the conduct of research you must ensure that the care and safety of your patient is your first concern.

14. Research should be conducted with honesty and integrity and in accordance with the Department of Health guidelines relating to research (see the Department of Health's guidance at the website for Central Office for Research Ethics Committees {COREC} – [www.corec.org.uk](http://www.corec.org.uk)).

### **Financial and commercial dealings**

15. You must be honest and open in any financial arrangements with patients.

16. You must be honest in financial and commercial dealings with employers, employees, insurers, and other organisations or individuals.

17. You must not put unreasonable financial pressures on employees such that the interests of a patient are compromised.

18. You must only act in your patients' best interests when making referrals and providing or arranging treatment or care. So you must not ask for or accept any inducement which may affect or be seen to affect your judgement.

19. Financial or commercial interests in organisations providing health, pharmaceutical, biomedical, optical or medical equipment or services must not affect the way you prescribe for, treat or refer patients. If you have a financial or commercial interest in such an organisation and you plan to refer a patient to that organisation you must tell the patient about your interest.

20. Registrants should be honest in commercial and financial matters relating to their work. In particular you must inform your patient of any possible conflicts of interests you may have, including fees you have paid to or received from third parties for services provided to the patient. Registrants should only receive fees on the basis of the service they have provided.

### **Treating colleagues fairly**

21. You must always treat your colleagues fairly and not discriminate in any way against them.

22. You are responsible for your personal and professional conduct whether or not you are in a position to control or influence the practice, business or institution in which you work. If you play a part in the direction or management of the practice arrangements you must facilitate and promote your colleagues' adherence to appropriate standards of conduct and continuing professional education and continuing professional development.

23. You must not undermine patients' trust in the care or treatment they receive, or in the judgement of those treating them.

## **Working in teams**

24. Healthcare is increasingly provided by multi-disciplinary teams. Working in a team does not change your personal accountability for your professional conduct and the care you provide. When working in a team, you must:

- respect the skill and contributions of your colleagues;
- communicate effectively with colleagues within and outside the team;
- make sure that your patients and colleagues understand your professional status and speciality, your role and responsibilities in the team and who is responsible for each aspect of patients' care;
- participate in regular reviews and audit of the standard and performance of the team, taking steps to remedy any deficiencies;
- be willing to deal openly and supportively with problems in the performance, conduct or health of team members.

25. If you lead a team you must ensure that:

- team members meet the standards set out in this document;
- any problems which might prevent colleagues from other professions following guidance from their own regulatory bodies are brought to your attention and addressed;
- all team members understand their personal and collective responsibility for the safety of patients, and for openly and honestly recording and discussing problems;
- each patient's care is properly co-ordinated and managed and that patients know who to contact if they have questions or concerns;
- arrangements are in place to provide cover at appropriate times;
- regular reviews and audits of the standards and performance of the team are undertaken and any deficiencies are addressed;
- systems are in place for dealing supportively with problems relating to the fitness to practice of team members.

## **Employing others**

26. As an employer you must:

- ensure that any person invited into the practice to provide optical

care for which registration is required, is both registered and maintains his/her registration;

- if you arrange cover for your own practice, satisfy yourself that registrants who stand in for you have the appropriate qualifications, experience, knowledge and skills to perform the duties for which they will be responsible;
- encourage staff to undertake and to fulfill the requirements for continuous education and training;
- ensure that appropriate arrangements are in place for employees providing care to be indemnified against claims for professional negligence.

27. As an employer you will generally be held responsible in law for the actions of your employees.

28. Should you knowingly allow, or encourage, others to provide care illegally on your premises you may be subject to investigation and criminal prosecution.

### **Delegation and referral**

29. Delegation involves asking a colleague or other health professional to provide treatment or care on your behalf. When you delegate care or treatment, you must be sure that the person to whom you delegate is competent to carry out the procedure or provide the care involved. You must always pass on promptly sufficient information concerning the patient and the treatment required. You will still be responsible for your management of the patient.

30. If a patient is referred to you for specific care or advice, you must return that patient to the referring practitioner for continuing care unless it is inappropriate to do so or the patient chooses otherwise.

### **Working with or for unregistered persons or practices**

31. If a complaint is made to a practice run by unregistered persons the responsibility for giving an explanation or rectifying the situation may lie either with the registrant who conducted the examination or with the registrant who dispensed the appliance. Therefore, you must ensure that you are informed of any complaint that is made by a patient.

### **Making assessments and providing references**

32. You must be honest and objective when appraising or assessing the performance of any registrant including those you have supervised or trained. Patients may be put at risk if you describe as competent someone who has not reached or maintained a satisfactory standard of practice.

## **Colleagues' Fitness to Practise**

33. You must protect patients from risk of harm posed by another registrant's, or other health care professional's, fitness to practise. The safety of patients must come first at all times. Where there are serious concerns about a colleague's fitness to practise you must investigate your concerns to establish whether they are well-founded. If so, you must mention your concerns to an appropriate person. If possible you should try to resolve your concerns locally. If however there are no appropriate local systems for doing this, or local systems cannot resolve the problem, and you remain concerned about the safety of patients, you must inform the relevant professional or representative and where appropriate regulatory body.

34. If you have management responsibilities, you must ensure that mechanisms are in place through which colleagues can raise concerns about risks to patients.

35. If you are suspended from a post, or have restrictions placed on you because of concerns about your fitness to practice, you must inform any organisations for whom you undertake work or provide care and any patients you see independently.

36. If you have been denied registration on a local list or are under investigation by a contracting body, you must inform other contracting bodies you work for, or apply to, of the situation.