



**Annual  
Report  
2015-16**

**Optometry  
Council**  
of New South Wales

## President's message



*Optometry Council  
of New South Wales*

We now come to the end of my first year as President of the Optometry Council and I'm pleased to present the annual report for 2016.

This year our financial performance has resulted in an operating surplus and we have been able to reduce our shortfall from the equity target to cover any unexpected legal expenditure. We have been working with the Optometry Board of Australia and AHPRA to develop a national policy with practitioners who have been brought to our attention through AHPRA's audit of practitioner compliance with registration standards. We have also reviewed our stand-by panel from which practitioners are drawn to serve on tribunals and regulatory committees and panels.

The Council is currently investigating delivery options in their endeavour to raise awareness within the profession in adopting best practice in relation to record keeping, professional boundaries and communication with their clients. We see this as part of the Council's role to reduce complaints and to serve the public interest, which includes upholding the standing of the profession and maintaining public confidence in the high standards of optometrists.

I acknowledge the invaluable contribution that the Health Care Complaints Commission made towards the Council's role of regulating optometric practitioners and for its assistance in ensuring that the most appropriate and measured action is taken against practitioners who, through their performance, conduct or health, placed the public at risk of harm.

I would like to thank the members of this Council for their input and diligence throughout the year. The Council members' deliberations provided a strong foundation for sound decision making and helped fulfil our public protection responsibilities. I would also like to acknowledge the professional and efficient support provided by Michael Jaques and Christine Gursen, for their considerable amount of background work which ensures the Council is able to conduct its duties effectively.

A handwritten signature in black ink that reads "Albert Lee". The signature is written in a cursive style with a long horizontal flourish at the end.

**Mr Albert Lee**  
President  
Optometry Council of NSW

# Regulation of Optometrists in 2015/16

## Overview

**1,743**

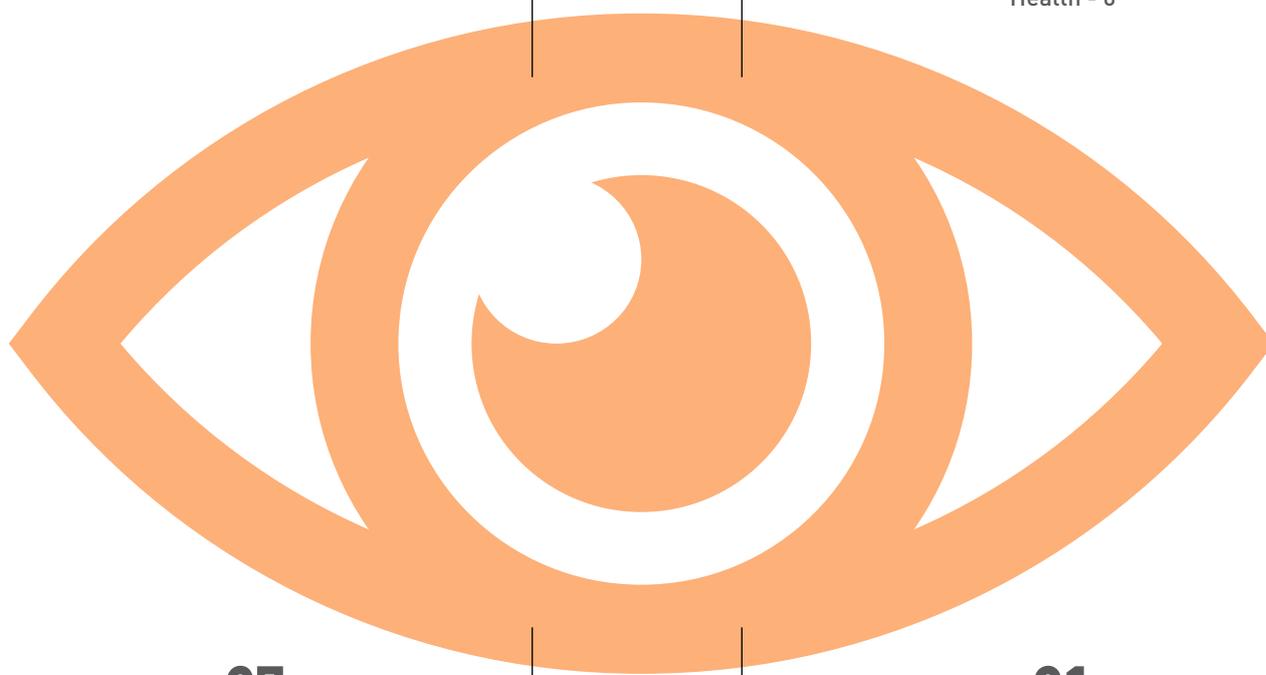
**REGISTERED  
OPTOMETRISTS IN NSW**

4.8% more than last year in NSW  
33.9% of optometrists in Australia

**22**

**NEW COMPLAINTS  
RECEIVED RELATED TO**

Conduct - 12  
Performance - 10  
Health - 0



**27**

**CLOSED COMPLAINT  
OUTCOMES INCLUDED**

11 counselling  
2 referred to another body  
4 no further action  
9 discontinued  
1 withdrawn

**31**

**COMPLAINTS  
WERE MANAGED**

9 open at start of year  
22 received during the year  
27 closed during the year  
4 open at end of year  
2 active monitoring cases at end of year

## Regulation of Optometrists in NSW in 2015/16

### Year in summary

As at 30 June 2016 NSW had 1,743 registered optometrists representing 33.9% of the 5,142 optometrists registered to practise in Australia. There was an increase of 4.8% on the 1,663 optometrists registered in NSW last year.

During the year the Optometry Council of NSW managed 31 complaints including:

- 9 open matters at the start of the year
- 22 new complaints received during the year.

By year end 27 complaints had been closed and four matters remained open.

The 22 new complaints received this year were about 22 practitioners representing 1.26% of NSW registered optometrists. There were seven fewer complaints received this year compared with the 29 complaints received in 2014/15.

This year there were no mandatory notifications.

The Council received 12 complaints from patients; five from AHPRA; two from a relative of a patient or practitioner; one from another practitioner; one from a government department; and one anonymous complaint.

Complaints received about NSW optometrists related to:

- Conduct – 12 complaints
- Performance – 10 complaints.
- Health – 0 complaints.

No complaints required immediate action consideration.

After Council consultations with the HCCC, 12 of the complaints received during the year were referred for Council management.

No matters were referred to NCAT.

Outcomes for the 27 matters closed during the year were as follows.

Outcome	Number
Counselling	11
Discontinued	9
No further action	4
All or part referred to another body	2
Withdrawn	1
<b>Total</b>	<b>27</b>

At year end two cases were being actively monitored, including one performance matter and one health matter.

### Council Membership

Section 41E of the Law prescribes that there are four members of the Optometry Council appointed by the Governor.

Members who are registered Optometry practitioners:

- Mr Albert Lee BOptom – President
- Mr John Davis BOptom
- Mr Derek Fails BSc(Hons), MCOptom (UK), Cert Oc Ther (SUNY), G Dip Bus (Tas), FAICD.

Legal member:

- Ms Pauline O'Connor LLB, LLM – Deputy President.

### Attendance at Council Meetings

The Optometry Council met on 11 occasions. Attendance at the meetings was as follows.

Member	Meetings Attended	Meetings Eligible to Attend
Mr Albert Lee	11	11
Ms Pauline O'Connor	8	11
Mr John Davis	11	11
Mr Derek Fails	9	11

### Executive Officer

The Optometry Council was supported by Mr Michael Jaques, Executive Officer and Ms Christine Gursen, Assistant Executive Officer, employed by the HPCA.

### Committees of Council

Section 41F of the Law provides that the Council may establish committees to assist with the exercise of its functions. Members of committees need not be Council members. The Optometry Council did not appoint any committees during the reporting period.

### Regulatory Committees and Panels

Part 8 of the Law prescribes the committees and panels that support the Council in undertaking its regulatory activities. They include Assessment Committees, Impaired Registrants Panels and Performance Review Panels. The Optometry Council did not establish any of these bodies during the reporting period.

### Meetings and Conferences

The President, Mr Albert Lee, represented the Optometry Council at the Council Presidents' Forum.

### Overseas Travel

There was no overseas travel during the reporting period.

### Council Communications

The Optometry Council website is the principal medium used for communicating information to optometrists, optometry students and the community. The website is updated regularly and includes links to other key bodies in the National Registration and Accreditation Scheme. Further information is available on the Council's website at [www.optometrycouncil.nsw.gov.au](http://www.optometrycouncil.nsw.gov.au).

### Remuneration

Remuneration for members of the Council was as follows:

President	\$2,336 per annum
Deputy President and Members	\$1,752 per annum

In addition, Council members received sitting fees for the conduct of Council Inquiries, attendance at committee meetings and other regulatory activities if held on a day other than the monthly Council meeting. Council members are reimbursed for expenses incurred when travelling on official business at Council direction.

Members of panels and tribunals also receive remuneration and reimbursement of expenses.

## Financial Management

The Optometry Council's accounts performance as reported in the Financial Statements was as follows.

<b>Accounts Performance 2015/16</b>	<b>\$</b>
Revenue	201,268
Operating expenditure	165,630
Gain/(loss) on disposal	80
<b>Net result</b>	<b>35,718</b>
<b>Net cash reserves (cash and cash equivalents minus current liabilities)</b>	<b>313,937</b>

\* Included in the net cash reserves is Education and Research bank account balance of \$45,248.

The Optometry Council's budget for the period 1 July 2016 to 30 June 2017 is as follows.

<b>Budget 2016/17</b>	<b>\$</b>
Revenue	207,212
Operating expenditure	209,871
<b>Net result</b>	<b>[2,659]</b>

Full financial statements are presented in Part 3 of this report 'Financial Statements for NSW Health Professional Councils'.