

	Reference	Extract	Consideration	Feedback (collated from all ROCs)
1	Schedule 1: Definitions: Annual Financial Report	a report of the financial activities of the Committee since the publication of the preceding report together with [a copy] [a summary] of the Accounts [and Letter of Verification]	a) Is the flexibility regarding a copy/ summary of accounts necessary? b) Is a letter of verification viable for your LOC?	a) One group wants full report (not summary) b) Yes – so long as flexibility that does not have to be done by accountant Other: <ul style="list-style-type: none"> • Could the audit/ report be provided by LOCSU, particularly those LOCs on PAYE with LocumKit; help remove conflict of interest
2	Schedule 1: Area	[description of area the Committee is representative of]	Any feedback on this definition?	<ul style="list-style-type: none"> • How are boundaries decided? • Can't answer • How defined? County or city boundary?
3	Schedule 1: Contacts	[add central LOC email address(es)]	Any feedback on this definition?	<ul style="list-style-type: none"> • Must have central LOC email address
4	Schedule 1: Financial Year	the financial year of the Committee, being the 12-month period ending on [31 March] in each year	The LOC could amend the date to reflect their reporting period, 31 March is included as a suggestion, is this clear, should we change to [date here]?	<ul style="list-style-type: none"> • Suggest “standard financial year of the LOC” • Suggest “Date here” preferred to 31 March
5	Schedule 1: LOC Bank Account	The bank account of the LOC with [add name and address of bank] (or such other Bank as is appointed ...	Any feedback on this definition?	
6	Schedule 1: Qualification Criteria	[qualification criteria for membership of the Committee]	CRG suggested LOCSU to draft the qualification criteria as an appendix, aligned with professional requirements to remain registered/ providing services and other standards a) Do you agree/ disagree? b) Do you have any other suggestions?	<ul style="list-style-type: none"> • Agree • Include GOS requirements for contractors/ performers, scope for lay and co-opted; collectively represent majority of optics profession delivering NHS services
7	Schedule 1: Requisition Notice	Written notice to the Committee to requisition an EGM to propose any of the matters set out in clause 16.1	a) Does this definition adequately explain the requisition notice?	a) Yes b) Could be simple majority, i.e., more than half

		<p>Note 16.1 includes: <i>amendments to the Constitution; challenge to whether the Committee is representative...; a request to have an independent audit of the Accounts.</i></p>	<p>b) 16.3 of the Core Constitution states that two thirds of constituents would need to sign the notice; is this a reasonable expectation?</p> <p>c) Would you prefer if the detail about requisition notices was in the Schedules with more flexibility?</p> <p>d) Any other feedback?</p>	<p>c) Yes, more flexibility</p>
8	<p>Schedule 2: The Committee: 1.1 Composition</p>	<p>The Committee shall consist of between [six] and [twelve] members who may be elected or co-opted as follows:</p> <p>1.1.1 Elected LOC Members The Committee shall consist of at least [six] Elected LOC Members who are Constituents that have been elected by the Constituents. Suggested alternative to 1.1.1 <i>More than half the Committee shall be elected by the Constituents.</i></p> <p>1.1.2 Dispensing Optician Members The Committee shall include at least 1 dispensing optician member, who will be [elected by the Constituents] [co-opted by the Committee].</p> <p>1.1.3 Co-opted Members The Elected LOC Members may co-opt members who may or may not be Constituents.</p>	<p>The CRG discussed at length and suggested seeking more feedback:</p> <p>a) Is six a reasonable minimum in 1.1 - if not, what is reasonable?</p> <p>b) Is a maximum necessary – if so, is 12 reasonable - if not, what is?</p> <p>c) Is the suggested change to 1.1.1 a more flexible and better way to ensure balance?</p> <p>d) Re DOs (1.1.2) the CRG reflected that some LOCs elect DOs in their own right (not as contractors) and changes to their constitutions had been approved by their ICB, it is therefore appropriate to enable this in the new model constitution, do you agree/ disagree?</p> <p>e) If you agree, do you think at least one DO should be mandatory?</p> <p>f) There is full flexibility on who could be co-opted (1.1.3); is this appropriate or should there be any parameters set? If yes please state.</p>	<p>a) Suggest a minimum of 5 committee places for every 30 practices (given diversity of LOC sizes): Agreed 6-12 with min of 4 elected or 50% e.g. 4/6 or 7/12; 6 agreed min; agree 6 min</p> <p>b) No max – around 5 per 30 practices; 90 practices could have a committee of 15; 12 not enough as a maximum but do need an upper limit, possibly % of levy paying contractors; maximum 20/ in accordance with number of practices</p> <p>c) Yes, should aim 50/50</p> <p>d) Elected DOs should be contractor representatives; DOs to be elected (not co-opted) max of 2 min of 1</p> <p>e) Yes at least one DO mandatory; preferred but not mandated; yes at least 1 mandated; no as it can't be enforced</p> <p>f) Relevance to eyecare/ HES; full flexibility appropriate; yes (subject to 2/3 majority agreement for co-opts for speciality skills eg IT; yes full flexibility</p> <p>Other:</p>

				<ul style="list-style-type: none"> • Maternity/ paternity/ parental leave = scope to keep place on committee
9	Schedule 2: The Committee: 1.2	There will be a set number of LOC Committee Member roles which can be adjusted by way of Requisition Notice, if the Constituents consider it appropriate, to ensure the Committee is representative of the Constituents.	This wording affords LOCs flexibility to determine their make-up and adds a safety-net of the constituents acting if necessary. The committee could set and change the precise number and types of roles when they see fit, while constituents can hold them to account in being representative. This mitigates the risk of an LOC being essentially taken over by one provider. Any feedback on this clause?	<ul style="list-style-type: none"> • Agreed • Title/ role not needed for everyone, is needed for officers, all members must add value (comms lead, education lead) • Keep it and rephrase as clear, concise & easily understood
10	Schedule 2: The Committee: 1.3	Elected LOC Members must at all times form at least a [bare] [two thirds] majority of the Committee with the remainder of the Committee consisting of Co-opted Members.	This clause offers the option for either a bare majority (difference of one or more) or two thirds majority. The CRG recommended simplifying to 'bare majority' given how small some LOCs are.... Any feedback on this clause?	<ul style="list-style-type: none"> • Possible 2/3 if it is constitutional to be able to elect DO instead of co-opt (elected LOC has to be able to function in its own right) • Bare majority • Bare majority (2/3 too restrictive for smaller LOCs) • Bare majority • Make more clear that a co-opted DO not essential if elected DO is present, should allow for either elected DO member (either performer or contractor) if not possible then can be co-opted, should be on the register
11	Schedule 2: The Committee: 2.1 Local GOS Contractors	2.1.1 A person may put themselves forward to be elected as a LOC Member provided that they: 2.1.1.1 are a GOS Contractor and meet the [Qualification Criteria]; and	The CRG suggested LOCSU should draft the qualification criteria as an appendix and align it with professional requirements to remain registered/ providing services and other relevant standards.	

		<p>2.1.1.2 have [provided a Declaration].</p> <p>2.1.1.3 where a Local GOS Contractor is a practice consisting of more than one individual, they may nominate not more than one individual to be an LOC Member.</p>	<p>a) Do you agree with this approach?</p> <p>b) Do you have any other suggestions?</p> <p>The CRG suggested LOCSU should draft a declaration as an appendix and align it with the qualification criteria and the declaration of interests, there should be one form for all purposes.</p> <p>c) Do you agree with this approach?</p> <p>d) Do you have any other suggestions?</p> <p>On 2.1.1.3; this clause should not preclude performers (or potentially DOs) from a contractor also being an LOC member in their own right; it would prevent multiple 'other' workers of the contractor from sitting on the LOC.</p> <p>e) Any feedback on this clause?</p>	<p>a) Agree (as long as GOC registered)</p> <p>b)</p> <p>c) Agree</p> <p>d) Agree (x2)</p> <p>Other:</p> <ul style="list-style-type: none"> • Qualification criteria could include essential & desirable lists, • Why does a contractor need qualification criteria? • Essential for elected roles to be registrants offering GOS services • Wording is confusing – does a member have to be GOC registered and performing GOS services – is there a minimum requirement & if not should be. What number would be appropriate 100? Exceptional circumstance maternity/ paternity
12	<p>Schedule 2: The Committee: 3.1 Local GOS Performers</p>	<p>A Local GOS Contractor or Local GOS Performer may put themselves forward to be a Co-opted Member if they:</p> <p>3.1.1 meet the [Qualification Criteria]; and</p> <p>3.1.2 [has provided a Declaration].</p>	<p>Taking account of any feedback on qualification criteria and the declaration referenced in line 11 above... Any feedback on this clause?</p>	<ul style="list-style-type: none"> • Would this prevent retired performers from being on the committee? They have valuable knowledge, experience & time • Needs cap at maximum number depending on size of committee – assumption being they would be voted in when elections take place
13	<p>Schedule 2: The Committee: 3.2</p>	<p>Any other Constituent, [including a Dispensing Optician] may put themselves forward to be a Co-opted Member if they:</p> <p>3.2.1 meet the [Qualification Criteria]; and</p> <p>3.2.2 [has provided a Declaration].</p>	<p>The CRG suggested LOCSU should draft the qualification criteria as an appendix and align it with professional/ regulatory requirements (if relevant, depending on role) and Nolan Principles.</p> <p>a) Do you agree with this approach?</p>	<ul style="list-style-type: none"> • DOs should not need to be co-opted, they are GOC registered and equally entitled to be involved and contribute. Nolan principles should apply to all committee members. • Consider local enthusiasm i.e., if there are no DOs/ contractors interested in

			<p>b) Do you have any other suggestions? The CRG suggested LOCSU should draft a declaration as an appendix and align it with the qualification criteria and the declaration of interests, there should be one form for both purposes.</p> <p>c) Do you agree with this approach?</p> <p>d) Do you have any other suggestions?</p>	<p>attending the LOC makeup will be skewed based on those attending/ interested</p> <ul style="list-style-type: none"> • What does constituent mean – needs defining -could open-up acceptance of ‘bucket shops’ on the committee who possible won’t have the best interests of the LOC at heart
14	Schedule 2: The Committee: 6.1 Term of officers	The LOC Officers shall hold office for up to [3] years, the period to be determined [as part of the election process] [by the Committee when the role is put up for election].	The CRG agreed lengthening standard terms up to three years would aid with planning and give more certainty, reflecting one-year is not very long.... Any feedback on this clause?	<ul style="list-style-type: none"> • Agree • Agree • Agree
15	Schedule 2: The Committee: 6.2	A LOC Officer can stand for successive terms in the same role, if a LOC officer holds office for six [six to nine] consecutive years, any subsequent terms of office will be for one year for [an unlimited number of terms] [maximum of X years].	<p>The CRG gave feedback that it is not unusual to serve for more than six years (two terms) and that should continue to be accommodated, however, elections thereafter could be annually to encourage succession</p> <p>a) Is six, then yearly, appropriate?</p> <p>b) Should the clause include flexibility for six to nine years as a baseline then yearly thereafter?</p> <p>c) Is it ok to have unlimited terms?</p> <p>d) Would you prefer a maximum number of years in a specific role?</p> <p>e) If so, what would that maximum be?</p>	<p>a) 6yrs then 1yr break</p> <p>b) ...</p> <p>c) No</p> <p>d) ...</p> <p>e) 6yrs</p> <p>Other:</p> <ul style="list-style-type: none"> • Dependent on if other suitable candidates are available/ interested • Not sure if any advantage to election every year (if served for over 9ys) as the whole committee is re-elected after 3 yrs anyway

16	Schedule 2: The Committee: 7.1 Election process	When a LOC Officer's position becomes vacant or is expected to become vacant: 7.1.1 the Committee shall [agree the recruitment and appointment process with a clear job description and qualification/ eligibility criteria or appoint a recruitment sub-committee to oversee the recruitment, election and appointment process ("Panel")];	This clause gives flexibility for an LOC to delegate election processes to a sub-committee that can meet without the whole committee and make decisions about how the election will be run. To assist, there is an outline job description of the Chair, Secretary and Treasurer roles, LOCSU will also produce template qualification/ eligibility criteria, and the election process is set out in general terms in the constitution. The LOC / subcommittee could meet to agree who does what in administering the election. Any feedback on this clause?	<ul style="list-style-type: none"> • Not a job – it is a role • Not a job description – ‘terms of service’ (otherwise agree) • Is there a scoring criterion for applicants to determine best candidate meeting LOC need/ additional skills? • Number to make up sub-committee? • What if one applicant who doesn't meet criteria and there is no-one else? • Documented process needed for governance. • Need selection process to allow decision to be made by electorate • Does this apply to chair/ secretary/ treasurer only, or to all roles on LOC e.g. social media office, community services, hospital liaison, low vision
17	Schedule 2: The Committee: 7.2	Within [3] months prior to the intended date of the election of the incoming Elected LOC Members, the Co-ordinator shall publish and make available the job description, person specification and application form to the Constituents [by being published on the LOC's website and/or sent or emailed to all Constituents at the contact details in the Directory of Constituents].	<ol style="list-style-type: none"> Is 3 months a reasonable expectation? Would a range of minimum to maximum be better here? What is the shortest notice you may have to give? Are the options for notifying constituents appropriate? Any other feedback on this clause? 	<ol style="list-style-type: none"> Depends; challenging (30-60 days?) Min-max would be better; yes Depends on individual circumstances; month/ 30 days Needs to be multiple methods (website, emails/ post) clause to refer to multiple methods but not specify; yes – ensure use of constituent date in legal Other: <ul style="list-style-type: none"> • Directory of constituents not accurate concerns • Bad phrasing – does ‘within 3 months’ mean at least 3/12 before? • We have potential committee members observe before electing. • Clause seems prohibitive, is it required? • How does this benefit the LOC?

18	Schedule 2: The Committee: 8.2 Casual vacancies	A Casual Vacancy will occur on: 8.2.1 a Member requests to take a break from their role for a defined period which is then agreed in advance by the Committee; or 8.2.2 the resignation, suspension from or removal from the performers lists or death of a Member; or 8.2.3 any Member being absent for three [3] consecutive meetings of the Committee, without the prior approval of the Committee; or 8.2.4 [any other circumstances?]	A Casual Vacancy is one that happens and needs filling in-year (not at the end of a term, not at a planned election). a) Is it reasonable to ask someone to stand down if they are absent for three consecutive meetings (8.2.3); noting that if they are long-term sick, then there is scope under 8.2.1 to take a period of leave and return? b) If no, what would be reasonable? c) Are there any other circumstances to list at 8.2.4?	a) Agree; 8.2.3 – a timeframe may be better e.g., 6/12 not 3 meetings, agree reasonable after set timescales as not fulfilling obligations. Ensure the obligations are clear/ explicit for members so can hold to account; yes reasonable b) Should be justification as how can you get priori approval of sudden illness – “illness or other reasonable case” clause c) No longer eligible Other: Suggest role of past chair to offer support
19	Schedule 2: The Committee: 8.3	Within [30 days] of such a vacancy occurring, the Committee shall meet and by a majority vote appoint a further member or members to the Committee ...	a) Is 30 days a reasonable expectation, if no then what timeframe would be? b) Should this language be softened as may not always be possible? c) Would it help if the constitution was more flexible on how the decision would be made, for example could it be done without a meeting through an online process by email or an online form (LOCSU to support if required)?	a) At next meeting?; no, may-be 90 days; only an urgent issue if it threatens quoracy; 60 days aim... 90 ma b) Only for officer roles; yes as not always possible to find date especially holiday periods; yes c) Yes, if lose one committee member out of 20, no rush to have extra meeting & replace; interim decision within 30 days & then formal process within 90 days. Limited power during that period. Need mechanism to keep functioning as an LOC.
20	Schedule 2: The Committee: 9.1 Resignation & disqualificat ion	A Member may resign on giving written notice delivered to the [Chair or Secretary] and the resignation shall take effect on the date specified in the notice or, if no date is specified, on the date when the notice is delivered, provided that the resignation of any of the LOC	a) Is Chair or Secretary appropriate? b) Is it appropriate to state a minimum notice period? c) Should this be softened to ‘resigning officers should aim to give at least X weeks’/ months’ notice of standing down?	a) Officers? b) - c) Not enforceable anyway d) 3 months Other: This does not seem relevant as not contracted no obligation these are voluntary roles

		Officers shall require a minimum notice period of [NUMBER] [weeks][calendar months].	d) What would be a reasonable amount of weeks' / months' notice?	
21	Schedule 2: The Committee: 9.2	<p>A Member shall be disqualified and cease to be a member if they cease to meet the qualification criteria.</p> <p>9.2.1 [optional: LOC to add circumstances under which a member can be disqualified from the Committee e.g Local performer/contractor not working in the Area anymore, misconduct, non-declaration of conflict of interests, undermining or working against LOC decisions]</p> <p>Please also note <i>this links to the standards outlined in Schedule 5 para. 1.1 (used in the 'challenging conversations' workshop).</i></p>	<p>The CRG discussed this and advised this could be simplified by specifying the qualification criteria (LOCSU to provide a template) and failure to meet those would mean disqualification. For example, qualification would include being in good standing with the relevant regulator/ regulators.</p> <p>a) Do you agree this can be simplified as above? b) If no, what would you wish to see listed at 9.2.1? c) If yes, do you have any thoughts on what the qualification/ eligibility criteria should include? d) Any other feedback?</p>	<p>a) Yes b) Needs to be clear what is and isn't acceptable c) Number of consecutive meetings missed; Not attending 3 meetings in a row without satisfactory reason</p> <p>Other:</p> <ul style="list-style-type: none"> • Our constitution stipulates 1 NHR test per year in the area • Consider the requirement at 9.2.1 some LOC's are happy to Co opt a member from out of the area • Like the less but clearly not exhaustive • rephrase good standing • LOC decision after considering facts of the case, committee decision is final • Lack of engagement/ non-participation • Opportunity for lay member to join or non clinical member to observe • non practitioner on LOC? Private practise? • GOC investigation? (declaration)
22	Schedule 2: The Committee: 9.3	A Member may only be disqualified by a decision made by the [bare] or [two-thirds] majority of the Elected LOC Members.	This clause offers the option for either a bare majority (difference of one or more) or two thirds majority. The CRG recommended simplifying to 'bare majority' given how small some LOCs are.	<p>a) Bare majority preferable; quorate with 1 or more majority; 2/3 better; bare b) No; member would normally resign; if clearly no longer meet criteria no vote required, automatic exclusion; yes although clearly no longer qualify</p>

			<p>a) What majority works best for you – bare/ two-thirds?</p> <p>b) Is it appropriate or necessary to require a vote if someone clearly no longer meets the eligibility criteria?</p> <p>c) Any feedback on this clause?</p>	
23	Schedule 2: The Committee: 9.4	<p>Disqualified Members may not stand for re-election to the Committee [for at least a period of [NUMBER] years following their disqualification].</p> <p>Suggested rewording: <i>Disqualified Members may not stand for re-election to the Committee until such time as they demonstrate that they meet the qualification criteria and the reasons for disqualification are no longer relevant.</i></p>	<p>CRG agreed it was arbitrary to specify a number of years and not appropriate, should be dependent on the reason for being disqualified. The suggested rewording is based on their feedback.</p> <p>a) Do you agree, in principle, with the rewording?</p> <p>b) Is there anything you would change in the suggested rewording?</p> <p>c) Do you prefer the extract which specifies a time period?</p> <p>d) If yes, how should the time period be determined?</p>	<p>a) Yes; yes (number of years not applicable); yes; yes</p> <p>b) No; no</p> <p>c) No; no</p> <p>d) No; no</p>
24	Schedule 2: The Committee: 10.1 Meetings	<p>10.1.1 The Committee shall meet [every month/bi-monthly/quarterly].</p> <p>10.1.2 The Committee shall schedule meetings for the following Financial Year in advance, by agreeing a standing agenda and the time, date and location of such meetings and recording that in the minute of the meeting at which those meetings have been scheduled. Further notice need not</p>	<p>a) Does 10.1.1 give enough options – does one of these work for your committee?</p> <p>b) Would you agree there should be a minimum number stated in the model constitution?</p> <p>c) Would 4 (quarterly) be appropriate, and would that include the AGM?</p> <p>d) Is 10.1.2 a reasonable expectation – is there anything</p>	<p>a) Add an option for additionally, as required; yes</p> <p>b) Yes; yes</p> <p>c) Four plus AGM; at least quarterly; yes, not including AGM</p> <p>d) Reminder to be sent 14 days prior/ 10 days prior</p> <p>e) Yes</p> <p>f) 14 days; 7 days; 10 days except in an emergency with option for e-mail or as required; 14 days</p>

		<p>be given of any such scheduled meetings.</p> <p>10.1.3 For any other meetings of the Committee, the Chair shall give not less than [NUMBER] clear days' notice in writing (including by email) to the Members, including the agenda for, and the time, date and location of, such meeting.</p>	<p>you would like to see change in this paragraph?</p> <p>e) Under 10.1.3, should this specify a minimum standard?</p> <p>f) If yes, what would be an appropriate minimum expressed in days?</p> <p>g) Any other feedback?</p>	
25	Schedule 2: The Committee: 10.2 Chair	<p>10.2.1 The Chair shall chair the Committee meetings and in the absence of the Chair, the [Vice Chair shall be the chair/other Members present shall elect one of their number to be chair] of that meeting and, for the duration of that meeting, that person shall be the Chair.</p>	<p>This clause is designed for the default chair of a meeting (in the LOC Chair's absence) to be the Vice Chair, if there is no Vice Chair then the meeting elects a chair for sole purpose of the meeting, from the group.</p> <p>a) Is this flexible and prescriptive enough as written?</p> <p>b) If not, how could it be improved?</p> <p>c) Any other feedback?</p>	<p>a) This seems clear and reasonable to cover all eventualities; we think this is fine; yes</p> <p>b)</p> <p>c) consideration given to a LOC pecking order</p>
26	Schedule 2: The Committee: 10.3 Quorum	<p>10.3.1 The quorum for meetings of the Committee shall be at least [one third] of the Members provided that a majority of those present are Elected LOC Members, 2 of whom should be LOC Officers.</p> <p>10.3.2 For the avoidance of doubt, Co-opted members and Observers will not form part of the quorum.</p>	<p>The CRG pointed out that a third of six (suggested minimum size for an LOC) is two people and wondered whether this was enough to have a quorum.</p> <p>a) Do you agree/ disagree 2 would be too few?</p> <p>b) If yes, what would you suggest as a minimum quorum number?</p> <p>c) Do you agree/ disagree the majority should be elected (voting) members, including 2 officers?</p> <p>d) Do you agree/ disagree with 10.3.2?</p>	<p>a) Is it 1/3 of all places or those currently filled? E.g., 12 full or 9 current; yes; yes; not ideal but have to work with what you have</p> <p>b) Based on above 12/9, would quorum be 4/3?; should be 3 minimum; 3 min; 4min</p> <p>c) We have a lay sec so only 2 officer posts, in which case is 1 officer sufficient? Or why any officer as committee members voted on? Are we suggesting an officer has some kind of casting vote? Or officer present to ensure process?; 1 officer; agree; bare majority and no need to have officers</p>

			<p>e) If no, please explain or offer alternative wording.</p> <p>f) Any other feedback?</p>	<p>d) Coopts should be included in the number and be allowed to vote; observers should not; only observers to not form part of the quorum</p>
27	Schedule 2: The Committee: 10.5 Minutes	<p>10.5.3 The minutes that have had all Confidential Information omitted shall be available for inspection to all Constituents as follows:</p> <p>10.5.3.1 [LOC to consider means of inspection i.e website, email, social media].</p>	<p>a) Do you agree minutes should be made available (excluding confidential elements)?</p> <p>b) How does this (or could this) work in practice?</p>	<p>a) Yes; all transparent unless special circumstances; yes; yes but only by request and via email</p> <p>b) Ours are in members area of the website; LOCSU website not fit for purpose</p>
28	Schedule 2: The Committee: 11.4 sub-committees	<p>The Committee may create and retain the following sub-committees with the following functions and powers:</p> <p>11.4.1 A Levy sub-committee: [LOC to determine membership, functions and powers].</p> <p>11.4.2 A Remuneration sub-committee: [LOC to determine membership, functions and powers]</p>	<p>a) Is this a useful level of detail to include in the constitution?</p> <p>b) If yes, would it be useful to have a template/ guidance for membership, functions and powers of a 'levy sub-committee' (11.4.1)?</p> <p>c) Any feedback on what they should be?</p> <p>d) If yes, would it be useful to have a template/ guidance for membership, functions and powers of a 'remuneration sub-committee' (11.4.2)?</p> <p>e) Any feedback on what they should be?</p>	<p>a) Why limit sub-committees to these two areas?; No; not needed (depending if had large LOC cohort)</p> <p>b)</p> <p>c) More detail needed for powers, voting rights, quorum etc...</p> <p>d)</p> <p>e) More detail needed for powers, voting rights, quorum etc...</p>
29	Schedule 2: The Committee: 12.4 Conflicts	<p>12.4 Further the Committee shall maintain a register of LOC Committee Members' interests available for inspection upon request of a LOC Committee Member [or Constituent.]</p>	<p>The proposed register of interests is referenced in the draft Conflicts of Interest policy used in the 'challenging conversations' workshop.</p> <p>a) Do you agree/ disagree that it is good practice to create a register</p>	<p>a) We submit DoI annually so would be no issue to create a register and this seems like good practice; agree (mentioned at every meeting if any new Col); yes</p> <p>b) Yes</p> <p>c) Yes</p> <p>d) Template on what is a conflict of interest</p>

			<p>(list in a Word table/ Excel format) of LOC member interests?</p> <p>b) Do you agree/ disagree this should be available for other LOC members and constituents to view on request?</p> <p>c) Do you think the constitution should go further and make the register publicly available on the LOC website?</p> <p>d) Any other feedback?</p>	
30	Schedule 2: The Committee: 13.3 Complaints	<p>Suggested additional wording <i>Provided the complaint does not meet the threshold of referral to a regulator, or the police...</i></p> <p>Current wording ...the Committee will deal with any complaints in the following order, until the matter has been resolved or determined: 13.3.1 Internal facilitation of discussion arranged and led by the Chair (or the Vice Chair if the Chair is the subject of the complaint) 13.3.2 Remediation including further training, coaching and supervision to prevent further complaints and educate the individual to whom the complaint concerns 13.3.3 Invitation to stand down for an agreed period of time 13.3.4 Invitation to resign</p>	<p>This clause refers to complaints against a specific member/ members of the committee and was discussed by the CRG. The suggested additional wording is to protect the LOC from taking on investigations (or inadvertently interfering with investigations) that should be taken up by another party (for example in the event of serious dishonesty or criminal fraud).</p> <p>a) Do you agree/ disagree that the additional wording is needed?</p> <p>b) Do you think there are any changes needed to this additional wording?</p> <p>c) Do you agree/ disagree that the informal approach at 13.3.1 is a proportionate place to start?</p> <p>d) If not, is there a step you could suggest before this?</p>	<p>a) Yes; Yes; Yes (no further comment); Yes</p> <p>b) No; No; how would we know if threshold met?</p> <p>c) Yes; Yes (no further comment)</p> <p>d) No</p> <p>e) 13.3.1 elected person by the committee (avoids conflicts of interest/ uses talents); alongside 13.1.1 need a whistleblowing policy with point of contact outside the LOC and separate policy on complaints (freedom to speak up guardian completely separate, e.g., someone at LOCSU): signposting to LOCSU new members induction course: 13.3.2 to read 'mentor' not supervision (providing further information and reading): 13.3.3 wording "stand down" suggestion of not representing LOC whilst under investigation</p>

		13.3.5 Vote of no confidence; 13.3.6 [LOC to propose more responses]	e) Please comment on each of the escalating options (13.3.2 – 13.3.6) making suggestions of any changes or additions you think are necessary. f) Any other feedback?	
31	Schedule 2: The Committee: 14	Additional Functions of the Committee 14.1 [Add any additional functions]	a) Is this useful to include? b) Would it be helpful to list some optional additional functions? c) What might these be?	a) Yes; No; Yes b) No list – not prescriptive, allow extras if wanted, suggest wording “and whatever additional functions are so committee may decide from time to time as appropriate”
32	Schedule 3: Funding: 1.2 Statutory levy	[The Committee can increase or decrease the Statutory Levy by no more than [0.1%] per annum to meet the fluctuating financial needs of the LOC without holding an AGM or EGM.]	This clause gives LOCs some flexibility in between AGMs to manage small changes in the levy. The suggested maximum of 0.1% could be changed in the template, and/or by LOCs when they adopt the constitution. a) Do you agree/ disagree it is appropriate for LOCs to have this power? b) Is it appropriate to specify a maximum increment? c) Should LOCs have the option to determine this increment themselves when adopting the constitution? d) Should LOCSU provide guidance on a reasonable maximum increment?	a) Yes but must be agreed at AGM; agree; disagree, need EGM; agree b) individual LOC to specify; no; yes; c) as b for LOC to do; yes d) instrument is less relevant maximum levy is more relevant i.e., 0.1% up to maximum of 2%; I wouldn't as this could encourage LOCs to stockpile money for potential future uses but allows for change if a problem arises; yes e) Could be proportionate to agreed levy i.e., + 50%; 0.1% too small should be 0.5% or more depends on size of LSE number of contractors

			<p>e) What % would you suggest as a maximum increment?</p> <p>f) Any other feedback?</p>	
33	Schedule 3: Funding: 2 Voluntary levy	<p>2.1 Any proposal to seek a voluntary levy, and the purpose to which that voluntary levy will be put, shall be determined by the Committee and, if approved by the Committee, may be put to the Constituents.</p> <p>2.2 [For the avoidance of doubt, contributions to such a levy will be voluntary and no Constituent shall be bound to contribute towards it, but the Committee shall be entitled to prevent any non-contributing Constituent from benefiting or participating in the benefits derived from that levy.],</p>	<p>LOCs fed back through the survey that this clause was unclear and asked if it may have a bearing on the current voluntary levy (Central Optical Fund).</p> <p>This clause is adding provision for LOCs to collect additional voluntary levy for a period of time, for example to fund a specific project. If an LOC was leading a project that may benefit one 'place' within their area and not the whole constituent base, they may ask constituents in that one 'place' to contribute extra levy to help fund. It is entirely optional whether an LOC would wish to use this functionality.</p> <p>a) Do you agree/ disagree with the principle of adding scope for LOCs to collect additional voluntary levy?</p> <p>b) If yes, is it appropriate for the committee to approve this?</p> <p>c) If yes, is paragraph 2.2 needed?</p> <p>d) How could 2,2 could be improved?</p> <p>e) Any other feedback?</p>	<p>a) Disagree; agree</p> <p>b) -</p> <p>c) -</p> <p>d) -</p> <p>e) Other: voluntary levy is a confusing term as this is also used by the central optical fund, need to choose an alternative name; difficult to organise who should be contributing to which area of what project, how would you refund the money if not needed? ; call it "non-statutory levy" instead (reflection of non-GOS activity); statutory levies are fair, voluntary could be unfair if different LOC paying different Rates (NOTE: this point is understood to refer to the LOCSU levy – LOCSU does not propose implementing a non-statutory levy – only to add as an option for LOCs)</p>
34	Schedule 3: Funding: 3.1 Other	[LOC to consider other sources of funds and list them out here].	This clause enables LOCs to source income from non-constituents, such as through sponsorship and fee-paying delegates at CPD events.	a) How about taking a fee from non-GOS practices? (allow them benefits of belonging to an LOC); yes, need to ensure avoidance of favouritism, e.g.,

	sources of income		<p>a) Would it be helpful to list examples?</p> <p>b) Any other feedback?</p>	<p>multiple sponsors – no exclusivity; don't use one company regularly, use variation (sponsorship); sponsors and private only practices (funding sources)</p> <p>b) OK with this as long as transparent</p>
35	Schedule 3: Funding: 4.1 Accounts	<p>The [Accountants/ Appropriately Qualified Person] instructed by the Committee to verify the Accounts are [].</p> <p>Note definition from Schedule 1: <i>A bookkeeper, retired accountant or other person considered by the Committee as appropriate and with the requisite competence to help prepare and/or verify the Accounts.</i></p>	<p>Many LOCs fed back on the earlier draft of the constitution through the survey to say that specifying that LOCs should instruct an accountant was prohibitive and not feasible for all. This clause has been amended to include the option for another 'appropriately qualified person' and a definition added.</p> <p>a) Is the clause now achievable?</p> <p>b) Is it appropriate for the LOC to include the name of their accountant/ appropriately qualified person in the constitution?</p> <p>c) Is the definition appropriate?</p> <p>d) Is there anything you would change about the definition?</p>	<ul style="list-style-type: none"> Considered by LOC to be appropriately experienced with financial accounting
36	Schedule 3: Funding: 5.1 Audit	<p>In the event the Constituents pass a resolution to require an independent audit of the Accounts, following the service of a Requisition Notice served under clause 16.1.3, the Committee shall be bound to instruct an independent firm of Registered Accountants that have not been engaged or involved with the LOC previously to carry out an audit of the Accounts and provide the</p>	<p>This clause offers assurance to constituents and stakeholders through a mechanism (requisition notice) to hold LOCs to account in the event of concerns about inappropriate financial mismanagement. This is unlikely to ever be used, the purpose of the clause is to provide assurance that there is a mechanism, if needed.</p>	<p>a) Happy with, or 60 days more practical</p>

		Committee with a report of that audit. Within [28] days of receipt of that report, the Committee shall procure that a copy of the report shall be provided, without editing or redaction, to each Constituent.	a) Is 28 days a reasonable time frame? b) Any other feedback?	
37	Schedule 3: Funding: 6.4 Financial management	6.4 The [Treasurer/ Vice Treasurer/ other person responsible for financial payments] has delegated responsibility to make payments up to £[???]; for payments over this amount another officer of the Committee must also approve the payment in advance.	a) Is it reasonable and feasible to set a limit on how much money could be signed-off by a treasurer/ vice treasure alone? b) If yes, would it help to set a suggested amount in the template? c) Do you have a view on what the amount should be? d) Any other feedback?	a) Yes b) Yes (Fair rate for days work) c) £500 d) Electronic banking for counter-approval
38	Schedule 3: Funding: 6.7 Financial management	6.7 [Add points about exercising the right of a remuneration/finance sub-committee when it comes to officer (and staff /contractor if applicable) remuneration/payments to add rigour and to assist officers who could be accused of making decisions for their own benefit.]	This is an optional clause for purpose of determining rates of pay. a) Is this useful to include in the constitution? b) Would it fit better in guidance, or a policy? c) Any other feedback?	a) - b) National LOCSU guidance would be helpful! Decision made through discussion within LOC & decided at AGM c) Other: should there be a recommended fee scale across all LOCs (LOCSU daily rate GOC daily rate comparison)
39	Schedule 3: Funding: 7.1 Reserves	The Reserves are to consist of [six to 12] months running costs consistent with the needs of the LOC... Suggested additional wording <i>...unless otherwise determined by [unanimous/majority] decision of the Committee.</i>	The CRG discussed this clause; it also featured in LOC survey feedback. The suggested wording aims to mitigate concerns about the need for flex. a) Is six to 12 months a reasonable parameter for reserves? b) Does this clause need the additional wording?	a) Yes; state minimum of 6 months b) No c) Left flexible d) Other: invite comment from constituents regarding appropriate levels of reserves (part of AGM)

			<p>c) Should the constitution specify unanimous or specify majority vote – or should it be left flexible for LOC's to decide which to apply?</p> <p>d) Any other feedback?</p>	
40	Schedule 3: Funding: 8.1 Counter Fraud	<p>The Committee will agree, follow and comply with finance policies and procedures that ensure compliance with regulatory and legal requirements. The policies and procedures will include, and not be limited to the following:</p> <p>8.1.1 [identify policies and procedures]</p>	<p>a) Is this a helpful or necessary level of detail to include in the constitution?</p> <p>b) If yes, would it be helpful to include some examples of policies?</p> <p>c) LOCSU intends to review existing template policies (including finance policies) and add more policies. Would this be helpful to your LOC?</p> <p>d) Any other feedback?</p>	<p>a) Yes; yes</p> <p>b) Yes; yes</p> <p>c) Yes; yes</p> <p>d) Other: good for sharing of best practice</p>
41	Schedule 4: AGMs & EGMs: 1 Eligibility	<p>1.1 Only the Constituents, as prescribed in clause 15, shall have the right to attend and vote at AGMs and EGMs.</p> <p>1.2 The following persons are also permitted to attend AGMs and EGMs</p> <p>1.2.1 any other persons working in the optical practice of a Local GOS Contractor who is nominated by that contractor to attend; and</p> <p>1.2.2 any other persons from stakeholder organisations that the Committee, in its absolute discretion, decide to invite.</p> <p>1.2 [LOC to consider any further Eligibility Criteria]</p>	<p>This refers to eligibility of constituents and stakeholders to attend (not the LOC).</p> <p>a) Does this list include all the constituents and stakeholders you would wish to include?</p> <p>b) Is the wording clear? (please suggest any improvements)</p> <p>c) Is there any group missing?</p> <p>d) Any other feedback?</p>	<p>a) Yes</p> <p>b) Yes</p>

42	Schedule 4: AGMs & EGMs: 2.1 Calling meetings	The Committee shall give notice of the AGM or an EGM at least [30 days] in advance to all those persons listed in paragraph 1, in writing or electronically as per the details contained on the Directory of Constituents.	a) Is 30 days' notice a reasonable time frame for both the LOC and constituent? b) If no, what would you suggest? c) Any other feedback?	a) Yes b) - c) Other: virtual meeting (7 days notice)
43	Schedule 4: AGMs & EGMs: 3.1 Quorum	A quorum shall be [to be completed by LOC].	a) Should a quorum be set for AGM/ EGM attendance? b) What would you suggest? A net number, a percentage and/or spread from different commissioning 'places'? c) Any other feedback?	a) Yes; Yes b) 50%; min 3 people or 1/3 committee (NOTE: appears LOCs may have answered regarding quorum of LOC members rather than LOC constituents)
44	Schedule 4: AGMs & EGMs: 3.2	No business is to be transacted at an AGM or EGM if the persons attending it do not constitute a quorum other than to agree a time and place to which to adjourn the AGM or EGM.	Taking your answer into 3.1 into account; do you have any feedback on clause 3.2?	<ul style="list-style-type: none"> Yes. Need to have timed cut off point to close meeting e.g., half an hour
45	Schedule 4: AGMs & EGMs: 6.1 Minutes	Written minutes shall be kept of each AGM and EGM and be made available for inspection to all Constituents as follows: [LOC to consider means of circulation i.e website, email, social media].	a) Is this list of examples sufficient? b) Any feedback on this clause?	<ul style="list-style-type: none"> Not social media – if you want to see it make effort to find it, i.e., website
46	Schedule 5: Regulatory & Compliance : 1.1 Standards & expectation s	Each LOC Committee Member and Constituent will, in performance of their activities under this Constitution, enable the Committee to fulfil its functions and will: 1.1.1 co-operate fully and in good faith with the other LOC Committee Members and Constituents as	Please review each sub-clause (1.1.1-1.1.6) and indicate: a) If you agree/ disagree to the principle of each sub-clause. b) If yes, and you think the wording could be improved in any of the subclauses please offer suggestions.	a) - b) 1.1.1 of course; 1.1.2 of course, excluding coopted members – to be appropriately qualified & skilled – second 1.1.2 (Note: numbering error) what is substantial/ justifiable?; 1.1.3 have we seen or have easy access to codes?; 1.1.4 of course; 1.1.5 an

		<p>required for the purposes of the LOC;</p> <p>1.1.2 ensure that its staff and/or contractors engaged in LOC functions are appropriately qualified, skilled and experienced as required to be registered with the GOS and work within their areas of competence;</p> <p>1.1.2 carry out its obligations in a proper, competent, professional and substantial manner;</p> <p>1.1.3 perform its activities in compliance with the Regulations, the NHS Act and all other applicable laws, regulations and codes;</p> <p>1.1.4 not purport to act on behalf of or represent the LOC or the Committee unless they are a LOC Committee Member and are acting in that capacity or are otherwise authorised by the Committee to so act;</p> <p>1.1.5 not bring the LOC into disrepute;</p> <p>1.1.6 [LOC to consider any further standards and expectations relevance to their particular LOC and insert here]</p>	<p>c) If no, please say why.</p> <p>d) Please add any standards or expectations you would like to add.</p>	<p>observer cannot purport to be on the LOC; 1.1.6 of course; 1.1.7 yes</p>
47	Schedule 5: Regulatory & Compliance : 1.3	Where the LOC becomes aware of complaints or concerns the Committee and the Constituents have a responsibility to assure themselves that the appropriate regulator or enforcement agency is	Any feedback on this clause?	<ul style="list-style-type: none"> • Duty of candour should be mentioned • Don't like the word 'assure' • ... have a responsibility to ensure that the appropriate...

		aware. [NOTE: The LOC does not regulate, enforce or investigate but they do need to share intelligence and escalate if needed and cooperate if asked to provide evidence to an investigation, being aware of their responsibilities under Data Protection Legislation]		<ul style="list-style-type: none"> • Clause appears to miss the part where the LOC has internally dealt with complaint prior to notifying LOCSU
48	Schedule 5: Regulatory & Compliance : 7.1 Policies	<p>The LOC Committee Members and the Constituents shall be given access to the following policies by being published online through the LOC’s website, or via other means of communication as appropriate or requested to enable access by a Constituent and they shall be deemed to be incorporated into the Constitution as they are amended from time to time.</p> <p>A. DATA PROTECTION B. EQUALITY DIVERSITY AND INCLUSION C. COUNTER FRAUD D. ANTI-BRIBERY E. COMPETITION F. DECLARATIONS OF INTEREST</p>	<p>Please note that LOCSU has/ will prepare template policies for A-F, bearing that in mind:</p> <p>a) Is it appropriate and helpful to list main policies in the constitution to drive a consistency in baseline standards? b) Please review the suggested list of policies and state if there are any that you think should be taken off the list. c) Please state if there are any more policies that you think should be on the list.</p>	<p>a) Yes, templates must be provided, must have a defined review period regularly b) Be clear that they are templates & policies, and not the LOCs responsibility and LOC & LOCSU have no liability if policies out of date c) Template H&S policy; safeguarding policy</p>