

## SCHEDULES

### SCHEDULE 4

#### Terms of Service

##### **Alternative records arrangements**

**10.**—(1) Where the circumstances in sub-paragraph (2) apply, a contractor may, instead of keeping the records required under paragraph 9, comply with the conditions set out in sub-paragraph (3).

- (2) The circumstances referred to in sub-paragraph (1) are that a contractor—
- (a) was included on the ophthalmic list of a Local Health Board on 31 January 2006,
  - (b) does not keep or no longer keeps records as required under paragraph 9, and
  - (c) is not employed, in relation to the primary ophthalmic services the contractor provides in the area of that Local Health Board, by another contractor.
- (3) The conditions referred to in sub-paragraph (1) are that the contractor has—
- (a) made legally enforceable arrangements that—
    - (i) a proper record in respect of each patient to whom the contractor provides primary ophthalmic services is kept,
    - (ii) all such records are kept for a period of 10 years after the date the patient was last seen or until the patient turns 25 years old, whichever is the later, and
    - (iii) during that period such records must be produced when and as required under paragraph 9(3),
  - (b) satisfied the Local Health Board's requirements as to the keeping of records and that the arrangements are legally enforceable and require such production, and
  - (c) access to those records at all reasonable times.