

VCMS - Schedule 5 Report

The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015, require you to supply the competent authority (Chartered Trading Standards Institute) with your Schedule 5 (annual) and Schedule 6 (biennial) reports when they are due.

The Schedule 5 report must be supplied every year (including when you also supply your biennial report) and must be made available on your website as per the legislation. The Schedule 5 report must be supplied to the competent authority and uploaded onto the website within a month of the anniversary of your date of approval as an approved ADR body.

The Schedule 6 report must be supplied biennially and is not required to be available on your website, only sent to the competent authority. The years that you supply the biennial report, you still must supply an annual report in addition. The Schedule 6 report must be supplied to the competent authority within a month of the anniversary of your approval date. The information (data) (as per section 11.3 of the legislation) is to cover the whole (totals) of the 2-year reporting period.

All details of what must be included in the reports can be found below.

This is the minimum data required for reporting, but any other or extra data supplied would be much appreciated for further insight.

As of 1st January 2021, there have been several amendments made to the legislation due to Brexit. It is no longer a requirement of the legislation to handle cross-border disputes and report on these disputes. However, if you continue to handle cross-border disputes, we would ask that you supply any information in relation to these cases.

Additionally, if your ADR scheme's outcome is binding on either party, please provide us with the percentage of whether the outcome was ruled in the consumer or trader's favour at the end of the Schedule 5 and Schedule 6 report.

Schedule 5 – VCMS 1/11/2023 to 31/10/2024

Information to be included an ADR entity's annual activity report

- (a) the number of domestic disputes the ADR entity has received;
(This is the total number including enquiries received, cases handled and disputes rejected)

No. enquiries received (domestic)	No. enquiries received (cross-border)	No. disputes received (domestic)	No. disputes received (cross-border)	No. disputes accepted (continued to case) (domestic)	No. disputes accepted (continued to case) (cross-border)
3543	5 (Non-UK)	3543	0	3543	0

- (b) the types of complaints to which the domestic disputes and cross-border disputes relate;
(please state as many different types as required)

Types of disputes:

- Please see Appendix 1 – Nature of Complaint analysis

- (c) a description of any systematic or significant problems that occur frequently and lead to disputes between consumers and traders of which the ADR entity has become aware due to its operations as an ADR entity;
(please provide description)

The VCMS publishes a detailed annual report which is also presented to Royal College of Veterinary Surgeons (the regulator of the veterinary profession).

We are currently preparing the 2023-24 annual report.

This details the trends and issues explored within the complaint mediation and resolution by the VCMS.

Key trends noted:

5 most common complaint circumstances 2023-24

Standard of care : Unexpected outcome
647, +37% YoY (#2)

Standard of care : diagnostic pathway insufficient
554, +12% YoY, (#1)

Customer service : Consent – service and communication
376, +31% YoY (#3)

Standard of care : wrong diagnosis
174, -30% YoY (#4)

Clinical fees : Fees considered to be excessive
154, -21% YoY (#5)

- (d) any recommendations the ADR entity may have as to how the problems referred to in paragraph (c) could be avoided or resolved in future, in order to raise traders' standards and to facilitate the exchange of information and best practices;
(please provide as much information as possible)

Engaged decision making – increasingly prevalent

It is recognised that the consumer and business interaction in the veterinary sector involves complex and emotive decision making. There has been much discussion in recent years around a focus on or return to contextualised care/consultations. This means a holistic approach which is a collaboration between animal owner and the veterinary professional. There are however a wide range of factors which influence decision making and also how a consumer feels about the decision and outcome at the end of the interaction with the practice.

The VCMS has highlighted some areas which can arise in the complaints mediated by the service:

a) Consent conversations

- Is there the time and the space to make 'good' decisions
- How can clients be supported to have trust & confidence in decisions made

b) Treatment & Referrals

- Recognising the balance between 'we can' and 'should we' undertake these tests, provide this treatment or perform this surgery
- Affordability & communicating prognosis
- If referral appropriate - what are influencing factors for clients?

c) Understanding 'the why' & reasoning

- Diagnostics – understanding the 'why' & the value of result to enable informed decision-making
- Information and context to understand estimates

d) Complaints relating to fees:

- VCMS see very few complaints where practice has not provided any cost information prior to treatment
- Trends are linked to:
 - Information about the 'overall cost' – potential 'total e.g. chronic conditions – long term care costs
 - Value for money – cost v outcome including prognosis & quality of life
 - Out of Hours
 - Variance – difference in charges compared to FOP
 - Transparency around continuity of care & relationship between FOP
 - Lack of choice for emergency OOH provision

(e) the number of disputes which the ADR entity has refused to deal with, and the percentage share of the grounds set in paragraph 13 of Schedule 3 on which the ADR entity has declined to consider such disputes;

(please provide a breakdown of reasons and a total number)

Total no. of disputes rejected	76 – see *
--------------------------------	------------

Reason	No. rejected	Percentage of rejected
a) the consumer has not attempted to contact the trader first	1563	*The VCMS does not consider these enquiries to be rejected. The VCMS supports local resolution by assisting the consumer to return to the practice and raise or progress their complaint effectively. Less than 3% then return to the VCMS for full resolution having exhausted the local complaint process.
b) the dispute was frivolous or vexatious	0	
c) the dispute had been previously considered by another ADR body or the court	1	1%

d) the value fell below the monetary value	0 – VCMS does not have a financial de minimis	
e) the consumer did not submit the disputes within the time period specified	16	21%
f) dealing with the dispute would have impaired the operation of the ADR body	0	
g) other (enquired too early, not yet complained to trader, trader not member, advice call etc...)	54 See below:	71%

g) Further breakdown		
Consumer is not the owner of the animal or the client of the veterinary practice	8	10%
Concerns referred to the RCVS – regulatory/serious professional misconduct	1	1%
Complaint did not relate to veterinary care	3	4%
Complaint did not concern a practice or professional overseen by the RCVS	7	9%
Complainant is a commercial animal owner (not consumer to business relationship)	10	13%
Other	25	33%
	54	
Non UK	5	7%

- (f) the percentage of alternative dispute resolution procedures which were discontinued for operational reasons and, if known, the reasons for discontinuation;
(please provide as many reasons as required)

	No. discontinued	Percentage of discontinued
Discontinued for operational reasons	0	0%

Reasons for discontinuation:

- (g) the average time taken to resolve domestic disputes and cross-border disputes;
(please provide the average time from receipt of complaint to closure, AND the average time from complete complaint file to closure)

	Domestic	Cross-border
Average time taken to resolve disputes (from receipt of complaint)	23 days	-
Average time taken to resolve disputes (from 'complete complaint file')	39.6 days The VCMS measures timescales from receipt of the	-

	<p>Agreement to Mediate from the consumer, so this data represents an extended period as the 'complaint file' would be complete once information and records are received from the practice</p>	
--	---	--

Total average time taken to resolve disputes	39.6 days
--	-----------

(h) the rate of compliance, if known, with the outcomes the alternative dispute resolution procedures (amongst your members, or those you provide ADR for)
(this is the number of traders who complied with the proposed outcome. Please provide a percentage)

100% as known

(i) This point has been removed in amendments on 1 January 2021

Please add any additional information or data you think might be useful or interesting at the bottom of this report.

(any extra data provided is useful)

