
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The General Ophthalmic Services Contracts (Continuing Education and Training Allowances) Payments Directions 2018

The Secretary of State for Health and Social Care gives the following Directions as to payments to be made under general ophthalmic services contracts for continuing education and training allowances in exercise of the powers conferred by sections 120(1) and (3)(a), 272(7) and (8) of the National Health Service Act 2006(a).

The Secretary of State has, in accordance with section 120(4) of that Act, consulted with bodies appearing to the Secretary of State to be representative of persons to whose remuneration these Directions relate and such other persons as the Secretary of State considers appropriate.

Citation, commencement and application

1.—(1) These Directions may be cited as the General Ophthalmic Services Contracts (Continuing Education and Training Allowances) Payments Directions 2018.

(2) These Directions come into force immediately after they are signed.

(3) These Directions are given to the Board.

Interpretation

2. In these Directions—

“the Performers List Regulations” means the National Health Service (Performers List) (England) Regulations 2013(b);

“the Board” means the National Health Service Commissioning Board(c);

“CET allowance” means an allowance paid to a contractor in respect of continuing education and training undertaken during the relevant year by the contractor or by a person employed or engaged by the contractor to perform ophthalmic services under a GOS contract;

“contractor” means a party to a GOS contract other than the Board;

“GOS contract” means a general ophthalmic services contract within the meaning of section 117 of the National Health Service Act 2006(d) (general ophthalmic services contracts: introductory);

“ophthalmic medical practitioner” and “ophthalmic practitioner” have the meaning given in regulation 36 of the Performers Lists Regulations (interpretation)(e);

“ophthalmic performers list” has the meaning given in regulation 2 of the Performers Lists Regulations (interpretation);

(a) 2006 c.41. Section 120(3) was amended by paragraph 58 of Schedule 4 to, the Health and Social Care Act 2012 (c.7) (“the 2012 Act”). By virtue of section 271(1) of the National Health Service Act 2006 (“the 2006 Act”), the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(b) S.I. 2013/335; amended by S.I. 2013/1869, 2015/362 and 1862, 2016/686 and 2017/960.

(c) The National Health Service Commissioning Board (known as “NHS England”) was established by section 1H of the 2006 Act. Section 1H was inserted by section 9(1) of the 2012 Act.

(d) Section 117 was amended by paragraph 55 of Schedule 4 to, the 2012 Act.

(e) Regulation 36 of S.I. 2013/335 was amended by S.I. 2015/362.

“register” has the meaning given in regulation 36 of the Performers List Regulations (interpretation);

“registered optometrist” means a person registered on the register; and

“relevant year” means the period commencing on 1st January 2017 and ending on 31st December 2017.

Amount of CET allowance payable

3.—(1) The amount of a CET allowance payable for the relevant year is £551.

(2) Subject to directions 4 and 5, the Board must make only one payment of a CET allowance in respect of an individual ophthalmic practitioner for the relevant year.

Entitlement to a CET allowance

4.—(1) A CET allowance is only payable by the Board to a contractor in respect of an individual ophthalmic practitioner if the following entitlement conditions are met.

(2) The entitlement conditions are that—

- (a) the name of the ophthalmic practitioner in respect of whom the CET allowance is claimed has been included in an ophthalmic performers list for a period of at least six months during the relevant year;
- (b) a claim for CET allowance is made in accordance with direction 5; and
- (c) the conditions specified in either paragraph (3) or paragraph (4), as the case may be, are satisfied.

(3) Where a CET allowance is claimed in respect of an ophthalmic practitioner who is a registered optometrist, the conditions specified in this paragraph are that the registered optometrist has—

- (a) performed primary ophthalmic services under a GOS contract during the relevant year; and
- (b) undertaken such continuing education and training during that year as is accepted by the General Optical Council as sufficient for the purposes of enabling that optometrist to remain registered in the register.

(4) Where a CET allowance is claimed in respect of an ophthalmic practitioner who is an ophthalmic medical practitioner, the conditions are that the ophthalmic medical practitioner has—

- (a) performed primary ophthalmic services under a GOS contract during the relevant year;
- (b) not had any medical employment except medical or optical activity performed during that year under a GOS contract; and
- (c) undertaken continuing education and training during that year.

Claim and payment arrangements

5.—(1) Payment of a CET allowance under these Directions may only be made by the Board to a contractor if—

- (a) a claim is made by a contractor in respect of an ophthalmic practitioner who has undertaken continuing education and training during the relevant year;
- (b) a claim is made in writing on a claim form approved by the Secretary of State^(a);
- (c) all signatures required on the claim form are handwritten in ink by the appropriate signatory; and

(a) A claim form is available to download from <https://www.gov.uk/government/publications/general-ophthalmic-service-fees-and-voucher-values-from-april-2018>

(d) the claim form is received by the Board no earlier than 2nd July 2018 and no later than 1st November 2018.

(2) Where a CET allowance is payable in respect of an ophthalmic practitioner who is employed by two or more contractors the Board may only pay that allowance to the contractor which is nominated by that ophthalmic practitioner to receive it by way of declaration on the claim form.

Revocation

6. The General Ophthalmic Services Contracts (Continuing Education and Training Allowances) Payments Directions 2017 which came into force on the 9th March 2017 are revoked^(a).

Signed by authority of the Secretary of State for Health and Social Care

21 June 2018

Iain O'Neil
A Member of the Senior Civil Service
Department of Health and Social Care

^(a) A copy is available from the Department of Health and Social Care website www.gov.uk and hard copies are available from Dental and Eye Care Team, Department of Health and Social Care, 4th Floor, 39 Victoria Street, London, SW1H 0EU.