
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The General Ophthalmic Services Contracts (Payments for sight-testing services provided in a special educational setting) Directions 2024

The Secretary of State gives the following Directions in exercise of the powers conferred by sections 120(1) and (3) 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 the body appearing to the Secretary of State to be representative of persons to whose remuneration these Directions relate.

Citation, commencement, extent and application

- 1.—(1) These Directions may be cited as the General Ophthalmic Services Contracts (Payments for sight-testing services provided in a special educational setting) Directions 2024.
- (2) These Directions come into force on 20th December 2024 immediately after they are signed.
- (3) These Directions extend to England and Wales, but apply to England only(b).
- (4) These Directions are given to NHS England(c).

Interpretation

2. In these Directions—

“contractor” means a party to a SES contract other than NHS England or an Integrated Care Board;

“patient” means a person falling within regulation 3A of the Primary Ophthalmic Services Regulations 2008(d);

“SES contract” means a contract awarded by an Integrated Care Board for the provision of sight-testing services in a special educational setting in accordance with the Health Care Services (Provider Selection Regime) Regulations 2023(e);

“Special educational setting” (SES) has the meaning given in regulation 2 of the GOS Contracts Regulations; and

“the GOS Contracts Regulations” means the General Ophthalmic Services Contracts Regulations 2008(f).

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- (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”) and paragraphs 1 and 34 of Schedule 3 to the Health and Care Act 2022 (“the 2022 Act”).
 - (b) 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.
 - (c) NHS England (formerly known as the National Health Service Commissioning Board) was established by section 1H of the 2006 Act. Section 1H was inserted into the 2006 Act by section 9(1) of the 2012 Act. The National Health Service Commissioning Board was renamed “NHS England” by section 1 of the 2022 Act.
 - (d) S.I. 2008/1186, amended by S.I. 2010/634; there are other amending instruments but none is relevant.
 - (e) S.I. 2023/1348.
 - (f) S.I. 2008/1185; relevant amendments are S.I. 2008/1700, 2010/634, 2013/365, 2014/418, 2017/1056 and 2024/1250.

Fees for sight-testing services provided in a special educational setting under a SES contract

3.—(1) A sight test fee, set out in paragraph (2) is payable by NHS England if the conditions in Direction 4 are met.

(2) The sight test fee payable by NHS England to the contractor is £85.00.

Conditions for sight test fees

4. —(1)The sight test fee is payable by NHS England to the contractor if the contractor—

(a) has provided sight-testing services in a special educational setting to a patient under a SES contract, and

(b) makes a claim for a fee for that sight test in accordance with regulation 16(5), (6) and (7) of the GOS contracts Regulations.

Payments in respect of sight tests not completed

5. —(1)Where a contractor has provided only part of a sight test, NHS England must make a pro rata payment to the contractor if the contractor—

(a) is unable to complete the sight test provided to a patient under a SES contract which that contractor has undertaken to provide,

(b) has informed NHS England of this in writing, and

(c) NHS England is satisfied that the inability to complete the sight test is due to a reasonable cause.

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



Alette Addison
A Member of the Senior Civil Service
Department of Health and Social Care

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