

## If You Have A Complaint

The General Optical Council (GOC) is an independent body set up in 1958 by Act of Parliament to regulate the optical profession. The GOC is responsible for the registration of opticians, that is optometrists and dispensing opticians and companies carrying on their business. The GOC promotes high standards of professional education and conduct among opticians.

### Can The GOC help you?

If you think you have a complaint about the service you have received from an optician or the practice, please read this factsheet. It explains when the GOC can help you and suggests where to seek help when it is unable to do so.

### The First Step

Always try to discuss and resolve your complaint directly with the optician or the practice you consulted. In most cases, you will find that your concern can be resolved without difficulty. If it is not, record the way in which you were treated when you approached the optician or practice. This could be important when your complaint is investigated by the GOC or others later. Occasionally, the complaint should be referred directly to the GOC, particularly where it alleges serious professional misconduct. More information on this further on.

### Does your complaint relate to the service or product supplied by the Optician?

The GOC has no legal power to deal with a complaint relating to the standard or cost of the service, spectacles or contact lenses. There are other sources of help available to deal with these:

1. The Optical Consumer Complaints Service is an independent service which exists to help you. Once all the facts about your complaint are established, the purpose of OCCS is to reach a solution which will satisfy both you and the practice involved. Their address is: OCCS, PO BOX 4685, London SE1 6ZB.
2. The Health Service Authority will be able to help if you had an NHS sight test. You make your complaint to the local Health Service Authority.
3. Your local Trading Standards office may be able to take up your

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complaint where it relates to the product or the standard of service that you received. 4. Your local Community Health Council or Citizens Advice Bureau can offer advice and help you make your complaint. The telephone numbers and addresses of these bodies can be found in your local phone book, library or post office.

### **Does your complaint relate to the conduct of the optician?**

If the answer is "Yes", then you should make your complaint to the GOC, which has a legal obligation to promote high standards of conduct among opticians. The GOC's powers include a disciplinary procedure for the investigation of complaints alleging malpractice or misconduct by an optician. If, after the investigation, it seems that a disciplinary offence may have been committed, the GOC can require the optician to appear before a Disciplinary Committee. If the complaint alleges malpractice or misconduct, then the optician may be charged either with having broken a GOC rule or with serious professional misconduct.

### **What happens then?**

There will be a hearing before the Disciplinary Committee and you may be required to give evidence. The GOC's solicitors will discuss this with you. If found guilty of a disciplinary offence, the optician can be struck off the register, have registration suspended; and/or be fined. The optician would not be able to practice if struck off or during a period of suspension.

### **How do I make a complaint to the GOC?**

Just write with full details of your complaint to : The Registrar, The General Optical Council, 41 Harley Street, London, W1H 2DJ It is important to supply full details of what leads you to complain of the opticians conduct. You may have to make a formal sworn declaration of these details at a later date before a disciplinary case can proceed. This is because, in most cases, your account of the circumstances would be the main evidence to support an allegation of misconduct. Your letter will be acknowledged, and you will be told what action is being taken. You may be asked to supply further information before the matter can proceed, such as permission for the GOC to obtain your records from the optician and/or doctor. You should be prepared for some time to elapse before you receive a decision on the action the GOC proposes to take. Every effort is made to deal quickly with complaints, but a thorough investigation has to be completed before it can be decided whether a disciplinary case can be taken.

# Factsheet

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### Can I get compensation?

No. The GOC's legal powers are only to decide if an optician has been guilty of misconduct; and if so, to order his/her punishment. The GOC has no power to order the payment of compensation to you. You should seek legal advice about a separate action in the courts against the optician to obtain damages or other compensation.

The powers given to the GOC by Act of Parliament extend only to the discipline of the optician in order to maintain a high standard of professional conduct. In the most serious cases of malpractice or misconduct, there is the power to remove the optician's right to practise. However, after investigation, it may be decided not to proceed with a disciplinary case against the optician, but to take some other action. If there is a complaint about an optician's conduct, the GOC is there to receive it. Whatever action the GOC takes, it would not prevent you from taking any other proceedings against the optician, such as a claim for damages. You can be assured that the GOC is an independent body. It does not represent opticians but seeks to protect your interests within the limits of its powers.

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