

OCCS

How We Can Help



The Optical Consumer Complaints Service (OCCS) is an independent and free service for consumers (patients) of optical care and the professionals providing that care. The 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 then investigate. We will then work with both you and the optician involved to help reach a fair resolution.

Contact OCCS on:
0344 800 5071

Open from 8am - 6pm
Monday to Friday

Visit our website:
www.opticalcomplaints.co.uk

Service provided by
Nockolds Solicitors





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 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

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' is registered with the General Optical Council.

The term 'optician' includes:

- Optometrist (ophthalmic opticians)
- Dispensing optician
- Contact lens practitioner
- Optical business/company practising as any of the above
- Those undertaking training to qualify as any of the above

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.

When Can a Complaint Be Made?

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 8 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.

How Can a Complaint Be Made?

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
- Writing to us at Optical Consumer Complaints Service, 6 Market Square, Bishop's Stortford, Hertfordshire, CM23 3UZ

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 investigate your complaint
- If necessary, we will obtain an independent review from an optical expert
- 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 adjudicator

A step-by-step explanation of our complaint handling process is set out later in this document.

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

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

Equality and Diversity

OCCS are 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.

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:



- **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.
- **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.
- **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.

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

- Telephoning us on **0344 800 5071**, Monday - Friday 8.00 - 18.00
- Emailing us at **complaints@msoc-uk.org**
- Completing the complaint form at **www.msoc-uk.org**
- Writing to us at Mediation Service for Optical Consumers, 6-9 Market Square, Bishops Stortford, Herts, CM23 3UZ

How to Refer a Complaint to OCCS and How Will We Deal With Your Complaint

1. Following either a direct contact or email enquiry, we will contact you within two days, either by telephone or email as requested.
2. We will confirm with you your details and the details of your complaint. We will consider whether we can provide assistance to resolve your complaint. We will ask you for your view as to a successful outcome.
3. Within 21 days of receiving your complaint, 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.
4. Within 28 days, we will analyse the data collected and assess it. We will complete an analysis report.
5. We will confirm our findings to the complainant and the optician and propose a solution within 28 days of the instigation



of the complaint.

6. Our objective is to find a resolution acceptable to both complainant and optician within 42 days of the original complaint. If a resolution can be reached, we will execute that solution within 45 days and confirm this to the complainant and the optician in writing. Feedback will be requested from both parties.
7. Where a solution cannot be agreed, we will refer the complaint to a senior adjudicator within 24 hours of being made aware of the disagreement. They will then review and see if any further steps can be taken to reach an appropriate solution.

Further Information

- If you need to know more about general eye care, the College of Optometrists issue guidance and advice.
- Charities such as SeeAbility offer information on eye care, eye tests, general information particularly for the elderly and/or disabled and what to do if things go wrong
- The College of Optometrists - Information and advice to help you look after your eyes and guidance to practitioners.
- Association of British Dispensing Opticians (ABDO)
- Association of Contact Lens Manufacturers (ACLM)
- Association of Optometrists
- British Contact Lens Association (BCLA)
- Federation of Manufacturing Opticians (MFO)
- Federation of (Ophthalmic and Dispensing) Opticians (FODO)