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## DIRECTIONS

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### NATIONAL HEALTH SERVICE, ENGLAND

#### The General Ophthalmic Services Contracts (Continuing Education and Training Allowances) Payments Directions 2020

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) to (d) and 272(7) 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 2020.

(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 Lists) (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 List Regulations (interpretation)(e);

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

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(a) 2006 c.41. Section 120(3) has been amended by the Health and Social Care Act 2012 (c.7) (“the 2012 Act”), Schedule 4, paragraph 58. 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. Relevant amendments were made by S.I. 2013/1869, 2015/362 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 with 1st January 2019 and ending with 31st December 2019.

### **Amount of CET allowance payable**

3.—(1) The amount of a CET allowance payable for the relevant year is £573.

(2) The Board may pay no more than one CET allowance in respect of any individual ophthalmic practitioner for the relevant year.

(3) Payment is subject to directions 4 and 5.

### **Entitlement conditions 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 the 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 on 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 electronically using the online claim form and online portal approved by the Board(a);

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(a) The online claim form can be accessed from: <https://secure.pcse.england.nhs.uk/HomePortal>

- (c) all signatures required on the online claim form are signed in digital ink by the contractor making the claim and by the ophthalmic practitioner, in respect of whom the claim for a CET allowance is made, as appropriate; and
- (d) the online claim form is received by the Board no earlier than 1st August 2020 and no later than the end of the day on 30th November 2020.

(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 that is nominated by that ophthalmic practitioner to receive it by way of declaration on the online claim form.

### **Revocation**

6. The General Ophthalmic Services Contracts (Continuing Education and Training Allowances) Payments Directions 2019, which were signed on 19th June 2019, are revoked(a).

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

31 July 2020

*Sarah Gravenstede*  
A Member of the Senior Civil Service  
Department of Health and Social Care

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(a) A copy of these Directions is available from the Department of Health and Social Care website at <https://www.gov.uk/government/publications/general-ophthalmic-service-continuing-education-and-training-payment-2019> and hard copies are available from Dental and Eye Care Team, Department of Health and Social Care, 4<sup>th</sup> Floor, 39 Victoria Street, London, SW1H 0EU.