
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The General Ophthalmic Services Contracts (Continuing Education and Training Allowance) Payment Directions 2013

The Secretary of State for Health gives the following Directions in exercise of the powers conferred by sections 120, 272(7) and (8), and 273(1) of the National Health Service Act 2006(a).

The Secretary of State has consulted, in accordance with section 120(4) of that Act, 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 Allowance) Payment Directions 2013 and come into force on 1st April 2013.

(2) These Directions are given to the Board.

Interpretation

2. In these Directions—

“the 2012 Directions” mean the General Ophthalmic Services Contracts (Continuing Education and Training Allowance) Payment Directions 2012(b);

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

“CET allowance” means an allowance for continuing education and training;

“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);

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

“GOS Contracts Regulations” means the General Ophthalmic Services Contracts Regulations 2008(e);

“ophthalmic medical practitioner” has the same meaning as in regulation 36 of the Performers Lists Regulations (interpretation);

“ophthalmic performers list” means the list prepared, maintained and published by the Board pursuant to regulation 3(1)(c) of the Performers Lists Regulations (performers lists);

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- (a) 2006 (c.41). Section 120(3) was amended by section 55(1) of, and 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 Act, the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.
- (b) The 2012 Directions were signed on 26th June 2012 and are available to download from the Department of Health’s website at www.dh.gov.uk.
- (c) The National Health Service Commissioning Board was established by section 1H of the National Health Service Act 2006. Section 1H was inserted by section 9(1) of the 2012 Act.
- (d) Section 117 was amended by section 55(1) of, and paragraph 55 of Schedule 4 to, the 2012 Act.
- (e) S.I. 2008/1185, as amended by S.I. 2008/1700, 2009/309, 2010/22 and 634, and 2013/365.

“ophthalmic practitioner” has the same meaning as in regulation 36 of the Performers Lists Regulations;

“Performers Lists Regulations” means the National Health Service (Performers Lists) (England) Regulations 2013(a);

“Primary Care Trust” means a Primary Care Trust which was established and which subsisted immediately before the coming into force of section 34 of the Health and Social Care Act 2012(b) (abolition of Primary Care Trusts);

“register” has the same meaning as in regulation 36 of the Performers Lists Regulations;

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

“relevant year” means the period commencing on 1st January 2012 and ending on 31st December 2012.

Payments for continuing education and training

3.A CET allowance is only payable by the Board to a GOS contractor in respect of the relevant year in accordance with these Directions.

Amount of CET allowance payable

4.—(1) The specified amount of a CET allowance payable for the relevant year is £516.

(2) The Board must only make one payment of a CET allowance in respect of an individual ophthalmic practitioner.

Entitlement to a CET allowance

5.—(1) A CET allowance is only payable by the Board to a GOS contractor if the following conditions are met.

(2) The conditions are—

(a) the ophthalmic practitioner in respect of which the CET allowance is claimed—

(i) has, in the case of a registered optometrist, performed primary ophthalmic services under a GOS contract during the relevant year and undertaken continuing education and training during that year which is accepted by the General Optical Council as earning points for the purposes of continuing education and training to enable that optometrist to maintain registration; or

(ii) has, in the case of an ophthalmic medical practitioner, performed primary ophthalmic services under a GOS contract during the relevant year and has had no other remunerated medical employment other than medical or optical activity performed during that year under a GOS contract and has undertaken continuing education and training during that year;

(b) the name of the ophthalmic practitioner in respect of which 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; and

(c) a claim for CET allowance is made in accordance with direction 6.

Claim and payment arrangements

6.—(1) Payment under these Directions is only payable—

(a) if a claim is made in writing on the claim form approved by the Secretary of State(c);

(a) S.I. 2013/335.

(b) 2012 c.7.

(c) A claim form is available to download from the Department of Health at <http://www.dh.gov.uk>.

- (b) if all signatures required on the claim form are in ink and handwritten by the appropriate signatory; and
- (c) the claim form is received by the Board no earlier than 1st July 2013 and no later than 31st October 2013.

(2) Where an ophthalmic practitioner is respect of which a CET allowance is payable is employed by two or more GOS contractors, the Board must pay the CET allowance to the GOS contractor which that ophthalmic practitioner nominated by way of declaration on the claim form.

Revocation of the 2012 Directions

7.—(1) Subject to paragraph (2), the 2012 Directions are revoked.

(2) Notwithstanding the revocation provided for in paragraph (1), the 2012 Directions continue to apply to the extent necessary to—

- (a) establish entitlement to payment,
- (b) make any payment due, or
- (c) recover a payment made

under those Directions, and for these purposes any reference to a Primary Care Trust in those Directions is to be taken as a reference to the Board.



Signed by authority of the Secretary of State

Name
A member of the Senior Civil Service
Department of Health

Date 26 March 2013