

**2016 No.10**

**THE NATIONAL HEALTH SERVICE (WALES) ACT  
2006**

**The Eye Health Examination Service Committee (Wales)  
Directions 2016**

*Made and coming into force on 5 April 2016*

The Welsh Ministers, give the following Directions in exercise of the powers conferred by section 13(2)(c) and (4)(c) and 203(9) and (10) of the National Health Service (Wales) Act 2006 (1).

**Title, commencement and application**

1.—(1) The title of these Directions is the Eye Health Examination Service Committee (Wales) Directions 2016.

(2) These Directions come into force on 5 April 2016.

(3) These Directions are given to Local Health Boards and apply in relation to Wales.

**Interpretation**

2. In these Directions –

“the Act” means the National Health Service (Wales) Act 2006;

“accreditation requirements” means the requirements in paragraph 9 of Schedule 1 to the Directions;

“Eye Health Examination Clinical Lead” means an optometrist who satisfies the accreditation requirements and who is appointed as the lead clinician to provide advice in relation to clinical matters in relation with the exercise of the relevant functions;

“Eye Health Examination Service Accredited Practitioner” means a practitioner who satisfies all of the accreditation requirements;

“Eye Health Examination Service Manager” means the person appointed by the host Local Health Board to manage the administration of the relevant functions;

“Eye Health Examination Service team” means staff employed by the host Local Health Board to exercise the relevant functions;

“host Local Health Board” means Aneurin Bevan University Local Health Board(2);

“Local Health Board” means a Local Health Board established in accordance with section 11(2) of the Act(2);

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(1) 2006 c.42

(2) Established under section 11(2) of the Act.

“operational date” means 5 April 2016;

“the joint committee” means the Eye Health Examination Service Committee established under direction 3;

“the relevant functions” means arranging the provision of eye health examinations for those eligible clients who require such examination as outlined in the EHEW Manual;

“Wales Optometric Committee Statutory Advisory Group” means the Wales Optometric Committee recognised by the Welsh Ministers under section 190 of the Act; and

### **Directions to each Local Health Board**

**3.—**(1) The Local Health Boards will jointly exercise the relevant functions.

(2) For the purpose of exercising the relevant functions the Local Health Boards will establish a joint committee as soon as practicable after 5 April 2016.

(3) The host Local Health Board will exercise its functions to provide administrative support for the running of the joint committee and establish the Eye Health Examination Service team.

(4) The joint committee will ensure that the relevant functions are exercised in accordance with the service specification in Schedule 1 to these Directions.

### **Membership of the joint committee**

**4.—**(1) The members of the joint committee consist of the chief executive or their representative of each of the seven Local Health Boards together with—

- (a) a chair;
- (b) a vice-chair who is an optometrist employed by one of the Local Health Boards or provides services under the National Health Service General Ophthalmic (Wales) Regulations 1986 and is approved by the Wales Optometric Committee Statutory Advisory Group;
- (c) Welsh Government representative(s);
- (d) Eye Health Examination Service Manager;
- (e) Eye Health Examination Service Clinical Lead; and
- (f) officer members.

(2) The officer members consist of –

- (a) a member of each Local Health Board;
- (b) a deputy medical director; nominated by each of the Local Health Boards’ medical directors;
- (c) a finance director or their representative of the host Local Health Board; and
- (d) Eye Health Examination Service accredited practitioner(s); nominated by the Welsh Optometric Committee Statutory Advisory Group.

(3) The chair in paragraph (1) may not be a member or member of staff of the host Local Health Board.

(4) Officer members in paragraph (2) will have such responsibilities as may be prescribed by the joint committee.

(5) In addition there will be two associate members who will be the chief executive of Optometry Wales, and the chief executive of the Community Health Councils Board or their representative. The associate members will be asked to attend the joint committee as appropriate and may not vote in any meetings or proceedings of the joint committee.

Signed by Dr Grant L Duncan, Deputy Director of Primary Care under the authority of the Minister for Health and Social Service, one of the Welsh Ministers

Yours sincerely

A handwritten signature in black ink, appearing to be 'Paul' followed by a stylized surname.

Dated: 5 April 2016

## SCHEDULE 1

### EYE HEALTH EXAMINATION WALES SERVICE SPECIFICATION

#### **1 Interpretation**

1.1 In this Schedule—

“*annual budget plan*” means the annual budget plan referred to in paragraph 2.3;

“*the accreditation requirements*” means the requirements set out in paragraph 9;

“*accredited practitioner*” means a practitioner who satisfies all of the accreditation requirements;

“*approved resources*” means such resources of the host LHB as the EHEW committee may from time to time approve in writing to be used for the purposes of the EHEW service, such as members of the LHBs’ staff and any accommodation equipment and services used by them for those purposes;

“*client*” means a person who lives in Wales and is registered as a patient with a general medical practitioner and who is identified by an accredited practitioner to satisfy the eligibility criteria outlined in the EHEW Manual, or by having been approved by prior request from an accredited practitioner to the EHEW Clinical Lead;

“*the EHEW Clinical Lead*” means an optometrist who satisfies the accreditation requirements and who is appointed as the lead clinician to provide advice in relation to clinical matters in relation with the EHEW;

“*the EHEW committee*” means the joint committee established pursuant to direction 3(2);

“*the EHEW Manager*” means the person appointed by the host Health Board to manage the administration of the EHEW service;

“*the EHEW Manual*” means the service manual issued by the host LHB in accordance with paragraph 4 as amended from time to time, set out in Annex 1;

“*the EHEW service*” means the national Eye Health Examination Wales Service which consists of the arranging the provision of eye health examinations for clients who require such examination, the provision of advice for such clients and the onward referral to, and signposting of, further services to such clients;

“*the EHEW SOP*” means the EHEW service’s standard operating procedures issued by the host LHB, on behalf of the EHEW committee, as amended from time to time, set out in Annex 2;

“*dispose of*” in relation to any thing includes transferring ownership, parting with possession, letting, hiring, or creating any security in or over the thing in question;

“*financial year*” means the period of 12 months beginning on 1 April in one year and ending on 31 March in the following year;

“*first annual budget plan*” means the annual budget plan for the financial year beginning on 1 April 2016;

“*the host LHB*” means the Aneurin Bevan University Local Health Board;

“*includes*”, “*included*” and “*including*” are to be construed without limitation;

“*in-year budget plan*” means the budget plan referred to in paragraph 2.11;

“*LHBs*” means the all Local Health Boards in Wales (including Aneurin Bevan University Health Board);

“*quarter*” means each successive period of three months beginning on 1<sup>st</sup> April, 1<sup>st</sup> July, 1<sup>st</sup> October and 1<sup>st</sup> January;

“*running costs*” such costs as the host LHB may reasonably incur in managing the EHEW service, including staff and administration costs together with costs associated with the procurement and supply of equipment; and

“*the SSP*” means the NHS Wales Shared Service Partnership who provide business and professional services on an all Wales basis to the LHBs.

## **2 Funding Arrangements**

- 2.1 The LHBs are responsible for ensuring provisions of eye health examinations (as outlined in the EHEW Manual) for clients within their locality; this will not include examinations of clients in their own home. The LHBs will receive funding within their general allocation for arranging the provision of eye health examinations. All other running costs relating to the EHEW service will be met by the host LHB through its general allocation reflecting the total costs required to manage the delivery of the EHEW service. Costs for the training and accreditation of accredited practitioners to undertake examinations will be met from the Welsh Government training and development budget held by the policy branch.
- 2.2 The LHBs must not use the funding provided within their general allocation for the provision of eye health examinations for any other purpose. The host LHB must not use the funding provided within its general allocation for managing the delivery of the EHEW service for any other purpose.
- 2.3 Each financial year the host LHB must submit an annual budget plan in the form set out in Annex 3, setting out the forecast running costs for that financial year to the EHEW committee for approval.
- 2.4 The host LHB will not incur any expenditure from the running costs until the EHEW has approved the annual budget plan.
- 2.5 The annual budget plan must:-
  - (a) be delivered to the EHEW committee by no later 31 January immediately preceding the beginning of the financial year in question;

- (b) give full details of each item of expenditure together with an explanation of why the host LHB considers that expenditure to be necessary; and
  - (c) be monitored and reviewed to ensure reporting is delivered to the EHEW committee quarterly.
- 2.6 The EHEW committee must decide whether to approve or reject each item shown in the annual budget plan that has been delivered to them for approval and they will communicate their decision to the host LHB as soon as reasonably practicable having regard to all of the circumstances.
- 2.7 When considering whether to approve an annual budget plan, the EHEW committee may propose such modifications and conditions to the plan as they consider appropriate.
- 2.8 When the EHEW committee approve the budget plan, the host LHB will commence implementation immediately. If the EHEW committee is unable to agree and approve the budget plan, the EHEW committee will ask the Welsh Ministers to make the final decision of such modifications and conditions to the budget plan as they consider appropriate.
- 2.9 The budget plan must be signed off by the EHEW committee by no later than 31 March of the year preceding the year to which the budget plan relates.
- 2.10 Paragraph 2.5(a) does not apply to the first annual budget plan. The first annual budget plan must be delivered to the EHEW committee no later than 7 days prior to the EHEW committee's first meeting. The EHEW committee must approve the first annual budget plan no later than 30<sup>th</sup> September 2016.
- 2.11 If the host LHB is required to incur any additional expenditure which has not been approved by the EHEW committee in the annual budget plan, the host LHB must submit to the EHEW committee for approval an in-year budget plan giving full details of each item of expenditure together with an explanation of why the host LHB considers that expenditure to be necessary.
- 2.12 The EHEW committee must decide whether to approve or reject each item shown in any in-year budget plan that has been delivered to them for approval and they will communicate their decision to the host LHB as soon as reasonably practicable having regard to all of the circumstances.
- 2.13 While the EHEW continues, the host LHB must not without the prior written approval of the Welsh Ministers dispose of any accommodation or equipment included in the approved resources (whether or not to replace any of them).

### **3 Service delivery**

- 3.1 The LHBs and the host LHB must not without the prior written approval of the Welsh Ministers:-
- (a) cease providing the EHEW service or reduce provision locally or nationally of the EHEW service; or
  - (b) reduce the standards and quality of care to below that outlined in the EHEW SOPs and EHEW Manual.

- 3.2 The LHBs must ensure that the EHEW is delivered in line with the clinical standards set out within the EHEW Manual and the EHEW SOP and/or any other clinical/quality measures agreed by the EHEW committee.
- 3.3 Where concerns, incidents, complaints occur as a consequence of the EHEW service provide by an accredited practitioner, the concerns will be investigated by the host LHB in line with the process set out in the EHEW Manual and EHEW SOP.

#### **4 Eye Health Examination Manual**

- 4.1 The host LHB is responsible for drafting and publishing the EHEW Manual in consultation with the LHBs and accredited practitioners.
- 4.2 Before publishing any new or revised version of the EHEW Manual, the host LHB must obtain the prior written approval of the EHEW committee.
- 4.3 The EHEW committee must:-
  - (a) ensure that the host LHB complies with the provisions of the EHEW SOPs and the EHEW Manual; and
  - (b) ensure that the host LHB takes appropriate steps to ensure that accredited practitioners are familiar with the provisions .of the EHEW SOPs and the EHEW Manual.

#### **5 Reimbursement of EHEW accredited practitioner fee to LHBs**

- 5.1 Following an assessment of a client, an accredited practitioner will send the record of examination (Wales Eye Care Service Form (WECS1)) to the SSP for payment. The SSP will examine the WECS1 form and will either:
  - (a) accept the WECS1 and refer it for payment to the LHBs; or
  - (b) query the WECS1 with the host LHB practitioner.
- 5.2 No later than 30 days after the end of each quarter, the LHBs must send to the SSP a breakdown of all expenditure that each accredited practitioner has incurred during that quarter in providing the EHEW service in the particular LHB's area together with a detailed breakdown of how that expenditure is calculated.
- 5.3 The breakdown of expenditure must be in the form set out by the EHEW committee that may change from time to time.
- 5.4 No later than 30 days after the end of each quarter a full breakdown of the reimbursement request, including patient demand and revenue will be produced by the host LHB for the EHEW committee.
- 5.5. The EHEW committee will consider the information provided under paragraphs 5.2 and 5.4 with a view to monitoring the EHEW service and client activity.

#### **6 Audit**

- 6.1 All expenditure incurred by LHBs relating to the EHEW service will be subject to the usual internal and external audit arrangements for LHBs. All audit information is set out in the EHEW SOPs and EHEW Manual.

## **7 Confidentiality and publicity**

- 7.1 The LHBs and the host LHB is a data controller for the purposes of the Data Protection Act 1998 and must comply with all requirements of that Act.
- 7.2 The LHBs and host LHB must ensure that personal data is obtained and processed in a secure manner, and keep in place security measures designed to protect any personal data accessed or processed by the Host LHB staff from unauthorised or unlawful disclosure, unauthorised or unlawful processing, accidental loss, destruction or damage.

## **8 Contact points**

- 8.1 All communications from the LHBs to the host LHB and/or the EHEW committee regarding any aspect of the EHEW service must be made formally in writing and addressed to the EHEW service, Aneurin Bevan University Health Board St Cadocs Hospital, Lodge Road, Caerleon, Newport, NP18 3XQ. The EHEW Administration Manager and the clinical lead will agree on the most appropriate course of action to answer all communications received and will provide a full written response or interim reply within 7 days and full written response as soon as practicably possible.

## **9 Accreditation requirements**

- 9.1 In order to be an accredited practitioner, a practitioner must satisfy and continue to satisfy the following requirements, the practitioner must:
- (a) practise in Wales and be an optometrist or ophthalmic medical practitioner registered with the General Optical Council;
  - (b) successfully complete the practice requirements set out in the EHEW Manual;
  - (c) successfully complete any mandatory continuing development training required by the EHEW Clinical Lead, EHEW Manager and EHEW committee as set out in the EHEW Manual;
  - (d) successfully complete the Eye Health Examination Accreditation as set out in the EHEW Manual.



**Annex 1**

Eye Health Examination Wales Manual

**Annex 2**

Eye Health Examination Wales Standard Operating Procedures

