RCVS submission of monitoring proposal for the compliance of veterinary businesses with the CMA substantive order

1. The CMA will require the RCVS to monitor businesses for compliance with remedies falling into five categories:

    - Practice information
    - Provision of price estimates and exercising clinical judgment
    - Medicines
    - Cremation provision
    - Complaints procedures

2. The remedies are set out below in the same numbered order as set out by the CMA in the Final Decision Report (FDR). They apply to relevant veterinary businesses who operate **one or more FOPS** or, in some cases, a combination of FOPS, online pharmacies and/or other veterinary services, referral centres and OOH services.

    1: Requirement to clearly display common ownership on websites, in online data, in premises and in communications. This is when a business is owned, controlled or subject to a high level of influence by the same entity. This applies to all services.

    2a: Requirement to publish basic service information including out-of-hours (OOH) provision, staff qualifications and accreditations online and in premises.

    2b: Requirement to publish a list of standard prices for standard services on websites and in premises. The prices have to be presented in a consistent transparent and understandable format and have to be easily accessible online.

    2c: Requirement to publish price lists for most commonly sold parasiticide (i.e. flea, tick and worming) medicine products on websites and in premises, along with a link to a list of VMD-approved online pharmacies.

    2d: Requirement to publish information about what services are included in pet care plans, how frequently they are typically used, how frequently they are provided in the plan, details about parasiticides, and the price if paid separately – on websites and in premises. There must be clear information about how the savings are calculated.

    3: Requirement to provide the information set out in remedies 2a-d above plus ownership and basic practice information directly to the RCVS; an undertaking from the RCVS to collect the information set out above, make it publicly available on its Find a Vet platform (FaV), enhance the platform's functionality and share data with approved third parties.

4a: Requirement to provide pet owners with a written estimate of the total cost of any treatment that is likely to be £500 or more (including VAT) and give them an update if the estimated cost increases by 20% or £500 (whichever is lower), and recommendation for the RCVS to reflect this in Codes and Guidance. The RCVS will publish the monetary thresholds on their website.

4b: Requirement to provide pet owners with itemised bills for their pet's treatments and other services they receive and recommendation for the RCVS to reflect this in Codes and Guidance.

5: Requirement for businesses to have in place written policies and processes to ensure that vet professionals are able to act in accordance with relevant provisions of the RCVS Codes and Guidance including giving pet owners independent and impartial advice, information about costs and a range of treatment options where appropriate.

6: Requirement to publicise the ability of pet owners to request a written prescription to buy medicines elsewhere by providing standardised literature and orally. Undertaking from the RCVS to produce and distribute standardised notices and information about the written prescription process and for it to host a copy of literature on its website.

7: Requirement to give pet owners written prescriptions by end of consultation (hard copy) or within 48 hours (digital).

8: Requirement to be clear that there are alternatives to own-brand medicines by telling owners that there is a reference product alternative available for purchase from third parties, provide the pet owner with the name of the reference product and specifying clearly on both the labelling applied to Own Brand meds and on the invoice that the reference product alternative is available for purchase elsewhere.

9: Requirement to provide a standardised flyer to tell animal owners of their ability to request a written prescription and that they could make significant savings from purchasing long term medication elsewhere. Exception if the medications are provided free at the point of sale.

10. Requirement to charge no more than £21 for providing a written prescription and a fee of £12.50 for additional medication prescribed during the same consultation. Policies and procedures to ensure that there is no difference between the duration that a medication would be prescribed (not including controlled drugs).

11: Contracts for out-of-hours (OOH) provision to be monitored by the CMA.

12: Requirement to make pet owners aware of all options open to them either before or when the pet has died, offer communal cremations, publish the prices for communal and individual cremations that they offer and give owners information on prices of services that might be sold at the same time.

13: Requirement to publish and provide pet owners with an in-house complaint process that meets specified minimum criteria, keep a log of complaints, share the log with the regulator at the request of the RCVS.

14. Participation in mediation in good faith where pet owner wants to do so and complaints process has been exhausted. RCVS to contract an alternative dispute resolution (ADR) provider.

15a. RCVS to create a decision tree for FOPs to include in their complaints processes.

15b: RCVS to collect, analyse and publish on an annual basis data and insights on complaints

The proposed general approach

3. The CMA has set out that the monitoring work will be a combination of monitoring attestations provided by practices/businesses and spot-checking of practices/businesses.

4. The RCVS has had meetings with the CMA to discuss how monitoring might be carried out. Enforcement in the event of non-compliance will not be carried out by the RCVS, but by the CMA. The CMA has noted in the FDR that the RCVS will be required to refer all **potential** cases of non-compliance to the CMA, indicating that they are not expecting RCVS to apply any judgment about what constitutes a breach.

5. Broadly, the FDR sets out the level of monitoring that has been described by the CMA in discussions with the RCVS. The CMA, in its own monitoring, relies heavily on attestations submitted by the businesses who are required to comply with remedies. This is supplemented with following up with businesses if the CMA has information that the business is non-compliant. The CMA has indicated that it focuses its monitoring and enforcement activity on following up on all reports of, or information about, non-compliance in its own monitoring of remedies in other Orders, but typically less frequently monitors or checks those other businesses where there is no evidence of non-compliance outside of established attestation processes.

6. It is proposed below that there is a monitoring team established within RCVS, within the same directorate as the Registration team, whose sole or primary role will be to monitor the requirements of the CMA Order by spot-checking. The existing registration team will receive and monitor attestations and fees. Both teams will use the same systems and infrastructure as the Registration and Customer Services teams. In order to receive information about compliance, the monitoring team will need to receive and act on information from other teams at the RCVS/funded by the RCVS, for example, Professional Conduct and the Practice Standards Scheme (PSS), and outside the RCVS, i.e. the Veterinary Client Mediation Service (VCMS).

7. The nature of RCVS monitoring of veterinary businesses'/practices' compliance with the remedies will be fundamentally different (e.g. reactive) from the approach taken to assessments and checks undertaken as part of the PSS, which are both routine and reactive and cover a much broader range of standards across not just veterinary services for household pets, with qualitatively

different outcomes. However, the RCVS will identify any potential synergies due the experience and business contacts gained from operation of the PSS in an effort to ensure the cost of monitoring activity is kept to the minimum necessary.

8. Detailed guidance and standard operating procedures for multiple teams across the RCVS and beyond will be required to enable the team to carry out the monitoring to sufficient quality. Access to legal and technical support will also be required particularly in cases where judgment may have to be exercised to assess whether a practice is compliant.

Acting on information of non-compliance

9. Information about practices and businesses that are alleged to be non-compliant may be received directly, for example, it would be known directly by the RCVS if practices/businesses had or had not submitted an attestation and failure to submit would be non-compliant with the Order. The RCVS would also directly monitor the provision of information for Find a Vet. Information regarding non-compliant businesses and practices is also likely to be received through complaints or the provision of information from third parties, customers or other veterinary businesses.

10. The CMA has described in meetings that it focusses its own monitoring and enforcement activity on businesses where there is some information that they are not compliant. The CMA has also described their method of enforcement in relation to other sets of remedies. Generally, for recently introduced remedies, the CMA supports businesses to comply and keep lines of communication open with businesses, rather than moving immediately to enforcement, although this may be necessary for egregious breaches or repeat non-compliance and the appropriate action is determined on a case-by-case basis. The CMA has a range of enforcement tools, including issuing written directions and for remedies introduced after 1 January 2026, the power to impose financial penalties.

Proposed approach

11. The monitoring will be undertaken by both the Registration team, in respect of monitoring attestations and receiving fees, and a monitoring team alongside the Registration and Customer services team. Guidance and Standard Operating Procedures will be required to assist the teams to undertake monitoring work, and some systems upgrades will be required to enable as much automation as possible. A flow chart of the proposed process is at Annex A.

12. Extra headcount will also be required to undertake this work, including monitoring officers and a supervisor or manager. Consideration will need to be given in due course about the CMA's requirements in reporting compliance to them and the internal governance structure at RCVS to ensure that the RCVS are keeping to the provisions of any Undertakings into which it enters.

13. Businesses will be required to provide their details to the RCVS via a webform so that the RCVS can put those details on Find a Vet. The webform will need to be developed internally.

14. It is proposed that the attestations will be received by the Registration team via the customer relationship management (CRM) system, and will be monitored to check that they have attested

correctly, and to ascertain how many businesses have attested that they are non-compliant. If possible, there will be an assessment of missing attestations.

15. The Registration team will also collect fees from practices and businesses, and it would be cost effective for fees and attestations to be submitted simultaneously.

16. Where the Registration team assesses that a business or practice is non-compliant, it will notify the monitoring team. The monitoring team will conduct spot-checks on those practices and businesses. The monitoring team may also receive information alleging non-compliance from a number of other sources as set out below:

- Registration team regarding non-compliance with the provision of information requirements for FaV and attestations
- VCMS from complaints about veterinary practices
- Professional Conduct and Customer Services regarding complaints about veterinary professionals or practices (likely to also be referred to VCMS)
- PSS team regarding non-compliance observed during the routine assessments of practices

17. Under this model, there will only be reactive monitoring in response to information received and not routine monitoring of practices.

18. Where the RCVS has information that a practice is non-compliant, then the monitoring team will follow the process set out in the flow chart at Annex A. This will involve contacting the practice and asking them to either evidence that they are compliant, by uploading photographs or relevant documents, or to provide a deadline by which they will be expected to show that they are compliant. Support will be offered where required to set out what is expected in order to demonstrate compliance.

19. The RCVS will report any non-compliance to the CMA. The CMA has set out its initial expectations of monitoring frequency and content, although the CMA and RCVS will work together to develop an agreed reporting process once the monitoring regime is established and levels/areas of non-compliance are better understood. It is likely that regular compliance reporting will also be required on certain remedies around pricing and overall levels of compliance across small and large veterinary businesses, including qualitative information and actions taken by the RCVS to resolve breaches of the remedies. The CMA has requested that, at least initially there are weekly meetings with their monitoring team.