POLICY NOTE

THE NATIONAL HEALTH SERVICE (GENERAL OPHTHALMIC SERVICES) (SCOTLAND) AMENDMENT REGULATIONS 2025

SSI 2025/337

The above instrument was made in exercise of the powers conferred by sections 26 and 105(7) of the National Health Service (Scotland) Act 1978. This instrument is subject to negative procedure.

Summary Box

To enable Health Boards to enter into arrangements with Independent Prescribing (IP) optometrists and ophthalmic medical practitioners (OMP) for the provision of General Ophthalmic Services (GOS) in the relevant Health Board's area to patients who have a specified anterior eye condition.

Policy Objectives

The Scottish Government published its NHS Operational Improvement Plan[1] on 31 March 2025. This committed, amongst other things, to support IP optometrists and OMPs to manage patients with ten complex acute anterior eye conditions under GOS, reducing the number of these patients needing to be referred to the Hospital Eye Service (HES). In doing so, this will free up capacity within the HES to manage patients with more chronic sight-threatening eye conditions.

The interim measures phase of the implementation of this policy commenced on 1 August 2025[2]. This SSI is required to deliver the full implementation phase of this policy, by enabling Health Boards to enter into arrangements with IP optometrists and OMPs for the provision of GOS in the Health Board's area to patients who have a listed anterior eye condition. Such patients can self-present to the IP optometrist/OMP or can be referred to the IP optometrist/OMP from another optometrist/OMP following a GOS eye examination.

The SSI amends the National Health Service (General Ophthalmic Services)(Scotland) Regulations 2006 ("2006 Regulations") as follows:

- inserting a new "anterior eye condition" definition in regulation 2 of the 2006 Regulations comprising the following ten listed anterior eye conditions: anterior uveitis; blepharitis; corneal foreign body; episcleritis; herpes simplex keratitis; herpes zoster ophthalmicus; infective conjunctivitis; marginal keratitis; ocular allergy; ocular rosacea.

- Inserting a new paragraph 14A into schedule 1 of the 2006 Regulations, enabling a Health Board to enter into arrangements with IP optometrists and OMPs for the provision of GOS in the Health Board's area for the above anterior eye conditions. Once such arrangements have been entered into, the relevant IP optometrist or OMP

[1] https://www.gov.scot/publications/nhs-scotland-operational-improvement-plan/
[2] https://www.publications.scot.nhs.uk/files/pca2025-o-04.pdf

is defined for the purposes of the 2006 Regulations as a "specialist optometrist independent prescriber" (specialist IP optometrist) or "specialist ophthalmic medical practitioner" (specialist OMP) respectively, and such definitions have been added to regulation 2 of the 2006 Regulations.

- Inserting new sub paragraphs (4A) to (4C) in paragraph 14 of schedule 1 of the 2006 Regulations that set the following requirements to be followed when an optometrist/OMP has undertaken a GOS eye examination of a patient, the patient shows signs of an anterior eye condition and the optometrist/OMP determines it would be appropriate to refer the patient to a specialist IP optometrist/specialist OMP:

    - the specialist IP optometrist/specialist OMP must have agreed to accept the referral;

    - the referring optometrist/OMP must take into account the place where the patient normally resides;

    - in accepting such a referral, the specialist IP optometrist/specialist OMP must reasonable anticipate that they or another specialist IP optometrist/specialist OMP providing GOS at the same practice premises will be able to carry out any necessary eye examination.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, the National Health Service (General Ophthalmic Services) (Scotland) Amendment Regulations 2025 are compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

Optometry Scotland and Health Boards have been consulted in advance of the preparation of this instrument. Their views have been factored into the preparation of this instrument.

Impact Assessments

An Equality Impact Assessment, Island Communities Impact Assessment and Child Rights and Wellbeing Impact Assessment have been completed on the policy. These have identified a positive impact with respect to equality (age and disability protected characteristics), islands and children's issues in that the policy will support improved access to eyecare services in the community closer to home.

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed. The impact of this policy on business is expected to be generally positive, in that it supports optical businesses that have a specialist IP optometrist or specialist OMP working regularly for it to be able to manage more patients under GOS and receive associated higher remuneration for doing so.

There is a risk that, as a result, such practices could gain a competitive edge over other optical businesses that do not have a specialist IP optometrist or specialist OMP working regularly for it. Since 2009 the Scottish Government and NHS Education for Scotland have provided support to optometrists wanting to upskill to obtain the IP qualification, and there is no restriction on the number of optical businesses that can provide this service as long as they meet the relevant criteria.

Scottish Government
Primary Care Directorate

5 November 2025