



**Optical Consumer  
Complaints Service**

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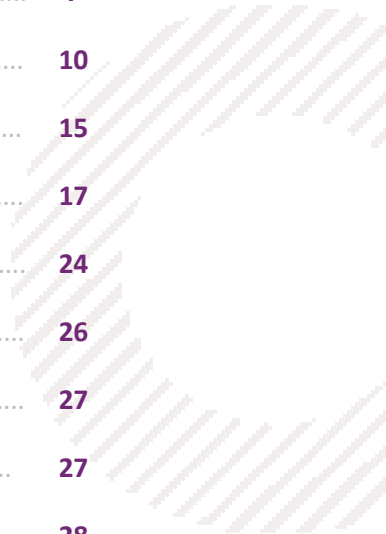
## **Mediation and the New Normal**

Annual Report 2022-23



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# Introduction

A year that may be remembered as the year that replaced “social distancing” with “cost-of-living”, it will remain some time before we can confidently say whether or not it was the beginning of “the new normal”. All buzzwords aside, there can be no doubt that the past year has been defined by rising inflation rather than the effects of the Covid-19 pandemic. Unquestionably a significant shift in terms of consumer behaviour, this altogether new trend has challenged the optical sector in a novel way. In particular, practices are now faced with complaints which are firmly rooted in financial anxieties, causing them to be far less willing to accept a goodwill gesture as a form of resolution. Quantifying and reviewing all of the work that has been carried out by the OCCS, this Annual Report explores the various complaint types and work that the service is carrying out to make the sector perform more efficiently and effectively.

**Jennie Jones,**  
**Head of OCCS**  
**Partner at Nockolds Resolution**



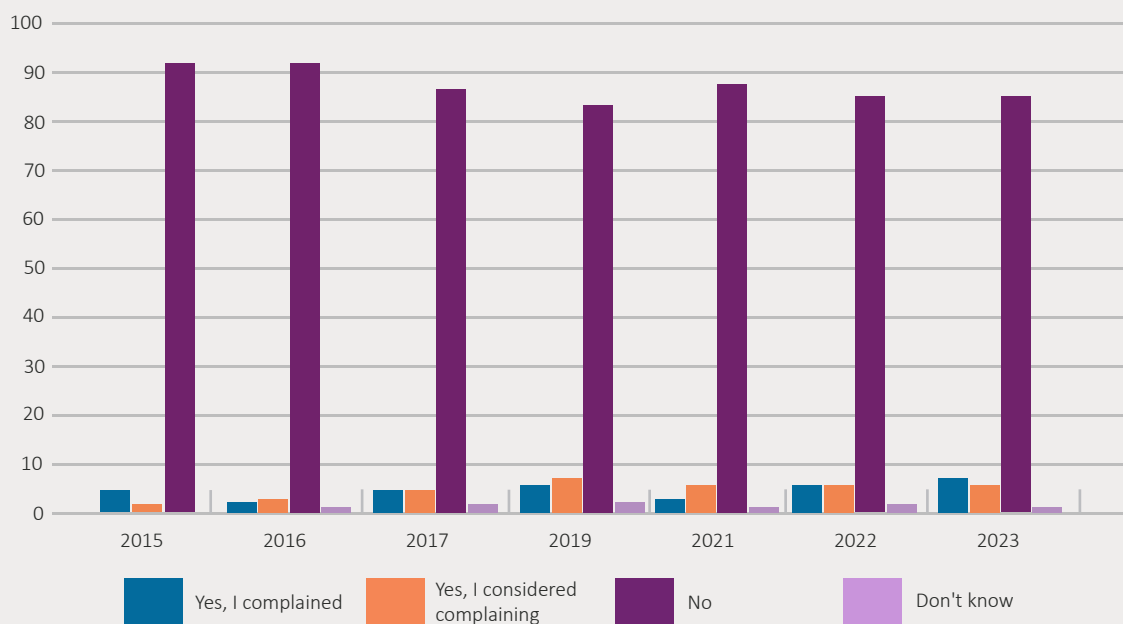


# Executive Summary

The following report reveals how the OCCS continues to operate against a backdrop that is largely impacted by the same financial pressures which defined 2021-22. Of course, this particular issue has far from abated and is indeed increasing in impact. With this in mind, the positive resolution rates and improved timescales serve as highly encouraging signs that the OCCS remains more valuable to consumers and practices than ever before.

## COMPLAINT INCIDENCE OVER TIME\*

\*All those who have ever visited an optician/had a sight test/eye examination



With this in mind, the positive resolution rates and improved timescales serve as highly encouraging signs that the OCCS remains more valuable to consumers and practices than ever before.

### KEY STATS:

✓

1707 complaints received between 1st April 2022 - 31st March 2023, representing a 2% decrease yoy.

✓

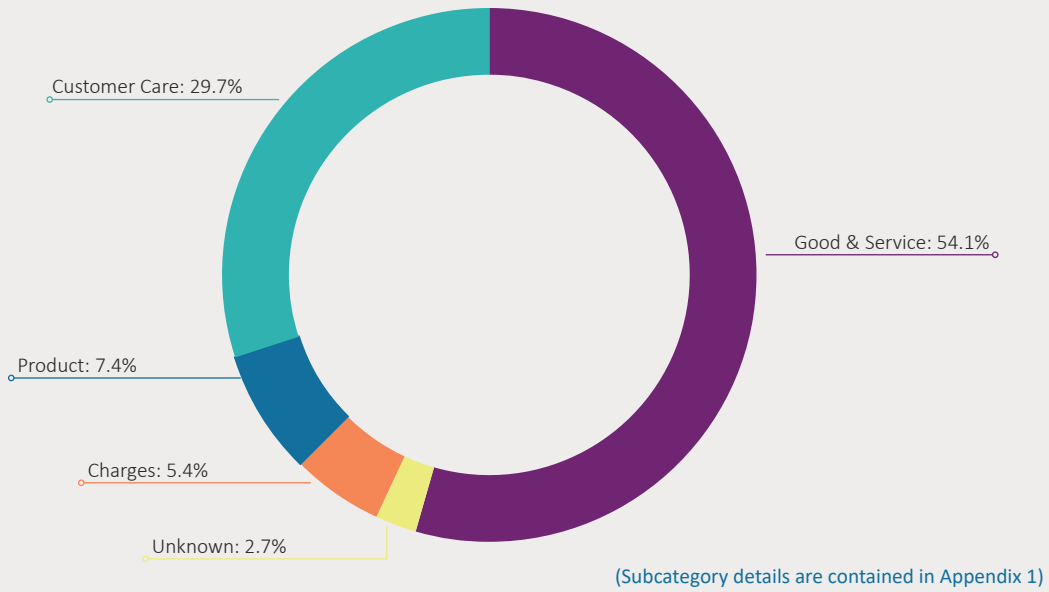
1603 complaints/enquiries closed during 2022-23

✓

93% of complaints were consumer-related complaints which fell inside of the OCCS' remit and were handled by the service

✓

94% of referrals resolved or concluded within OCCS mediation



Of the complaints that were resolved using mediation between 2022-23, the greatest share was attributed to the category of Goods & Services. Representing a 10% increase on this category when compared with last year, it is possible that this illustrates the effects of the cost-of-living crisis. More specifically, a greater number of people complaining over goods and services suggests that there is a lower tolerance for imperfections and a higher expectation than there was before. This view is supported by previous yearly data that tells us that complaints relating to Goods and Services have grown by 20% over the past two years.

Elsewhere, all of the categories remain within a 2 to 3% differential. This consistency compounds the suggestion that complaints in the optical sector are beginning to settle into a “new normal” that will likely remain for as long as economic conditions remain highly challenging to consumers and practices.



### TIMESCALES

Timescales	Average number of days from receipt of the enquiry to the conclusion of the OCCS involvement	0 - 45 days	46 - 90 days	+90 days
All	14.1 (+1.7 days)	91% (=)	7% (=)	2% (=)
Mediated	39 days (=)	60% (+10%)	30% (-9%)	10% (+2%)





# Objectives and Ambitions

## OBJECTIVES 2022-23

1	Share insight and analysis from OCCS activity to support a culture of continuous improvement
2	Support the GOC to continue to pro-actively develop ways of working that will support specificity and sensitivity within the FtP process, and meet the required performance standards assessed by the PSA, with specific focus on: <ul style="list-style-type: none"><li>• Work collaboratively with FtP team to refine triage process</li><li>• Ensure integrity of the decision-making process and review with GOC at quarterly meetings</li></ul>
3	Improve accessibility for neuro diverse OCCS service users by collaborating with external organisations and stakeholders to improve access to, and effectiveness of, mediation for optical consumers and professionals.
4	Actively engage to drive and deliver an effective communication strategy: <ul style="list-style-type: none"><li>• Sector specific registrants/businesses/professional organisations</li><li>• Health care regulators. Share insights and best practices to support other regulators.</li><li>• Input to key reviews of health care regulation to promote optical sector as an exemplar</li></ul>



## PROPOSED OBJECTIVES FOR 2023-24

1	Share insight and analysis from OCCS activity to support a culture of continuous improvement.
2	Support the GOC to sustain and further develop ways of working that will support the GOC to deal with cases as quickly as is consistent with a fair and proportionate outcome, and maintain the required performance standards assessed by the PSA.
3	Improve accessibility for vulnerable service users which includes, but not limited to consumers and optical professionals who are neuro diverse, consider themselves to have a disability and those who are vulnerable by virtue of the situation or environment, to support access to, and the effectiveness of, mediation for optical consumers and professionals.
4	Support the development and implementation of business regulation within optics and to engage and input in to the GOC individual and business standards review to aid practice and consumer understanding and the role of regulation and standards in complaint management.

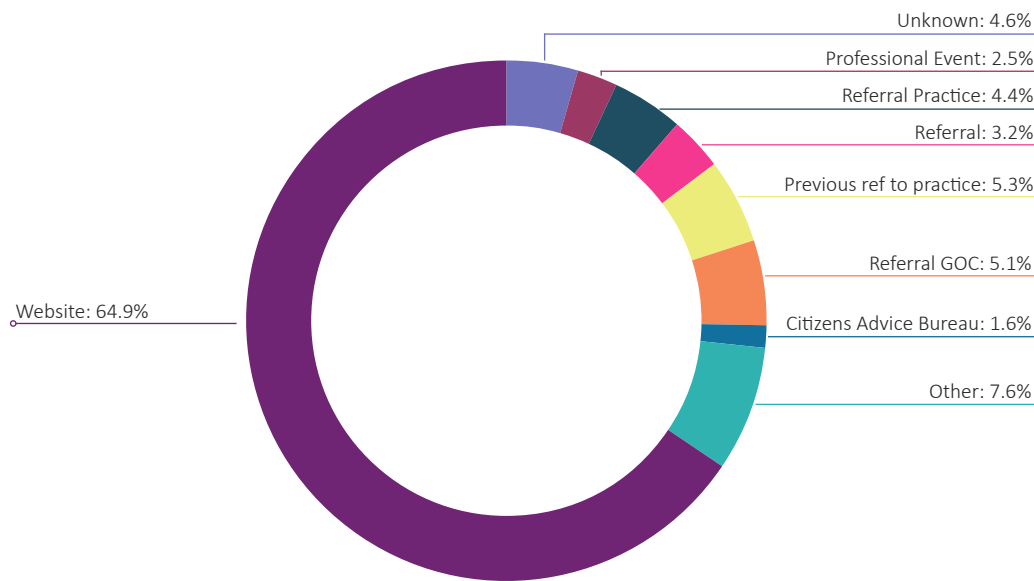




# OCCS Overview

Between 1st April 2022 and 31st March 2023, the OCCS received 1707 complaints, 1588 of which fell into remit, which is consistent with activity in 2021-22. Of course, it is crucial to keep in mind that last year's total represented a 21.5% rise in complaints submitted to the OCCS when compared to 2019-20, the service has maintained its position as an effective resource for those seeking to settle a dispute regarding their experience with the optical sector.

## ACCESSING THE OCCS



(Source data is contained in Appendix 1)

### Referrals by the GOC FtP Team

Last year, the GOC's remodelling of the FtP triage process and further embedding of Acceptance Criteria led the OCCS teams to more work closely with the GOC FtP teams. This resulted in the OCCS supporting the GOC to develop and refine an effective approach which combines the fundamental public protection role of the FtP process with proportionate resolution and a complainant focused process. This confirmed the value of the OCCS as a service performing a vital role in supporting proportionate and effective complaint resolution.

In 2022-23, 83 concerns which were initially received by the GOC, were then referred to the OCCS as they do not amount to allegations of impaired fitness to practise. This amounted to 5% of all enquiries. This remains completely consistent with the data from 2021-22 which was a 117% increase on 2020-21 (38 referrals). This number also equates to almost a fifth of the 442 concerns received by the GOC during 2022-23.





In addition to this combination of direct referrals by the FtP team and those complainants given details of the OCCS, there are also complainants who will self-triage via the GOC or the OCCS websites. There is ongoing collaboration between the OCCS and the GOC team to improve this pathway.

The outcomes of those referrals are detailed in Appendix 2.

### Direct Access

A total of 65% of those contacting the OCCS revealed they found out about the OCCS online, via search engines and the online presence. This is a modest 5% decline on the previous year's data and there are certainly other key points of interest when analysing where service users source information about escalating their complaint.

- Practice Referrals - these are examples of where a practice referenced the OCCS in their complaint response or policy, and the consumer states that this to be how they came to contact the OCCS. These accounted for 2.5% of all enquiries, which is consistent with referrals as took place last year. In real terms this meant that 75 complaints came by way of referral by practices.
- The Citizens Advice Bureau continues to be a helpful source of information for consumers, and leads them to the OCCS, bringing a total of 27 consumers to the service in 2022-23.
- Professional events also enabled the OCCS to extend the reach of its service, with 44 disputes being referred to the OCCS as a result of an optical professional attending an event where the OCCS were present.

### Remit

93% of enquiries received fell within the consumer complaints remit of the OCCS, with 124 enquiries being signposted to other organisations or falling outside the OCCS remit:

- a) Practice not registered with the GOC or no GOC registrant involvement (44, an increase of 8 when compared to 2021-22)

A critical aspect of the OCCS role is ensuring that any complaint circumstance involving potential allegations of impaired fitness to practice received by the OCCS, are referred to the GOC in order to protect the public. While these events are few and far between, it is essential that this monitoring and safeguarding aspect of our triage and mediation management is effective. The OCCS team have a good understanding of the issues and concerns which may amount to an impaired fitness to practise. This is reinforced through training and interaction with the GOC FtP team so both teams have a detailed working knowledge of how the roles differ and support each other to deliver timely and effective resolution.

- b) The complainant was seeking compensation arising from the alleged negligence of the optical professional (41, an increase of 22 when compared to 2021-22)







In terms of the most significant increase in complaint types - those seeking compensation - the increasing effects of the cost-of-living crisis may be influencing the remedy sought by a consumer. For a claim for compensation to be pursued, the consumer would have to establish harm due to negligence or breach of contract. Analysis of the complaints in the category do not suggest that we are seeing more potentially negligent care. Indeed, the growing number of consumers who insist that their dispute can only be resolved by way of financial remuneration is a clear sign that economic hardship is surfacing in the sector.

- c) Practice not registered with the GOC or no GOC registrant involvement (44, an increase of 8 when compared to 2021-22)

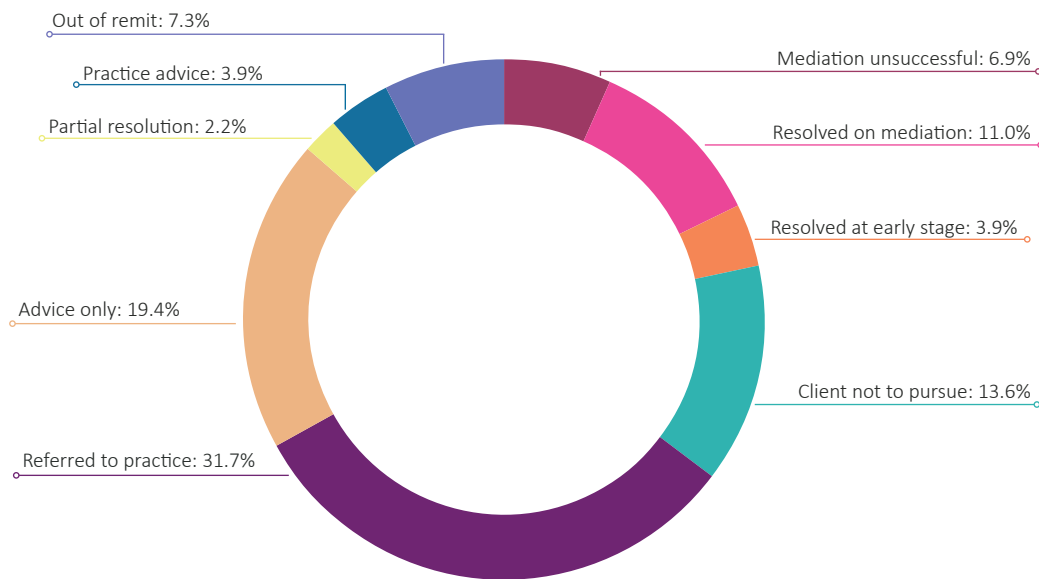




# Outcomes

With a consistent number of complaints, it remains to explore performance and outcomes when compared with our previous annual report. Indeed, it is only by exploring the breakdown of outcomes that it is possible to determine whether mediation has been more or less successful than in previous years.

Reviewing the 1603 referrals that were closed by the OCCS in 2022-23, the following outcomes were reached:



In the past year, 8% of referrals were assessed as being out of OCCS remit, which is a marginal 2% increase on those which were out of remit in 2021-22. Details of the signposting and reasons why a complaint is triaged as being out of remit are detailed above.

## PRACTICE ADVICE

OCCS receive contacts from optical practices seeking assistance and support with local resolution of complaints. In 2022-23, the OCCS remained consistent with last year's outcomes, resolving 66 disputes through advice alone. The OCCS proactively invites practices to contact the service for early advice and guidance, which supports early and effective local resolution.

Qualitative analysis suggests that maintaining the large increase in Practice advice referrals that occurred in 2021-22 to:

- The OCCS has grown its profile over recent years, making it easier for consumers and practices to be aware of the service;
- An ongoing confidence in the OCCS and its ability to safely and efficiently handle complaint resolution.





- The heightened tension produced by the cost-of-living crisis which has led to lower thresholds for complaints to be made. In other words, there is a larger number of easily solved complaints due to the parameters for a complaint being increased.

## PRELIMINARY MEDIATION SUPPORTING LOCAL RESOLUTION

Just under a third of OCCS enquiries are received when the matter is or should be within the practices' complaint process, and therefore could still be resolved at a local level, so are supported to return to the practice. in a local resolution phase.

The OCCS team is highly involved in this stage, seeking to calm, de-escalate and enable complaints to progress constructively. In some cases, the consumer has started the complaint process but is disappointed that this has not progressed to their satisfaction. In other cases, the complaint has not yet been raised with the practice, and consumers are seeking input. Complaints being referred to the OCCS at this stage was also the dominant category last year, suggesting this has largely remained consistent with last year's outcomes. Some complaints at this stage (still at practice level) are addressed through interaction with the OCCS (i.e., with OCCS "Advice Only"). This accounts for a fifth of OCCS enquiries.

The OCCS team combines optical sector insights with mediation resolution techniques to provide support and guidance at the point of initial contact by the consumer. If local resolution is proving to be an ineffective approach, the complaint can return to the OCCS and will be progressed to full mediation.

Where the complaint is still within the local resolution phase. The OCCS will explore with the consumer:

- The exact nature of the complaint;
- What measures have been undertaken to resolve the complaint;
- If no contact has been made with the practice, how the complaint should be presented and the focus needed to help aid swift and local resolution;
- Why the input by the practice so far has not resolved the complaint ;
- The basis, root cause and desired outcome for the complaint to assist the consumer in formulating and articulating a reasonable and focused complaint in their interaction with the practice.

95% of these interactions are successfully returned to the practice for local resolution. and the complaint does not return to the OCCS.

In 2021-22, the OCCS saw a 22% year on year increase in the number of complaints assisted at this stage. The OCCS has seen this level of activity remain steady in 2022-23.

The OCCS continues to analyse these complaints to share real time updates and guidance for practices to access during the year, to help minimise recurrence and pro-actively adjust ways of working or team focus.





## CONSUMER NOT TO PURSUE

In 13% of enquiries within the OCCS remit in 2022-23, the consumer opted not to proceed with mediation, even when local resolution is exhausted. This is consistent with previous years, representing a marginal 3% increase when put in the context of year-on-year data.

There are a number of reasons for this. The consumer may:

- Decide they want an investigative, adjudication so may consider legal proceedings;
- Fail to engage further and do not return the Agreement to Mediate document;
- Consider that they do not wish to pursue the complaint further, but that their issues have been logged with the OCCS.

The OCCS does explore the reasoning behind any proposed formal escalation (such as legal proceedings or contact with the GOC) to ensure the consumer has made a fully informed decision not to try mediation over any formal adjudication. The marginal increase is likely to be linked to societal attitudes and a stronger tendency to seek a 'judgment' or a finding by some consumers, meaning they consider a legal process the more desirable option. They are made aware of the binary assessment of a dispute within court proceedings and that the proceedings can be costly and lengthy, particularly given the current judicial backlogs.

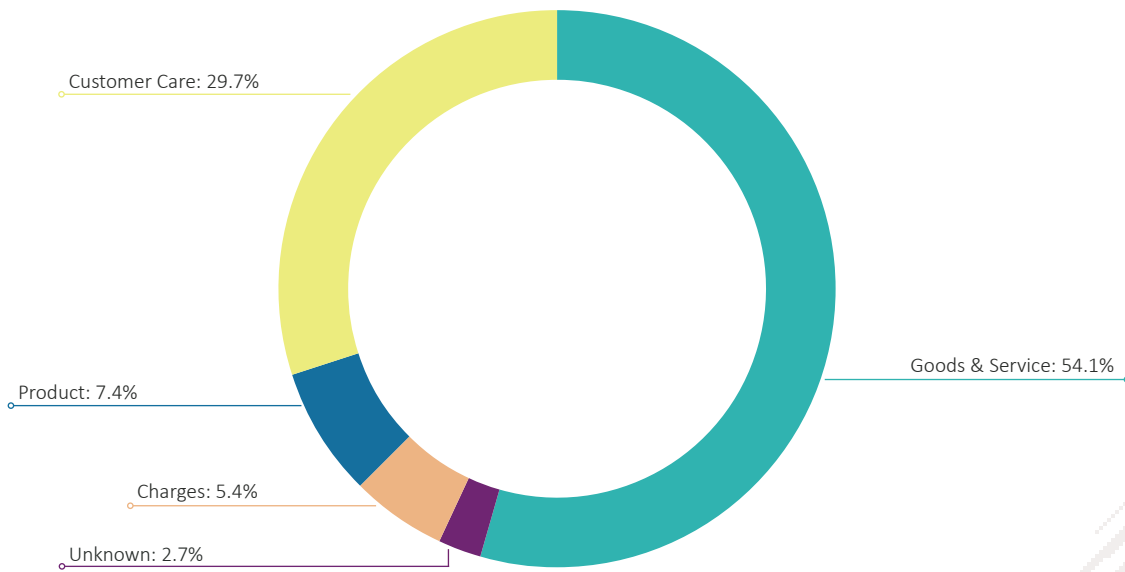
## MEDIATIONS

Where local resolution is unable to successfully address and conclude a complaint, the OCCS will engage with the consumer and the practice to mediate the complaint.

The OCCS concluded 12% fewer mediations in 2022-23, than in 2021-22 (385), and this is in the context of a 2% YoY overall decrease in referrals but noting this sees a return to the mediation activity levels prior to the pandemic. The assigned OCCS Resolution Manager will mediate between the consumer and the practice to assist in finding a resolution acceptable to both parties.

There is little variation in the outcomes or the need for full mediation in different types of complaint, save that complaints relating to charges and offers are more likely to be resolved at an earlier stage, without the need for full mediation.





Of the complaints which were resolved using mediation between 2022-23, the majority were attributed to the category of Goods & Services. Representing a 10% increase on this category when compared with last year, it is possible that this illustrates the effects of the cost-of-living crisis. More specifically, a greater number of people complaining over goods and services suggests that there is a lower tolerance for imperfections and a higher expectation than there was before. This view is supported by previous yearly data that tells us that complaints relating to Goods and Services have grown by 20% over the past two years.

In 6% of OCCS enquiries the mediation concluded without a resolution. This was a slight increase from 4% in 2021-22. Qualitative insight suggests this may be linked to several factors:

- Consumers more committed to a financial resolution;
- Thresholds to complain and seek a financial resolution are lower; and
- Commercial decision-makers in practice being more reticent to offer or increase financial resolutions.

## RESOLUTIONS

The resolutions mediated within the OCCS process range from:

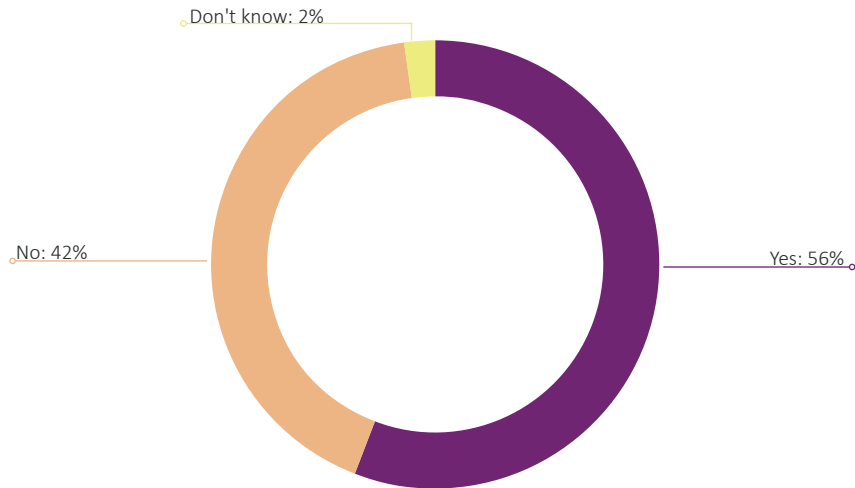
- Supporting the consumer to return to the practice for a further consultation, adjustment or replacement product
- Partial or full refunds
- Apologies
- Supplementary and complementary product supplied
- NHS voucher reinstatement.





## APOLOGY RECEIVED?

When raising a complaint, % of consumers who received an apology from the optical practice. (GOC Public Perceptions m.e.I research 2023).



Altogether, the similarities with last year’s data suggest that resolution rates have maintained fairly consistent despite an increasingly challenging economic climate. Making the close rate even more significant and representative of success, the ability to remain resilient in the face of an incredibly difficult economic climate is a highly encouraging sign when considering the work of the OCCS.

## Timelines

(Comparison to 2021-22)

Timescales	Average number of days from receipt of the enquiry to the conclusion of the OCCS involvement	0 - 45 days	46 - 90 days	+90 days
All	14.1 (+1.7 days)	91% (=)	7% (=)	2% (=)
Mediated	39 days (=)	60% (+10%)	30% (-9%)	10% (+2%)
Refractive surgery related mediations	66 days	33% (-15%)	49% (+22)	19% (-6%)

Overall the duration of the OCCS process has remained steady at around 14 days.

Mediation continue to be an efficient and effective resolution method. In 2022-23, more mediations were concluded in the 45 day period, than in the previous year, with the overall proportion of mediations concluded within 90 days remaining consistent. Mediations relating to refractive surgery, saw an increase in mediations concluded within 45-90 days, but a fall in the number of mediations taking longer than 90 days.





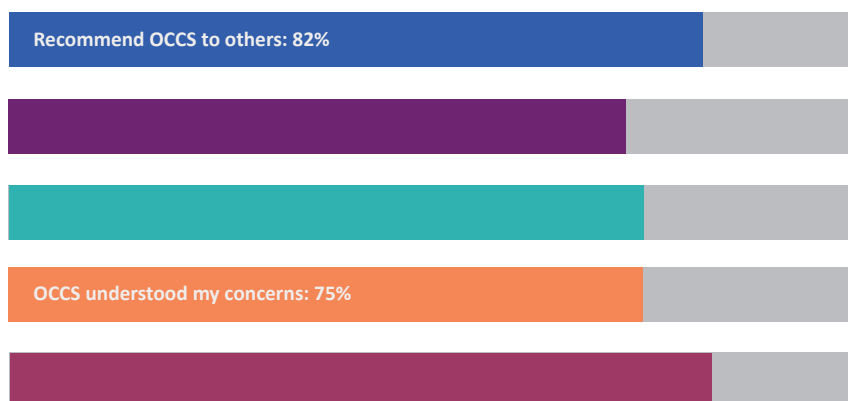
# Feedback

## SERVICE USER FEEDBACK

The OCCS request feedback from service users.

This is requested at an individual level from consumers and optical practices, and also at an organisational level from multiples and other stakeholders.

Response rates during 2022-23 have been very low (4% of mediations), despite requests made when the complaint mediation is concluded. During 2023-24, the OCCS will once again revisit the approach to capturing feedback as the response rates are below that of other Nockolds services but remain above many other complaint resolution bodies.



Feedback from stakeholders also remains positive and is collated during annual and interim meetings.

The variance in feedback responses this year illustrates the increased level of tension and societal frustration which is a factor in complaints arising, escalating and in mediating a resolution.

## SERVICE MATTERS

During 2022-23, the OCCS responded to 3 contacts regarding service standards:

1. **Formal complaint raised with the OCCS – the concern had also been raised with the GOC, and it is understood that a formal corporate complaint also lodged with the GOC - December 2022.**  
**The complaint regarding the OCCS involved 4 distinct issues:**
  - a. Trading Standards and the GOC had referred the consumer to the OCCS, and the OCCS were not able to investigate or order the practice to offer a specific resolution. The OCCS provide further explanation of the role of each service and their distinct responsibilities. In ongoing dialogue with both organisations, the OCCS confirmed they would explore the wording and explanations of the OCCS role given so clear information was provided and appropriate expectations set.





- b. Not being kept informed and updated regularly. The OCCS reassured the consumer that while extensive efforts had been made to obtain the necessary documents from the practice, this had taken some time. It was acknowledged that more frequent updates should have been provided, and the OCCS apologised for this, explaining that this was an isolated situation caused by staff absence and maternity leave and induction phases impacting on timescales.
- c. Delays by the practice in supplying relevant document and information were not pro-actively managed by the OCCS. The OCCS reassured the consumer that pro-active steps had been taken by the service, and the practice acknowledged and apologised for the delay which was caused by operational system issues.
- d. The OCCS was alleged to have provided legal advice on the enforceability of the practice's reglaze disclaimer. The OCCS explained that the common interpretation and enforcement of the disclaimer was as per the practice's explanation. The consumer was also advised to seek independent legal advice on this point. No legal advice was given by the OCCS.

The OCCS provided a formal written response to the complaint. This was shared with the GOC. The OCCS did not hear further from the consumer. The OCCS did not hear further from the consumer.

## 2. **Freedom of Information Act Request in November 2022**

Having received this request, the OCCS responded to explain that the OCCS is not a public body as defined under the FOI Act but that the requestee was welcome to contact the OCCS to discuss the reason for their request. No response was received.

## 3. **Potential complaint raised with OCCS – August 2022**

The consumer had a concern regarding the level of supervision provided by an optometrist in practice. The consumer believed the optometrist should have been present in the room with the student or non-qualified member of staff. The OCCS team explained the current understanding of how the supervision standards are applied and signposted the consumer to the GOC. The consumer was dissatisfied with the explanation provided. The OCCS process and approach was reviewed in accordance with the OCCS complaint policy, and the consumer reassured that the appropriate process had been followed.

The OCCS did not hear further from the consumer.

All feedback is analysed by the Head of Service and the team leaders so learnings can be captured. The issues raised, outcomes and quality improvements are fed into team meetings and team 1-1s where appropriate. As so much of the feedback is positive, this reinforces the team commitment to delivering effective and compassionate complaint resolution.







# Complaint Insight

## Nature of Complaint

The OCCS categorises complaints at the outset based on the consumer's perspective and issues raised.

Nature of Complaint	2022-23 (%)	2021-22	+/- (%)
Goods & Service	658 (40)	796	+3
Customer Care	468 (29)	540	-7
Charges	97 (6)	73	-1
Other	98 (6)	128	-3
Practice Advice	55 (3)	66	=
Product	104 (6)	117	-1
Unknown	148 (9)	14	+7

## Business Type

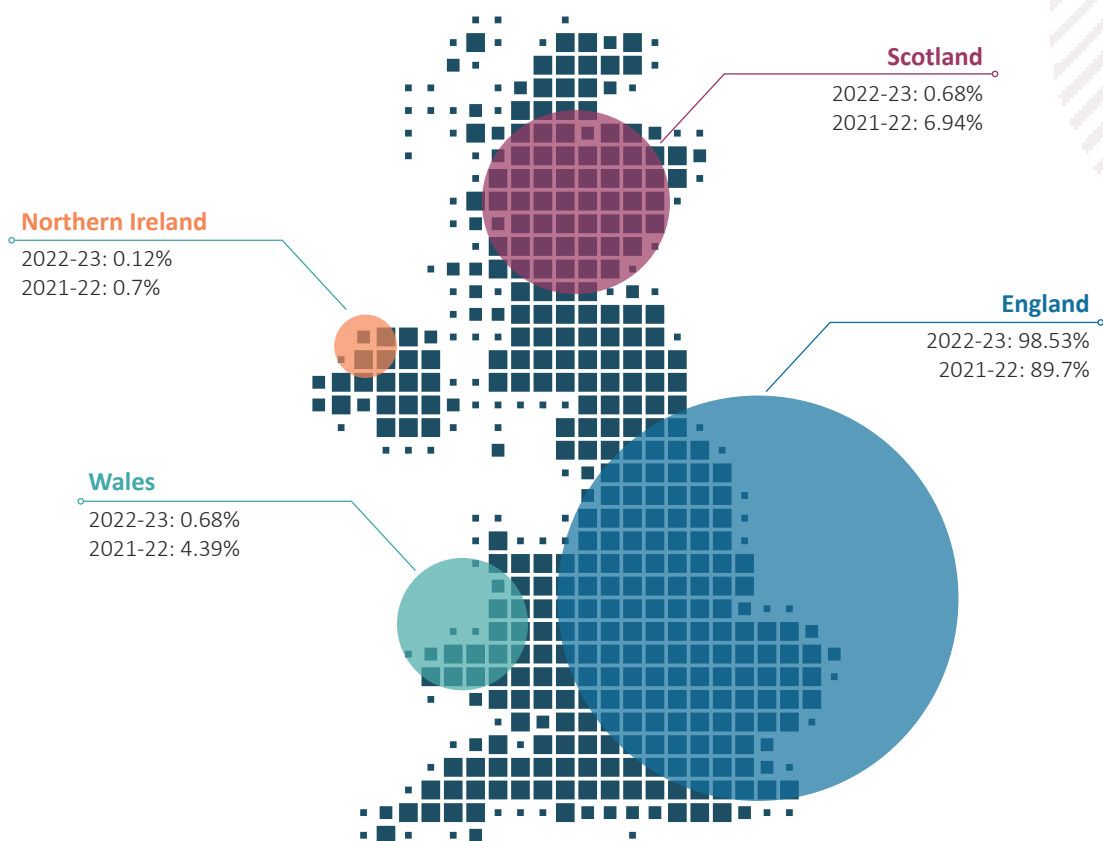
Nature of Complaint	Independent (%)	Multiple (%)
Goods & Service	46	45
Customer Care	31	34
Charges	7	7
Other	3	3
Practice Advice	8	1
Product	4	9
Unknown	1	1





Outcome	Independent (%)	Multiples (%)
Out Of Remit	5	5
Practice Advice	8	2
Supporting local resolution	45	49
Referred To Practice	30	28
Advice Only	15	21
Client Not To Pursue	13	11
Mediation concluded successfully	19	25
Mediation unsuccessful	10	9

## REGION





## CONSUMER INSIGHT

Details of the EDI analysis are published in Appendix 2.

The OCCS has focused on activity to support and enable access to the service for service users who would benefit from adjustments and adaptations. Details of this work are set out in the Customer Service Strategy Section.

The OCCS does not collate EDI data from the optical professional as the complaints are mediated on the basis they are a practice/consumer matter and the issues are generally not 1-1. The mediation approaches the complaint on the basis that the consumer has a relationship with the practice, and not individual professionals working within the business.

## SUMMARY OF COMPLAINT AND MEDIATION INSIGHT

- 30% decrease in clinical complaints YoY
- 30% decrease in refractive surgery complaints YoY

### Analysis - consumer cites eye examination or prescription error as primary concern

	Return to practice with advice	Out of Remit	Advice only	Mediation successful	Mediation	Live	Total
Quality of Examination	21 (31)	8 (7)	7 (24)	6 (11)	3 (10)	5 (1)	50 (84)
Optometrist customer care	19 (17)	12 (6)	9 (7)	7 (5)	2 (2)	3 (0)	52 (37)
Rx Error	70 (86)	9 (24)	23 (43)	32 (28)	14 (8)	15 (4)	183 (193)

Over the past year, the OCCS has recorded a significant drop in complaints which relate to the quality of eye examination, partially offset by a small increase in optometrist customer care, which suggests that this may be a categorisation effect. Overall, a 15% YoY decrease should be considered as strong progress in what is a key area of eye examination concerns and marks a return to 2020-21 levels, after a peak in 2021-22

In 2021/22, the OCCS also recorded a relatively high number of unsuccessful mediations under the category of quality of eye examination. This particular category seemed to be driven by some practices being very defensive in this area. Rather encouragingly, this datapoint seems to be declining in 2022/23.





**Analysis - consumer cites clinical diagnosis as primary concern-30% decline YoY**

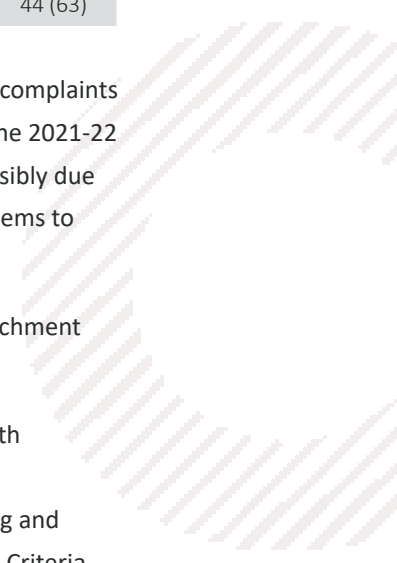
	Return to practice with advice	Out of Remit	Advice only	Mediation successful	Mediation	Live	Total
Cataract	4 (8)	1 (3)	1 (5)	1 (3)	3 (1)	2 (2)	12 (22)
Glaucoma	1 (1)	1	4 (4)	1 (2)		2 (1)	9 (8)
Ret Det/PVD	0 (4)		2 (3)				2 (7)
ARMD	4 (2)	0 (2)	1 (5)	1 (0)		(1)	7 (10)
Misc.	2 (6)	2 (2)	4 (3)	4 (5)	1 (0)		14 (16)
Total	11	4	14	7	4	4	44 (63)

In addition to other significant reductions, The OCCS has observed a considerable reduction in complaints relating to potential misdiagnosis. This is primarily driven by a drop in cataract complaints. In the 2021-22 year, the OCCS reported a significant statistical increase in complaints relating to cataracts, possibly due to the post-pandemic bounce back of elderly patients returning to practices. Thankfully, this seems to have fallen back to a historical run rate.

What’s more, the latest OCCS data also reveals a large fall in complaints relating to retinal detachment concerns.

Overall, in this category, the OCCS saw the majority of these complaints referred to practice with preliminary mediation, advice and local resolution support. As with the dataset regarding eye examination issues, this demonstrates the ability and confidence of the OCCS team in managing and supporting resolution in this arena, and the confidence inspiring clarity of the GOC Acceptance Criteria concerning single clinical issue.

The complaints falling outside of remit were a combination of consumers wanting to refer the matter to the GOC or were adamant they wanted to pursue legal avenues for redress. These were signs posted accordingly.





### Analysis - complaints involving refractive surgery - down 30% YoY

	Return to provider with advice	Out of Remit	Client chose not to pursue	Advice only	Fully/partially successful mediation	Unsuccessful Mediation	Live	Total
Charges & Refunds	3		1	1				5
Outcome of Surgery LASIK/LASEK	5	6	3	10	10	7	3	44
Outcome of Surgery NLR	1		4	5	4	2	5	21
Aftercare	3			1				4
Complaint Mgt	1			6	1	3		11
Attitudinal	2	1						3
Misc	1			1				3
Total	16	8	8	24	15	12	8	91

A decrease of 30% (91 down from 130). YoY in complaints relating to refractive surgery is driven primarily by a reduction in complaints relating to the outcome of surgery which are down in real terms from 89 to 65.

Changes in categorisation following requests from interested parties make YoY details harder to analyse, however mediation success rates continue to be lower in elective surgery cases than those in ‘core optical’ cases. This disparity reflects the increased complexity of such complaints. More specifically, many cases relate to a disappointment in the refractive outcome, and we would encourage any potential patients to be vigilant and cognisant of the detailed consent process in the area of elective surgery.

## OVERALL INSIGHTS

### Price Sensitivity

In the latter half of the 2021-22 the OCCS reported anecdotal analysis which indicated that the service was starting to see the impact of financial pressures flowing through into optical complaints. This takes many different forms but includes increase in pricing related issues and practices perceiving complaints to be related to consumer regret. This has undoubtedly developed into a major factor in 2022-23 as the cost-of-living prices increases the pressures on household and practice finances.

### Communication in Clinical Complaints

The root cause and primary issue in clinical related complaints has consistently been communication and misaligned understanding of the risk, need for treatment, or referral and counselling consumers to aid understanding and the clinical progression of the condition. This once again demonstrates the need and benefits of developing professional confidence and expertise in this area which minimises unnecessary patient anxiety and professional resilience-a cornerstone of OCCS CPD provision.





## Domiciliary

Domiciliary complaints have increased slightly YoY to 42 (from 38) in 2022/23 but following a significant increase in 2020-21, from 18.

The nature of these complaints seems to be driven by consumer disappointment and frustrations regarding after sales service. While low in number, these can generally be categorised as arising when a patient seeks to withdraw from the purchase (and potentially seeking to purchase from a practice where they have had a long-standing relationship and the practice involved in the complaint has attended a residential care home and offered eye healthcare) or, in situations where the consumer is dissatisfied with the product, and seeks a refund.

Complaints involving concerns about pressure to purchase products or the level of spend has seemed more prevalent in this area of the sector in the past 12 months. The OCCS has received 17 such complaints, and 3 of these where the allegation of “overselling” is the substantive issue that arose in the domiciliary sector. Domiciliary complaints represent just 2.6% of total complaints but 18% of the allegations of pressured selling. Given the vulnerable nature of the patient base this is to be closely monitored by the OCCS.

Given the vulnerable nature of the patient base this is to be closely monitored by the OCCS. Defining vulnerable consumers can be subjective. At the OCCS, vulnerable consumers include consumers with disabilities or protected characteristics or where the situation or the environment means they are vulnerable or have specific needs. Insight confirms that age or ability does not define whether a consumer is vulnerable. Capacity and the ability to process and manage a particular situation is defined by many factors. The OCCS invites service users to share if they consider themselves to be vulnerable or this can be ascertained during the course of the mediation. Where appropriate and necessary reasonable adjustments to the OCCS process are made. In the domiciliary sector in optics, the OCCS note that vulnerable consumers may not be able to assess whether the care or service received are below an acceptable standard and may also not have the means to access complaint pathways or escalate concerns. For this reason, objective 3 remains an important focus for the OCCS.

The OCCS also detected a small number of complaints related to ‘cold calling’ by domiciliary providers, and offering eye healthcare to residents who may have long standing relationships with other practices (who do provide a domiciliary offer).

It is recognised that the delivery of eye healthcare in a residential home or domestic setting is challenging, and the demographic of the patient group requires particularly effective communication and third party engagement protocols (families and representatives). Many providers offer excellent care and robust, consumer protection protocols which manage the risk in this area.





Although low in volume, qualitatively these concerns around potentially vulnerable patients illustrate why this sector must be vigilant in all areas of practice and conduct. From the appearance of domiciliary providers ‘doorstepping’ consumers to have an eye examination, through to the perception of overselling expensive products, and the reluctance to refund when problems occur, it is easy to see why families raise concerns in this arena. Whilst there is no doubt that the vast majority of practitioners in this area are committed to delivering high quality and essential services there remains a significant risk that some outliers can create a negative impression to broader communities. The OCCS continues to work closely with the Domiciliary Eyecare Committee and has delivered five CPD events focused on domiciliary complaint management in 2022-23 to sustain focus on the need for improvement.

### REFLECTION OF OCCS RESOLUTION MANAGERS

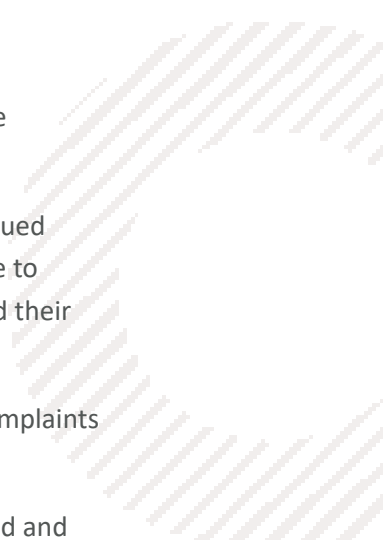
It has become increasingly difficult to secure a full refund from some practices since the pandemic. Despite financial challenges, this is improving slightly.

Complaints regarding the consumers customer journey have increased. We have continued to see entrenched and emotive complaints where the practices banning consumers due to their behaviour. Practices seem to be less tolerant and will ask consumers not to attend their practice again.

Tone, attitude and perceptions of conversations are also more likely to be a factor in complaints mediated this year.

There has also been an increase in consumers wishing to cancel their orders once placed and this being refused. The OCCS endeavour to explore options and also to help consumers to understand why a cancellation may not be possible or the practice policy exists.

Through mediation insight, it appears that some consumers are less tolerant with practices and are seeking retribution or an outcome of a disciplinary nature from the OCCS. The OCCS seeks to manage their expectations around the mediation process and help them to understand the ways in which the mediation process benefits all parties involved.





# OCCS Impact

In addition to annual review meetings with each multiple over summer 2022, representatives of the OCCS also attended every Domi Eye Care Committee meeting over the past year. Similarly, the OCCS delivered 48 CPD events and completed two articles for established journals.

Other areas that the OCCS have had a measurable impact include:

## CPD-277% INCREASE IN ACTIVITY YOY

During 2021/22 COVID constrained OCCS activity to just 18 events. Despite such limitations, the OCCS is delighted that interest in live events has been resurgent this year and has gone on to deliver 48 interactive CPD events and two CPD articles for professional journals this year. The majority of the CPD sessions have been delivered in person, which is very much celebrated. Feedback also suggests that in person delivery of CPD focused on non-clinical skills is far more effective and impactful, compared to online delivery.

Feedback score YTD is 97% with live events at 99%.

The new CPD approach continues to enable the service to be agile in its approach for CPD clients and also tailors' content precisely, and at pace. The ability of the OCCS to create domiciliary-specific CPD is a great example of this.

▶ The OCCS is delighted to report on progress in the two strategic partnerships referenced in last year's report to amplify its volume and capacity to upstream complaint insights in two key areas. In particular:

- Working with Topcon to increase reach in the delivery of our AMD CPD session aligned to their work in OCT training.
- Working closely with CooperVision & The Macula Society to roll out CPD sessions on the exciting developments in Myopia Management using OCCS insights to help registrants focus on the critical conversations that will underpin their success in myopia management provision in the future.

## SOCIAL MEDIA ACTIVITY

As part of an ongoing commitment to reach new consumers whilst updating existing ones, the OCCS social media strategy has remained focussed on educational content over 2022-23. Particular highlights include:

- Collaborations with the Macular Society to promote AMD
- Blogs focussed on how to raise and manage a complaint
- Signposts to relevant resources and content surrounding the cost-of-living crisis
- Blogs exploring ways to detect serious optical conditions ahead of time
- Promotion of a variety of relevant and educational events







Supporting the social media activity, the OCCS has also authored a range of blogs on topics that are relevant to the optical sector and complaint mediation.

### **Social Media Engagement**

Examining data for the social media activity conducted over 2022-23, it is encouraging to report that content has made 17.K impressions across all platforms. Of the various posts which performed well over the year, the data points to those regarding the Macular Society and NHS resources as being the most popular. A strong endorsement for the road mapping that the OCCS performs for followers, the active engagement of these posts demonstrates how the service provides vital connections to ancillary services that are of use. Similarly, overall engagement rates across all platforms sit comfortably between (and often above) the 1-3% benchmark that industry professionals Hootsuite define as strong. A total of 236 posts also demonstrates how the OCCS has remained consistent with posting and is comfortably meeting and exceeding the recommendation of sharing content at least three times a week. Ultimately, the social media campaigns are being well responded to, and confirm that the OCCS is reaching and educating consumers on all of the leading platforms.





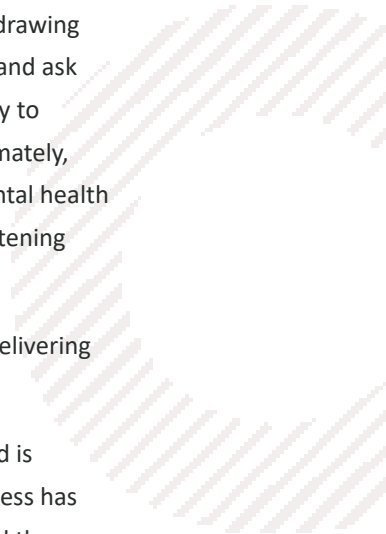
# Customer Service Strategy

## EDI Access

In terms of EDI access, the OCCS has responded to the current climate to ensure that teams are well-equipped and supported when dealing with complaints. To this end, the OCCS has carried out a series of training sessions that have enabled teams to enlarge their areas of expertise. In particular, the team undertook a course in Managing Difficult and Distressing Conversations that provided them with a suite of skills that allow them to effectively understand and manage the diverse needs of customers. Similarly, this training empowers teams to meaningfully listen and respond to complaints with empathy, drawing from a toolkit of questions and responses which enable them to provide the correct responses and ask the correct questions. Additionally, this course provided the team with the knowledge necessary to respond effectively in an emergency and engage in difficult conversations with confidence. Ultimately, this course provided the OCCS with the skills that distressing situations and customers with mental health challenges require. With the ability to engage empathetically, the training focussed on active listening and how to best support colleagues and customers who are involved in a complaint.

The team are also supported by the EDI and neurodiversity champions who assist the team in delivering an effective and accessible service to all service user groups.

The OCCS has also been attentive to the needs of neurodivergent colleagues and consumers and is working hard to broaden the toolkit to enable teams to engage effectively. In particular, awareness has recently been growing in terms of understanding the prevalence of neurodiversity in society and the impact that it can have on the daily lives of those who process information differently. An estimated one in seven people in the UK and 15-20% worldwide are neurodivergent, with numbers on the rise. Statistics therefore suggest that those with neurodivergent conditions make up a substantial proportion of our workforces and customer bases. By focussing on this particular issue, the OCCS has built a robust toolkit for when teams are adapting the process and approach to enable access and also to support all service users in participating in mediation.

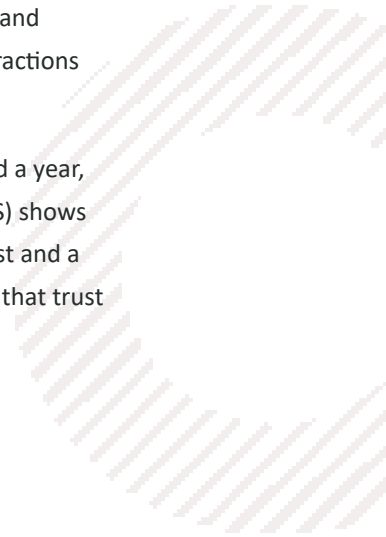




# Conclusion

2022-23 has been a year of the 'New Normal'. The consumer/practice relationship has continued to be placed under pressure with societal attitudes remaining 'tense' and the cost-of-living crisis placing more emphasis than ever, on value for money and expectations. The OCCS has played an important role in providing a resolution pathway for those increased tensions, illustrated by GOC enquiries not increasing in 2022-23, and the OCCS outputs remaining steady in a more challenging complaint landscape. As we look to 2023-24 and beyond, the OCCS understands the need to support optical professionals and practices to meet the challenge of high expectations, lower thresholds for complaint escalation and financial focus on complaint resolution, to improve compassionate and effective consumer interactions and reduce complaints.

While adapting to the 'New Normal' is crucial, the evidence (23 million sight tests are conducted a year, the results of the recent public perceptions survey, and the 1,707 referrals received by the OCCS) shows that the relationship between consumers and optical professionals continues to be built on trust and a commitment to achieve the best possible vision for patients. The OCCS will continue to support that trust and confidence, and continuous improvement throughout the sector.





# Appendices

## APPENDIX 1: OCCS DATA

### Nature of Complaints including subcategories

Nature of complaint	2022-23	2021-22
Goods & Service	658	796
Cataract	2	4
Concerns with the examination	42	84
Dispense of varifocal	112	84
Dispensing	118	162
Error with prescription	184	222
Eye Test	7	2
Missed diagnosis	44	66
Outcome of Laser eye surgery	40	89
Outcome of lens replacement surgery	25	-
Prescription prescribed in one practice and dispensed in another	44	66
Reglaze - issue with consumers own frame	13	16
Unknown	27	1
Customer Care	468	540
After care	20	16
Alleged inappropriate selling	19	28
Attitude	68	106
Complaint handling	58	66
Consumer change of mind	23	25
Delay in supply	53	98
Dispensing Optician Customer Care	2	-
Excluded from store	6	13
Failure to deal with concerns/complaint	92	60
Laser surgery - complaint handling	9	3
NHS Voucher query	26	37
No prescription provided	17	28





Non qualified staff issues	4	4
Optum customer care	52	43
Pupillary Distance - entitlement	2	13
Unknown	17	-
Charges	97	73
Charges and offer	94	71
Unknown	3	2
Other	98	128
Miscellaneous	92	122
Practitioner query	1	2
Unknown	5	4
Practice Advice	55	66
Unknown	55	66
Product	104	117
Contact lenses	5	5
Product - frames	68	79
Product - lens coating	19	23
Product - lenses	8	10
Unknown	1	0
Varifocals - quality	3	0
Unknown	148	14
Grand Total	1628	1734

### Business Type

Complaint Nature			
	Independent (%)	Multiple (%)	Grand Total
Charges	5.78	3.35	<b>3.97</b>
Customer Care	32.83	33.19	<b>33.10</b>
Goods & Service	48.02	50.16	<b>49.61</b>
Other	2.13	2.83	<b>2.65</b>
Practice Advice	6.08	1.99	<b>3.04</b>
Product	4.86	8.06	<b>7.24</b>
Unknown	0.30	0.42	<b>0.39</b>





### Source

Source	Source (%)
Charity	0.06%
Citizens Advice Bureau	2.25%
Magazine	0.06%
News/Press	0.17%
Other	5.94%
Previous ref to practice/Advice only	3.69%
Professional Event	3.29%
Referral	3.86%
Referral GOC	4.90%
Referral Other Practice	0.29%
Referral Practice	5.54%
Unknown	0.40%
Website	69.55%

### Outcome

	2022-23	2021-22	+/-
Out of Remit	121	91	30
Practice Advice	68	67	1
<b>Supporting Local Resolution</b>	<b>840</b>	<b>1086</b>	<b>-246</b>
Advice Only	322	484	-162
Referred to Practice	518	602	-84
<b>Client Not to Pursue</b>	<b>249</b>	<b>174</b>	<b>75</b>
<b>Mediation Concluded Successfully</b>	<b>233</b>	<b>245</b>	<b>-12</b>
Partial Resolution	29	32	-3
Resolved at Early Stage	57	57	-
Resolved on Mediation	147	156	-9
<b>Mediation Unsuccessful</b>	<b>92</b>	<b>74</b>	<b>18</b>
<b>Total</b>	<b>1603</b>	<b>1482</b>	<b>121</b>





## APPENDIX 2: GOC RELATED REFERRALS

	Outcome
Out of Remit	4
Referred to Practice - Local Resolution	30
Advice Only	8
Client Not to Pursue	18
Partial Resolution	1
Resolved at Early Stage	5
Resolved on Mediation	12
Mediation Unsuccessful	6
-	4



## APPENDIX 3: EDI

Age Range	Age Range (%) 2021-22	Age Range (%) 2020-21
16-24	99 (7.70%)	7.05%
25-34	320 (24.90%)	23.81%
35-44	276 (21.48%)	20.85%
45-54	303 (23.58%)	25.22%
55-64	220 (17.12%)	16.55%
65 or over	67 (5.21%)	6.47%
NULL	111	

Gender	Gender (%) 2021-22	Gender (%) 2020-21	National Stats
Female	940 (72.98%)	73.17%	50.6
Male	348 (27.02%)	26.83%	49.4
NULL	108		

Disability	Disability (%) 2021-22	Disability (%) 2020-21	Survey Data
No	970 (81.51%)	86.49%	78.80
NULL	206		
Yes	220 (18.49%)	13.51%	21.20

Increase in service user who consider themselves to have a disability.

Ethnicity	Ethnicity (%) 2021-22	Ethnicity (%) 2020-21	2011 census most reliable data (%)
Asian	40 (3.3%)	1.90%	7
Black	4 (0.3%)	0.40%	3
Mixed	26 (2.1%)	2.20%	2
NULL	167		
Other	18 (1.5%)	1.90%	1
White	1141 (92.8%)	93.40%	87





Sexual Orientation	Sexual Orientation (%) 2021-22	Sexual Orientation (%) 2020-21	Sexual Orientation National Statistics (%) 2018
Bisexual	18 (1.6%)	1.16%	-
Gay	43 (3.9%)	3.74%	2.2%
Heterosexual	1004 (90.5%)	92.81%	94.6%
NULL	286		
Other	45 (4.1%)	2.29%	3.2%

Marital status	Marital Status (%) 2021-22	Marital Status (%) 2020-21	2019 Marital Status Data
Civil Partnership	47 (4.1%)	4.72%	-
Divorced	76 (6.6%)	7.93%	6.61
Married	470 (40.9%)	45.09%	40.7
NULL	247		
Prefer Not to Say	63 (5.5%)	3.91%	0.14
Separated	14 (1.2%)	1.12%	-
Single	453 (39.4%)	34.73%	47.5
Widowed	26 (2.3%)	2.51%	4.98






Religion	Religion (%) 2021-22	Religion (%) 2020-21	2018 National Data Estimate (%)
Buddhist	5 (0.5%)	0.71%	0.4
Christian	467 (43.8%)	48.03%	51
Hindu	5 (0.5%)	0.59%	1.6
Jewish	9 (0.8%)	0.55%	0.5
Muslim	23 (2.2%)	0.63%	5.4
None	430 (40.3%)	40.10%	39
NULL	329		
Other	45 (4.2%)	4.03%	1.6
Prefer Not To Say	76 (7.1%)	5.03%	-
Sikh	7 (0.7%)	0.34%	0.6

Region	Region (%) 2021-22	Region (%) 2020-21	v National Statistics
England	1001	95.26%	+3%
Scotland	79	2.35%	+2%
Wales	50	1.93%	=
Northern Ireland	8	0.46%	-2%
Other	12	-	
NULL	246		





## APPENDIX 4: 2020-23 STRATEGIC ACTIVITY

- Development of the OCCS to ensure it delivers world class complaint resolution;
  - Support the GOC in delivering the corporate and strategic plans for 2020-2027;
  - The challenges faced by the sector such as an ageing population and the increased provision of ever more complex eyecare in primary settings; and
  - Resource available to the OCCS, which could be linked to resource efficiencies within the GOC achieved by widening the use of the OCCS (which offers more agility and potential for economies of scale);
  - Leverage the benefits FtP remodelling by delivering trusted complaint resolution in optics:
    - Work collaboratively with the FtP team to extract value from introduction of Acceptance Criteria and pro-actively drive low-level complaints out of triage to OCCS for resolution;
    - Work collaboratively with FtP to ensure PSA objectives are successfully delivered;
    - Work collaboratively with the GOC to explore how mediation can support FtP as set outlined in the Government White Paper – Promoting Professionalism, Reforming Regulation July 2019. Given the working relationship built over the past five years, the GOC and the OCCS have the opportunity to progress the already ground-breaking work in complaint mediation in regulated healthcare to lead the regulatory field.
  - Deliver insight sharing activity which provides Upstreaming and supports an embedded Learning Culture;
  - Deliver student presentations at optometry universities and dispensing colleges to drive student awareness of OCCS, greater understanding of professionalism and expectations of consumers, the public and their regulator, and effective complaint management;
  - Continue to use our CET proposition to carry positive message of change in FtP to registrants, and to incorporate learnings from FtP cases and analysis of complaints referred into both organisations;
  - Increased use of online tools and medium to widen reach to members of the optical professions and share ‘bite size’ learnings and insight;
  - Continually develop and improve the OCCS effectiveness, accessibility and inclusivity (Equality, Diversity and Inclusion);
  - Continue to evaluate and develop initiatives to improve the accessibility of the OCCS for all consumers, and to ensure that all consumers have a clear understanding of what they can expect from their eyecare provider to assess ‘what good looks like’;
  - Effective Consumer and Public Protection;
  - Work collaboratively with the GOC to develop greater interaction and risk management within the overall regulation of eyecare namely, NHS via performers list, employer/practice links and other bodies to ensure the public are not put at risk by a lack of knowledge or sharing of a registrant’s impairment;
  - Work collaboratively to support the implementation of a reformed approach to business regulation;
  - In recent years, the OCCS has seen an increase in complaints referred to the service where the
- 



- Business providing eye care services and supplying spectacles/lenses was not registered with the GOC and no individual registrant was involved in the complaint. Many consumers expect all suppliers of eyecare and optical products to be regulated by the GOC. The knowledge gained, and evidence collated by the OCCS will be shared with the GOC to inform the GOC's proposed strategic aim to seek reform of the Opticians Act and business regulation. As the GOC progresses a strategic aim in this area, the OCCS will continue to work collaboratively with the GOC, to support the regulator in delivering a comprehensive, simpler and more effective system of business regulation.
- Work collaboratively with the GOC to review the remit of the OCCS given the reform of business regulation, activity in niche areas of the sector such as refractive surgery and the cross-border issues arising from online supply and sales which may expand with improving technology and the potential to increase remote sight tests and refractions.

