



Optical Consumer Complaints Service



How We Can Help



We are an independent and free service for consumers (patients) of optical care and the professionals providing that care. Our service is funded by the General Optical Council who regulate opticians, optometrists (ophthalmic opticians), dispensing opticians and any practice which offers their services.

All opticians and optometry practices should have their own internal complaints procedure to deal with any complaints raised by consumers. Most concerns are normally resolved informally.

When a complaint cannot be resolved, then the OCCS offers an impartial facility to help obtain a satisfactory outcome. We understand that it is important that this is done fairly and quickly. We are respectful of equality and diversity - anyone who makes a complaint and anyone against whom a complaint is made will be treated fairly, whatever their background or circumstances.

OCCS MEDIATION PROCESS

The mediation process attempts to resolve problems without taking sides, making judgments or giving legal advice. The OCCS will offer guidance, ensure good communication and help the parties reach an agreement.

We will listen to your complaint and gather information to establish what has happened. We will then work with both you and the optician involved to help reach a fair resolution.

By exploring why you are dissatisfied, and listening to both sides, we will support everyone involved to work towards a solution.





The process is:

- Confidential
- Impartial
- Resolution focused

The OCCS does not:

- Make any judgement
- Penalise either party
- Find fault
- Explore compensation

The OCCS aims to settle complaints about opticians efficiently and quickly. We will offer solutions rather than impose decisions. We work with consumers and opticians to reach a solution that both sides are happy with, whether that is an apology, remedial treatment, a refund or referral to another professional. We cannot award or recommend compensation.

As well as a complete complaints mediation service, we can also:

- Give guidance to optical professionals on how to resolve a complaint
- Provide initial assistance to consumers who may not be confident or able to raise a complaint alone

The OCCS process is intended to be informal and you do not need legal representation. You can appoint a friend or family member to act as your representative if you would prefer to do so.

WHO CAN COMPLAIN TO US?

Anyone can lodge a complaint with the OCCS if they are receiving, have received or have been refused goods or services from an optician and that optician or business is registered with the General Optical Council.

WHAT COMPLAINTS CAN WE HELP WITH?

We can help resolve consumer complaints about the goods you have received (glasses, contact lenses, etc.) and/or the service provided from your optician or if you have been refused any of these.

Please contact us where you feel your optician did not provide an appropriate standard of service or goods fit for purpose.

Sometimes the level of customer service received in a practice may not reach the level or standard that you expected or desired. Customer service complaints can be quite emotive and are sometimes difficult to resolve, especially if both parties do not agree regarding the events that took place.

The OCCS, as a mediation service, will discuss the consumer concerns with a practice, the service levels provided and the policies and procedures they have in place in the practice to deal with complaints effectively. The OCCS will not make a judgement or find fault or change the level of customer service



offered in the practice. Mediation will explore why the consumer is unhappy, why the complaint is continuing and how it can be resolved.

WHEN CAN A COMPLAINT BE REFERRED?

The first step is to contact the practice and tell them you are unhappy as soon as possible.

Every optician should have a formal complaints procedure and a person responsible for dealing with complaints.

You may contact the OCCS at any stage if you wish to speak to someone impartial during this initial complaint process. However, the OCCS recommends:

- That opticians try to resolve your complaint within 8 weeks of being made (following guidance issued by their representative organisations). If your optician does not respond within eight weeks, you can refer your complaint to the OCCS.
- If your optician's final response to your complaint does not resolve your complaint, then contact the OCCS as soon as possible.

OCCS would recommend that you refer your complaint to the OCCS within 6 months of the date of your optician's final response.

WHAT COMPLAINTS CAN'T WE HELP WITH?

We can only mediate complaints involving professionals and practices that are regulated by the General Optical Council. We cannot help with complaints about:

- **Complaints and Concerns Regarding Laser eye surgery performed by an Ophthalmologist / Consultant Ophthalmic Surgeon**

They are regulated by the General Medical Council and your complaint should be directed to them. The OCCS can only assist if the laser eye surgery (Refractive Eye Surgery) is provided by a business registered with the General Optical Council.

- **A practice or professionals not regulated by General Optical Council**

We will refer you to Trading Standards or you may wish to consider making a small claim in the county court. If your optical care was provided by the NHS, then you would need to use the relevant NHS complaints procedure.

Some complaints involving professionals and practices who are regulated by the General Optical Council, cannot be mediated by OCCS such as:

- **Fitness to practise and/or inappropriate behaviour**

If there is any concern that the professionals involved are unfit to practice or behaving inappropriately, OCCS will immediately refer the matter to the General Optical Council. This includes failure to diagnose a serious condition or other malpractice. The General Optical Council regulates all optical professionals in the UK and authorises them to practice. You can contact them on telephone: 020 7580 3898 or visit www.optical.org.uk.

- **Possible negligence**

If you feel the optical care you have received was possibly negligent, then you will need to speak to a solicitor specialising in clinical negligence.

- **Compensation**

Consumer statutory rights do not give consumers a right to compensation for inconvenience or distress. The OCCS mediates consumer issues and goodwill gestures can occasionally be appropriate. The law in Scotland does offer different remedies. The OCCS does not pursue compensation.

- **General complaints about charges, or goods which are available cheaper elsewhere**

These do not fall within the remit of the relevant consumer legislation.

- **Complaints about NHS Treatment**

Although we advise Consumers to contact us to discuss their complaint as we may be able to assist if it relates to a product purchased with the help of an NHS voucher

If you are unsure whether your circumstances fall within these areas, please call us for more information.

HOW CAN A COMPLAINT BE REFERRED?

If your complaint cannot be resolved with the practice, then you can refer your complaint to OCCS by:

- Telephoning us on 0344 800 5071, Monday – Friday between 8am - 6pm
- Emailing us at enquiries@opticalcomplaints.co.uk
- Completing the complaint form at www.opticalcomplaints.co.uk
- If you would prefer to write to the OCCS, please telephone us for details.

WHAT HAPPENS NEXT?

- We will ask you to complete a form to allow the practice to release your optical records and to provide all the relevant information.
- We will contact the practice and obtain all the information we need to understand your complaint.
- We will then contact you and the practice to discuss a solution.
- When a solution is found, we will help to implement this.
- If the solution proposed is not accepted by either party, your complaint can be referred to a senior mediator.

Importantly, we will also ask you how we have done and listen to your feedback to continuously improve the mediation service.

Either party can end the mediation process at any time. Participating in mediation does not restrict your right to take further legal action, but we do ask that neither party do so while the mediation process is ongoing.

Please visit www.opticalcomplaints.co.uk for more details.



EQUALITY AND DIVERSITY

The OCCS is committed to eliminating unlawful discrimination and to promoting equality and diversity within our policies, practices and procedures, including the delivery of our mediation service to consumers and opticians. We shall treat everyone equally and with the same attention, courtesy and respect regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage or civil partnership status, pregnancy and maternity or caring responsibility.

HOW TO REFER A COMPLAINT TO OCCS AND HOW WILL WE DEAL WITH YOUR COMPLAINT

Following either a direct contact or email enquiry, we will contact you within five days, either by telephone or email as requested.

We will confirm your details and the details of your complaint. We will consider whether we can mediate to resolve your complaint. We will ask you for your view as to a successful outcome.

We will contact the optician and request information and documents from them. We will acknowledge your complaint and request any further documentation, including the release of records if necessary and provide a timescale.

We will then review the complaint and contact both the consumer and the practice to begin mediation. The OCCS will try to find a resolution acceptable to both parties. We will confirm our findings to the complainant and the optician and propose a solution within 28 days of the instigation of the complaint.

Our objective is to find a resolution acceptable to both complainant and optician. If a resolution can be reached, we will execute that solution and confirm this to the complainant and the optician in writing. Feedback will be requested from both parties.

Where a solution cannot be agreed, we can refer the complaint to a senior mediator. They will review and see if any further steps can be taken to reach a resolution.

