VETERINARY SERVICES FOR HOUSEHOLD PETS MARKET INVESTIGATION

Summary of responses to the consultation on the draft Substantive Order, draft Explanatory Note to the Substantive Order, draft Substantive RCVS Undertakings, draft Substantive Order Notice and draft Substantive RCVS Undertakings Notice

Introduction

1. On 21 July 2026, the Competition and Markets Authority (**CMA**) consulted on the draft Substantive Order, Explanatory Note to the Substantive Order (**Explanatory Note**), Substantive RCVS Undertakings, Substantive Order Notice and Substantive RCVS Undertakings Notice relating to the remedies the Inquiry Group decided in the Final Report were required to address the finding that there is an adverse effect on competition (**AEC**) in two markets relating to the supply of veterinary services for household pets.

2. The consultation closed on 20 August 2026, and the final Substantive Order, Explanatory Note, Substantive RCVS Undertakings, Substantive Order Notice and Substantive RCVS Undertakings Notice were published on 22 September 2026.

3. During the consultation, the CMA received 278 submissions relating to the draft documents. Non-confidential versions of 63 written responses have been published on the CMA's webpages. We thank everyone who engaged in this consultation.

4. To the extent they responded to issues that were the subject of the consultation, the CMA took account of each response when preparing the final Substantive Order, Explanatory Note, Substantive RCVS Undertakings, Substantive Order Notice and Substantive RCVS Undertakings Notice. This document summarises the main points raised in response to the consultation and how the CMA has considered those responses. It does not seek to address every point considered by the CMA and, in particular, does not include detailed drafting points.

5. Where points raised in relation to one document, such as the draft Substantive Order, were also relevant to other documents, such as the draft Substantive RCVS Undertakings, the CMA has (a) considered those points in the context of all such documents; and (b) made consequential amendments across the documents where appropriate.

6. Capitalised terms in this document have the same meaning as defined in the final Substantive Order, Explanatory Note, Substantive RCVS Undertakings, Substantive Order Notice and Substantive RCVS Undertakings Notice unless otherwise specified or the context requires otherwise.

Purpose of consultation

7. The Enterprise Act 2002 requires the CMA to act in two stages. The first stage requires the Group to decide whether there are features of the market which have an AEC. If the Group finds an AEC, it must also, at that first stage, decide if action should be taken to remedy, mitigate or prevent the AEC or any detrimental effect on consumers and, if so, what action should be taken. The second stage then concerns the implementation of the remedies the Group determined were necessary to address the competition concerns it identified.

8. The first stage was completed on 24 March 2026 when the CMA published the Group's report on the market investigation (the Final Report[1]) in which report the Group concluded that there are certain features which have an AEC in the markets for (i) the retail supply of Veterinary Services for Household Pets by First Opinion Practices (FOPs) in the UK, and (ii) the supply of outsourced out-of-hours (OOH) provision to FOPs in the UK.[2] The Group also decided that, in order to address the AEC and resulting customer detriment, a package of remedies should be adopted. These conclusions were reached after extensive engagement with veterinary professionals, veterinary businesses and pet owners and careful consideration of all the evidence we have reviewed and the analysis we carried out during our investigation.

9. We are now concluding the second stage, the purpose of which is to make final orders and accept final undertakings which implement the remedies the Group decided upon. It has been during this second implementation stage that we have consulted on whether the draft Substantive Order and draft Substantive RCVS Undertakings give effect to the decisions set out in the

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[1] Veterinary services for household pets - GOV.UK.

[2] Those features are set out in section 15 of Part A of the Final Report (in paragraphs 15.15 and 15.23).

Final Report. Specifically, we invited written representations on matters including:

- whether the Substantive Order and Substantive RCVS Undertakings are consistent with the decisions in the Final Report;
- the manner in which the draft Order and Undertakings would give effect to the decisions in the Final Report; and
- the facts and matters that the CMA considers justify the making of the Order and Undertakings in the form proposed (or any facts and matters a party considers do not justify the making of the Order in that form).

10. The CMA has had regard to all the representations on whether the draft Substantive Order and draft Substantive RCVS Undertakings give effect to the decisions set out in the Final Report. We have summarised in the following two sections[3] respectively the main points raised by stakeholders in relation to the draft Substantive Order and draft Substantive RCVS Undertakings and how the CMA has considered those responses.

11. Written representations on the decisions made in the Final Report were outside of the scope of our consultation. This is because, as explained above, these matters were determined in the Final Report following extensive engagement, consideration of the evidence and analysis. Some stakeholders did nonetheless comment on such matters and so we summarise these points and signpost to the relevant Group decision and underpinning rationale and evidence base in our Final Report.

Main points relating to the draft Substantive Order

Part 1, Articles 1 to 3 - Preliminary, interpretation and application

Grace periods

12. A small number of respondents requested that a grace period for compliance with the remedy requirements, additional to the implementation periods set out in the Final Report should be provided where a Veterinary Business acquires an existing Veterinary Business or opens a new site or premises from which it provides Veterinary Services to Household Pets. The

[3] Main points relating to the draft Substantive Order and Main points relating to the Substantive RCVS Undertaking

suggestions for an additional grace period in relation to acquisitions of new Veterinary Businesses or Practices ranged from 30 days to six months.

CMA response:

- We have updated the Order to include a 30-day grace period for Veterinary Businesses to comply with the obligations in the Order following their acquisition of another Veterinary Business or Practice which provides Veterinary Services to Household Pets. We rejected such a grace period also applying in circumstances where a Veterinary Business opens a new site or premises, as in such circumstances the Veterinary Business will be able to ensure compliance prior to its commencement of offering Veterinary Services. We also rejected providing a longer period for any such grace period as in our judgement to do so would undermine incentives for timely compliance. Where there are delays to a Veterinary Business complying with obligations in the Order, which are due to circumstances outside a Veterinary Business's control, these may be considered as part of the monitoring and enforcement of the Order.

Scope of the Order and business models

13. Several respondents asked for clarification on how the Order applies to different types of Veterinary Business, including mixed practices and ambulatory, remote or mobile providers.

CMA response:

- We have amended certain definitions in the Order and used the Explanatory Note to clarify how our Order applies to some of these Veterinary Businesses.

- For mixed practices, the Explanatory Note now clarifies that businesses offering Veterinary Services to Pet Owners for their Household Pets are subject to the Order, but only in relation to services supplied to Household Pets. Practices may, however, choose to apply some or all of the obligations more widely across their business.

- The definition of 'First Opinion Practice' and 'FOP' under (b) of that definition makes provision for ambulatory, remote and mobile Veterinary Businesses to be included within the provisions of the Order, except where the obligations depend on a physical premises (for example, storefront signage). The Order now contains a definition for 'Mobile FOP' to further clarify how these providers are expected to adhere to the Price List requirements. These Veterinary Businesses can introduce a 'mobile' alternative to any measures should they choose to do so, for example, a smaller example of the Standard Written Prescription Notice.

Definitions used in the draft Order

14. Many respondents made several technical comments on definitions used in the draft Order, including those for Veterinary Nurse, Household Pet and Ongoing Medication.

CMA response:

- We have amended the definition of Veterinary Nurse to make specific reference to there being Veterinary Nurses who are registered with the RCVS and therefore those who are not. It is our intention that, for the purposes of our Order, all Veterinary Nurses (whether registered or not) should be captured by the requirements. We also updated the Explanatory Note to this effect, emphasising that the Order applies to Veterinary Nurses whether registered or not, but does not permit or require any Veterinary Professional to carry out work for which they are not qualified or not legally permitted to undertake. Separate from this, the CMA has recommended to government that the title of Veterinary Nurse should be protected.
- We have amended the definition of Household Pet to clarify which animals are in scope. We consider assistance dogs are already captured by the definition.
- We have amended the definition of Ongoing Medication to make clear that Parasiticides are included where Pet Owners require long-term medication for their Pet and must therefore receive the Standard Flyer.

Part 2, Article 5 – Ownership Information

Ownership Information following acquisitions

15. A small group of respondents submitted that the Ownership Information requirements should allow for a grace period following the acquisition of a practice. One respondent suggested that changes to shopfront signage should be required only as quickly as planning consents allow.

CMA response:

- As explained above, the Order includes a 30-day grace period for compliance with all its requirements following the acquisition by a Veterinary Business of another Veterinary Business or Practice. This includes the Ownership Information requirements.
- We have not made amendments which would extend the grace period beyond 30 days for requirements relating to shopfront signage. We are concerned to

incentivise timely compliance. Delays in compliance that are genuinely outside a Veterinary Business's control may be considered as part of the monitoring and enforcement of this provision.

Ownership Information, nature of ownership

16. Many respondents who commented on Article 5 raised concerns about the way Ownership Information would be presented to Pet Owners. Some respondents were concerned that Large Veterinary Groups (**LVGs**) could continue to appear independent using localised, umbrella or marketing-style Trading Names. Less than half of these respondents suggested that the requirements should focus not only on the prominence of Ownership Information, but also on the overall impression created by the relevant branding and communications.

17. Many of these respondents considered that Pet Owners should receive more detailed information about the nature of ownership, including the identity of the ultimate controlling undertaking, whether that undertaking is listed, multinational or privately owned, and whether it has other significant ownership interests. A handful of respondents suggested that information about the number of practices owned or controlled by a group could help Pet Owners understand the scale of the business. A small group of respondents specifically highlighted what they perceived to be a lack of Ownership Information required for Authorised Online Retailers.

CMA response:

As to the responses in paragraph 16 above:

- Article 5(8)(c) prevents a Veterinary Business from using a mere description of a business or the services it offers as its Main Entity or Trading Name. We have amended the Order to clarify that it must be unambiguously clear to Pet Owners that the Main Entity or Trading Name denotes ownership by a specific Group or Network. We have also added wording to the Explanatory Note to explain that, to avoid a name being interpreted as a marketing statement or strapline, it may be necessary to include full company names and indicators such as 'Ltd'.

- In regard to advertising using terms such as 'local' or 'independent', existing consumer law operates to protect Pet Owners where businesses market themselves in a way which is misleading to consumers.

- We consider that to the extent that Pet Owners are not already aware their specific practice is part of a Group or Network, the operation of the Ownership Information requirements will indicate that this is the case at multiple contact points (whether that be through a website, through signage or Pet Owner Communications). At a localised site level, this will be done through co-branding in a Clear and Prominent manner. This is aligned with how consumers grow to understand the nature of the businesses they deal with in other sectors.

- We also consider that the operation of some of the other Articles will also increase Pet Owner awareness of the nature of ownership relevant to their own practice and sites in their local area. For example, the enhanced Find a Vet platform will be populated with Ownership Information and become more readily searchable to enable Pet Owners to identify practices which best suit their needs and preferences.
- In relation to the concerns raised specifically about Authorised Online Retailers, we note that Article 5(1)(b) and (c) and Article 5(2) of the Order categorises them as Other Relevant Service Providers and makes them subject to the Ownership Information requirements.

As to the matters raised in the responses referred to in paragraph 17 above:

- Those are matters that were consulted upon in the Group's provisional decision and determined in the Final Report. The Group is not re-opening the decisions it made at that stage, and they are outside the scope of the consultation on implementing the remedies.

Ownership Information in metadata, search results and other online locations

18. Some respondents raised concerns about the requirements for the Main Entity or Trading Name to appear before other information in metadata, search results and online map results. Respondents submitted that this could create character-limit issues, undermine search engine optimisation, increase Pet Owner confusion, and risk harm to established brands.

19. Some respondents noted that social media was not expressly referred to in the draft Order and asked whether Ownership Information requirements would apply to those communications.

CMA response:

- To avoid undermining search engine results and Pet Owner confusion, we have amended Article 5(4) to remove the requirement that the name of the Main Entity or Trading Name needs to come first in metadata, search results and online map results. This maintains the decision in the Final Report that such information must appear in those places in order that Pet Owners know when they are engaging with a business in a Group or Network, and reconsiders only a minor detail of implementation. We have preserved several safeguards within this Article to ensure that Ownership Information is made sufficiently clear to Pet Owners using search engines, online maps and accessing websites. Article 5(4)(a) will also provide Ownership Information to Pet Owners on homepages and website banners once they access the site.

- We have amended the definition of Pet Owner Communications in Article 4(6) to make explicit that social media platforms are included and therefore caught by the Order, including in relation to the Ownership Information requirements.

Part 2, Article 6 – Practice information

20. One respondent told us that the requirement to publish individual-level information on qualifications except where there are safeguarding or privacy reasons not to do so would lead to inconsistency across the sector. To balance transparency and privacy concerns and minimise administrative burdens, it submitted that Veterinary Businesses should be able to satisfy the Practice Information obligations by disclosing the categories of qualifications held at practice-level.

CMA response:

- To inform Pet Owner choice, it is important that Pet Owners have an indication of the expertise and the quality of service that is on offer at a given practice. However, this does not necessarily mean that Pet Owners need to know the qualifications held by each individual Veterinary Professional that works at a FOP, OOH Centre or Referral Centre on a long-term basis. The decision set out in the Final Report reflected that. We have amended the Explanatory Note to be clear that the identities of those holding qualifications do not need to be disclosed. However, Veterinary Businesses may choose to include this information where the relevant individuals wish to be identified.

Part 2, Article 7 – Price List

21. Around a quarter of respondents made comments on different aspects of the proposed Price List, as set out below.

22. One respondent told us that it would not be possible for Veterinary Businesses operating mobile veterinary practices and, in their case, using multiple different third-party crematoria in different parts of the country, to satisfy Article 7(2)(j). It submitted that each third-party crematorium would likely have different Cremation Service prices which would make it impossible to publish a single price for such services provided communally and individually and a link to the third-party provider's webpage. This respondent

proposed that, to avoid misleading Pet Owners, such Veterinary Businesses should be permitted to publish cremation prices by region, and to link to a maintained regional list that routes through to each crematorium's own price list.

23. This same respondent also commented on Article 7(2)(l) which provides that the Price List should include a clear statement informing Pet Owners that the prices displayed for services, products, treatments and procedures may increase in more complex or complicated cases. This respondent submitted that the provision of mobile services carries legitimate non-clinical cost drivers (such as travel distance, urgent booking, public holidays and statutory road charging) which the draft Order did not provide for. This respondent proposed either an extension of the caveat in Article 7(2)(l), or a published standing schedule of fixed supplements (which would be published alongside and with equal prominence to the price list).

CMA response:

- As noted above, the Order now contains a definition of 'Mobile FOP' to further clarify how these Veterinary Businesses operating such FOPs are expected to adhere to the Price List requirements. These Veterinary Businesses can introduce a 'mobile' alternative in relation to certain aspects of the Price List should they choose to do so.

- Specifically, to ensure that Pet Owners have price information that is relevant to them wherever they live, we have amended the Order such that where a Veterinary Business operates a Mobile FOP which offers Cremation Services and the price of any Cremation Service, or the identity of any third-party provider of such services, varies by geographic regions, the Veterinary Business may, in its Price List for that Mobile FOP: (i) display separate prices for each geographic region in which those services are provided, for the purposes of Article 7(2)(j)(i); and (ii) provide a link to the relevant webpage of the third-party providing those services in each of those regions, for the purposes of Article 7(2)(j)(ii).

- We have introduced Article 7(2)(m) to ensure that Pet Owners are aware of any factors linked to the provision of Veterinary Services on a mobile basis that may increase the price stated on the Price List published by Veterinary Business in respect of a Mobile FOP.

Review of items on the standardised price list

24. Several respondents requested that the CMA keep the Price List under review and commit to a regular review of the effectiveness of this remedy, including

an assessment of Pet Owner understanding of, and benefit from, the Price List and specific items on it.

CMA response:

- The CMA has a statutory duty to keep its market remedies under review and may vary, revoke or release its enforcement orders or undertakings (in total or in part) should it decide it is appropriate to do so.

Use of interactive tools or filters

25. One respondent suggested that Veterinary Businesses should have flexibility to invest in improvements that would make it easier for Pet Owners to obtain relevant information from their Price Lists, for example through tailored filters or interactive search functionality (whether AI-enabled or otherwise), provided that any such improvements comply with the overriding Clear and Prominent requirement.

CMA response:

- The decision in the Final Report was that Veterinary Businesses must provide a Price List displaying prices for each of the items on the standardised price list (in the Price List Schedule). This decision was taken to enable consumers to see a standardised list of services and make comparisons between Veterinary Businesses. We have clarified in the Explanatory Note that, while Veterinary Businesses may use navigation or other extra functionality to support user engagement with the Price List(s) on their website(s), the regulatory obligation is that the Price List should be disclosed in full and should appear as such on the Veterinary Business's website when the user first arrives at the site. Any filters that are used should not limit what information is visible to Pet Owners when they first arrive on the relevant web page.

Prices should be expressed as 'from' or in ranges

26. Several respondents submitted that prices included in the Price List should be expressed as being 'from' a specified price or in ranges, to avoid misleading Pet Owners.

27. The decision in the Final Report was that a price must be provided for each item on the standardised price List. The Final Report most clearly envisages the provision of a single figure for each price displayed on a Veterinary Business's Price List, as opposed to expressing the price for an item as a range or as being 'from £[x]' and that is what the Order requires (see, for example, paragraphs 3.89, 3.90, 3.94 and 3.97 of Part B of the Final Report).

28. The decision to require Veterinary Businesses to display a specific price in the form of a single figure supports and implements the objectives of the remedy, as set out in the Final Report, to ensure that prices are presented accurately, consistently and transparently across Practices and, therefore, that they are effective in aiding comparability between Veterinary Businesses on price. This is reflected in paragraph 57 of the Explanatory Note to the Substantive Order.

Digital booking confirmations

29. Several respondents raised concerns about the requirement to include pricing information for consultations and pre-booked standard treatments and services, together with a link to the Price List, in digital booking or appointment confirmations. Respondents submitted that prices may vary by weight and other factors, that confirmations may be sent long before an appointment, and that some practice management systems would not be able to generate the required tailored information without significant cost and operational change. It was submitted that many vet practices do not have the automated systems or IT capabilities for this and some said they would have to manually prepare the appointment confirmation messages in order to comply.

30. Various alternatives were suggested, including limiting the requirement to automated online bookings, requiring a quoted price or a link to the price list but not both, or requiring appointment confirmation messages to include only the consultation price and a prominent link to the Price List.

CMA response:

- The decision in the Final Report was that when a customer is booking an appointment, any digital communication confirming the booking should tell them the costs of what they are booking. That is unchanged. However, in light of the consultation responses, we have considered the precise means by which that information can be delivered. We have amended the requirements of Article 7 such that Veterinary Businesses will be required to include in digital booking confirmations the consultation price plus a prominent link to the Price List for the relevant FOP or other service provider.

Presentation of prices across pet characteristic and weight categories

31. Some respondents raised practical clarificatory points about how the Price List should be presented, including whether species and weight categories may be consolidated where prices do not vary, and whether one Price List with the different (species and weight) categories shown in separate columns may satisfy the requirement.

CMA response:

- The decision in Final Report was that where the price for an item on the Price List varies based on pet species and/or weight, prices must be displayed separately in respect of each category listed. The Final Report is clear that where prices do not vary by species or weight, prices do not need to be displayed by reference those categories. Where prices do vary by those categories, the Final Report does not prohibit the use of using multiple columns for one or more of those categories on the Price List, rather than producing a Price List for the prices of items in each species and weight category. We have amended the Explanatory Note to clarify that categories may be presented in consolidated form where prices do not in fact vary by species or weight.

Primary Course Vaccinations

32. One respondent noted that the definition provided alongside the 'vaccination primary course (including consultation)' item in the indicative price list (Annex 1) describes the primary course as inclusive of all core vaccines and provides a link to BSAVA guidance. It stated that primary course protocols differ between practices and that some follow the WSAVA guidelines rather than BSAVA. It recommended that this line item on the price list should require disclosure of the number of vaccinations included in the course and that the definition should accommodate recognised protocols instead of anchoring to a single body's guidance.

CMA response:

- It was determined in the Final Report that 'Vaccination primary course (including consultation)' is an item for which a price should be displayed on a practice's Price List. This means practices must provide a price for their vaccination course, whichever guidance they choose to follow.

- The Price List Schedule refers only to the name of the service, ie 'Vaccination primary course (including consultation)', and does not require a Veterinary Business to follow any specific guidance on what is included within that service. Annex 2 to the Explanatory Note (Indicative price lists) includes reference to the BSAVA guidance on core vaccines in relation to this item. However, the contents of the Annex are not legally binding and, as set out in paragraph 68 of the Explanatory Note, Annex 1 provides only indicative (or illustrative) price lists to support practice implementation.

Part 2, Article 8 – Parasiticide Price List

Determining a FOP's Most Common Parasiticides

33. Respondents sought confirmation as to whether Parasiticide units supplied under Pet Care Plans would count towards the Most Common Parasiticides determination.

CMA response:

- For the purposes of determining a FOP's Most Common Parasiticides (MCP), Veterinary Businesses should take account both of Parasiticides sold on a standalone basis and those sold as part of a Pet Care Plan. This is the case both for counting whether 100 or more units of any Parasiticide have been sold at a FOP in the previous financial year (limb (a) of the MCP definition) and when measuring Parasiticide sales volumes at a FOP in the previous financial year for the purposes of limb (b) of the MCP definition.

Veterinary Medicines Regulations

34. One respondent asked the CMA to obtain and publish confirmation from the Veterinary Medicines Directorate (**VMD**) that the Parasiticide Price List requirements are compatible with the Veterinary Medicines Regulations (**VMR**). The respondent submitted that this would provide Veterinary Businesses with a common basis for compliance and address concerns about potential regulatory conflict.

CMA response:

- Paragraph 3.128 of the Final Report confirmed that the VMD shared the CMA's assessment that the Parasiticide Price List, as designed and set out in the Final Report, was likely to comply with the VMR.

- Since the Final Report, we have consulted with the VMD in relation to the draft Order, and specifically Article 8 (Parasiticide Price List), and have received the VMD's confirmation that the Order as drafted satisfies regulation 11(3) of the VMR. The VMD noted, again, that it will be amending its published guidance on the VMR accordingly.

Part 2, Article 9 – Pet Care Plans

35. Respondents raised a range of points about the Pet Care Plan Standard Information requirements and the treatment of savings claims relating to Pet Care Plans.

Space constrained media channels

36. Some respondents submitted that requiring all detailed savings information to appear in the same place as a savings claim would make it difficult or impractical to make such claims, particularly in space-constrained channels such as SMS, social media or short-form marketing materials. Respondents suggested that a layered disclosure approach should be permitted, with a clear link or signpost to a page hosting the full information.

CMA response:

- It was decided in the Final Report that where a Veterinary Business indicates that a Pet Owner could save money on a Pet Care Plan in comparison to purchasing services separately, it will be required to provide the information listed in paragraph 3.151 of the Final Report in respect of such savings claim. We recognise there may be practical challenges associated with the disclosure requirements under Article 9, however the Final Report decision to impose these requirements reflected the importance of ensuring that Pet Owners have the information they need to be able to evaluate whether a Pet Care Plan offers them value for money and to make informed choices that drive competition.

- The decision set out in the Final Report stands. However, in light of the points raised during the consultation, we have treated different types of savings claims slightly differently in the way the Order gives effect to that decision. Where a savings claim is quantified, the information required under Article 9(7) must be disclosed *in the same place* as the Quantified Savings Claim. Where a General Savings Claims is made, the relevant information regarding the saving can be provided via a link to a webpage that displays the information (or satisfied by a printed web address or QR code for print materials).

- For these purposes, a Quantified Savings Claim is a statement, claim or indication that relates specifically to the quantity or magnitude of potential savings, whereas General Savings Claims are unquantified statements, claims or indications which refer to the existence but not the magnitude of any savings.

Group level savings claims

37. A small number of Veterinary Businesses which are Groups or Networks operating multiple FOPs requested that the CMA allow Veterinary Businesses to satisfy the savings claims requirements with reference to group-level savings figures. They submitted that, where a group operates many FOPs and prices differ by location, it may be impractical or impossible to substantiate a single national savings claim by reference to each practice. Respondents suggested that group-level claims should be permitted where

the claim is calculated on a conservative basis, or by reference to an average saving across the group.

CMA response:

- It was decided in the Final Report that where a Veterinary Business indicates that a Pet Owner could save money on a Pet Care Plan in comparison to purchasing services separately, it will need to provide information that enables Pet Owners to evaluate claims about savings offered by the plan and assess whether a plan offers them value for money. This includes explaining how any claimed savings are calculated.

- The Final Report envisages the provision of information about Pet Care Plans on a per-FOP basis (see, for example, paragraph 3.142). This includes that, where a Pet Care Plan is offered at a particular FOP and the Veterinary Business makes a savings claim in respect of that plan, the Veterinary Business must calculate the saving achievable at that FOP.

- However, for Veterinary Businesses operating one or more FOPs, while Pet Care Plan subscription prices may be consistent across the group, Parasiticide prices often vary by FOP. As such, it may be practically impossible to calculate (and maintain accurate) individual savings as applicable to each FOP within the group.

- The intention of the remedy is not to prevent or discourage savings claims being made by Veterinary Businesses in relation to Pet Care Plans, but rather to ensure that Pet Owners are able to assess whether a given plan offers value for money. That remains the case. It can be achieved where the savings claim requirements in Article 9 are met at Group level, though, provided that the savings claimed are no greater than a Pet Owner could achieve at any FOP in the relevant Group or Network.

- We have therefore decided to permit Veterinary Businesses to make group-wide savings claims in respect of all their FOPs, provided that any claimed savings figure is no greater than that which a Pet Owner could achieve at any of those FOPs. This means that in practice, the stated saving would be achieved or exceeded by every Pet Owner enrolled on the plan at every FOP the Veterinary Business operates.

- Calculating any group-level claimed saving by reference to an average saving across the group would not be appropriate, as by definition the magnitude of such savings would not be available to those Pet Owners that could only achieve savings that fall below the average.

Technical implementation – Article 9(3)(c)

38. Respondents identified technical implementation issues with respect to Article 9(3)(c) of the draft Substantive Order that we consulted on. It was submitted that it would not be possible to satisfy the requirement to provide, in respect of savings claims, an indicative standalone price for a year of Parasiticides from the relevant FOP which, among other things, confirmed that '*the indicative standalone price is that price that would be charged by the FOP if the Parasiticides were purchased by the Pet Owner outside of the Pet Care Plan'*. The indicative standalone price can only be illustrative, since the specific Parasiticides prescribed to each pet will differ based on clinical assessment.

CMA response:

- We accept the argument that an indicative standalone price in respect of any Parasiticides supplied under a Pet Care Plan can only be illustrative, since the actual price charged to each Pet Owner will vary based on the clinical assessment of the specific pet and the specific Parasiticides recommended. We have amended Article 9 accordingly so that Articles 9(4)(d), in respect of Pet Care Plan Standard Information, and Articles 9(7)(a) and 9(8) in respect of savings claims, now require the use of an indicative standalone price for 12 months of Parasiticides under the Pet Care Plan which is based on a single illustrative example that reflects a typical pet covered under the plan.

Calculation of mean usage of services within a Pet Care Plan

39. Some respondents commented on how savings should be calculated where Pet Care Plans include unlimited or discounted services. Some respondents suggested that the Order should prescribe a standardised assumption for the number of appointments or services used, to make comparisons more objective and reduce the risk of overstated savings. Several others considered that businesses should be able to rely on reasonable estimates using their own data, including for new plans where a full prior-year cohort may not exist.

CMA response:

- The Final Report, at paragraph 3.151 of Part B, requires that where services are offered on an 'unlimited' basis (for example, an unlimited number of consultations), businesses making savings claims in respect of a Pet Care Plan will need to calculate savings using a reasonable declared estimate of the mean usage, rounded to the nearest whole number, by the relevant client group of those services in the past 12 months. It also states that for consultations, if the practice cannot evidence mean usage, any claimed saving must be calculated using no more than two consultations a year.

- The Final Report therefore permits a degree of flexibility for Veterinary Businesses to choose how they might calculate mean usage of relevant (unlimited) services under their Pet Care Plans. It does not mandate a standardised approach (as requested by some respondents in the consultation) except as a fallback option of 'no more than two' in respect of consultations. We have reflected the decision in the Final Report in the requirements of Article 9(8).
- In the Explanatory Note to the Order, we have emphasised the need for Veterinary Businesses to have an evidence base. That is, practices must be able to demonstrate the basis on which they assessed mean usage of services under any relevant Pet Care Plan.

Part 3, Article 11 – Written estimates for higher price treatments

40. Around a third of the submissions the CMA received relating to the draft documents raised points relating to this remedy.

Backward-looking element

41. A small group of respondents who commented on this remedy raised concerns about the period covered by a Written Estimate being both backward-looking and forward-looking.

42. A handful of respondents submitted that Written Estimates should be based only on forward-looking (future) costs that Pet Owners are reasonably likely to incur, suggesting that identifying backward-looking (historic) costs relevant to a Pet's condition would be subjective, potentially undermined by incomplete records, and disproportionately burdensome.

43. Less than a quarter told us that Veterinary Professionals would need to review a Pet's full medical history in case it contains a diagnostic test and/or treatment which should be taken into account.

44. We also heard that the burden increases as the backward-looking period extends.

45. A handful of the respondents submitted that the backward-looking period should be limited, although views differed on the appropriate duration. Some suggested a one-month period, while others proposed three months, on the basis that longer periods would be increasingly difficult to apply where pets have complex or multiple conditions.

46. A small group of respondents suggested that the backward-looking element should only cover any charges which have not yet been paid by the Pet Owner on the basis that, in their view, this would reduce the burden on Veterinary Professionals while still providing Pet Owners with transparency.

CMA response:

- Where initial diagnostic tests and/or treatments related to a Pet's (reasonably likely) current condition have already been provided or chosen by the Pet Owner, the backward-looking element is relevant to assessing whether the Monetary Threshold for a Written Estimate has been met. That important point was decided in the Final Report.

- We have, however, amended the Order so that the period of the backward-looking element is capped at three months and clarified that it applies only insofar as relevant information is reasonably available to the Veterinary Professional.

- We have clarified in the Explanatory Note that a single total figure is sufficient for any backward-looking element of a Written Estimate. A breakdown of the main, distinct and separately priced components is only required for the forward-looking element. In any case, Pet Owners must be given a written statement of charges under the Itemised Bills remedy.

- We expect that Veterinary Professionals will typically review a Pet's clinical history as part of their normal clinical practice. In many cases, therefore, they will already be aware of the diagnostic tests and treatments previously provided in connection with what they judge the Pet's condition is reasonably likely to be.

- We have clarified in the Explanatory Note that Veterinary Businesses are not required to undertake additional evidence gathering, investigations, reviews of records, analysis or modelling solely for the purpose of preparing a Written Estimate.

Forward-looking element

47. Around half of respondents who commented on this remedy opposed a requirement to estimate the cost of diagnostic tests and/or treatments over a 12-month time horizon.

48. Many of the respondents submitted that the course of treatment can depend on diagnostic results, the Pet's response to treatment and choices made by the Pet Owner. Some considered that this could create multiple possible pathways and make it difficult to prepare a concise and accurate estimate at the outset.

49. Around a quarter of respondents who referred to this remedy identified particular concerns in relation to complex conditions, where the treatment response may be uncertain and costs may evolve over time.

50. We heard that if the eventual costs of a Treatment Pathway differ substantially from the Written Estimate, this could risk damaging trust between Pet Owners and Veterinary Professionals.

51. A minority of the respondents told us that estimates covering a 12-month time horizon may be too uncertain, broad or generic to assist Pet Owners make informed decisions, and could even risk misleading or overwhelming them. Some of these respondents told us that they could encourage overly cautious or standardised treatment protocols, potentially resulting in the over-treatment of Pets.

52. A handful of the respondents said that producing estimates of the cost of diagnostic tests and/or treatments over a 12-month time horizon could take up clinical time and increase consultation costs.

53. Many respondents who referred to this remedy suggested that Written Estimates should only cover the next phase of diagnosis or treatment which the Veterinary Professional can predict with a high degree of certainty, with updated Written Estimates provided as the Veterinary Professional gains a better understanding of the Pet's condition.

54. A small minority of the respondents suggested that the Pet Owner and the Veterinary Professional should agree the time period covered by the Written Estimate, with a 12-month time horizon being the maximum.

CMA response:

- The decision on the forward-looking element of the Treatment Pathway was set out in the Final Report. We have clarified in the Explanatory Note that the 12-month forward-looking period is a cap on the period covered by a Written Estimate. This is designed to limit the burden on Veterinary Businesses which would arise if a longer, or open-ended requirement were to be put in place.

- The Treatment Pathway and the Written Estimate need only cover the full 12-month period where, using their judgement and exercising reasonable care and skill, the Veterinary Professional can reasonably foresee diagnostic tests and treatments that are reasonably likely for that whole 12-month period.

- If, using that care and skill, Veterinary Professionals can only reasonably anticipate the diagnostics and treatment which are reasonably likely to be recommended for a shorter period than 12 months, then that is the period which the Written Estimate must cover.

No reasonably likely future costs

55. A small group of respondents who referred to this remedy submitted that a Written Estimate should not be required where a Veterinary Professional is not recommending any further diagnostic tests and/or treatments. For example, when the Veterinary Professional has diagnosed a Pet's condition and recommends a period of monitoring rather than any more diagnostic tests or treatments.

CMA response:

- Each Veterinary Business must give a Pet Owner a Written Estimate of the reasonably likely costs of a Treatment Pathway where the Veterinary Professional assessing the relevant Pet estimates that: (i) the total cost of the Treatment Pathway is reasonably likely to meet or exceed the Monetary Threshold; and (ii) the element of the total cost in (a) that relates to costs that may be incurred in the future exceeds 20% of the Monetary Threshold.
- If the Monetary Threshold has been met and the Veterinary Professional has diagnosed a condition but, using their judgement, reasonable care and skill, is not recommending any further diagnostic tests and/or treatments, then the obligation to provide a Written Estimate is not triggered.

Multiple conditions

56. A very small minority of respondents who referred to this remedy sought clarification on how tests or treatments that may relate to more than one condition should be treated when determining whether they form part of a Treatment Pathway.

CMA response:

We have clarified in the Explanatory Note that, to decide whether diagnostic tests and/or treatments already provided or chosen by the Pet Owner in the previous three months form part of the Treatment Pathway, Veterinary Professionals should[4] use their judgement, reasonable care and skill and the information already available[5] to

[4] In the ordinary course of providing veterinary care.

[5] The information which is reasonably available will depend on the circumstances. We expect that Veterinary Professionals will typically have access to a Pet's clinical records and the prices the Pet Owner has recently been

them. They should assess whether those diagnostic tests and/or treatments were undertaken for the purpose of diagnosing, treating or managing the medical condition(s) that, based on their clinical assessment, they judge is (or are) reasonably likely to be affecting the Pet. If so, the tests and treatments form part of the Treatment Pathway.

Distressing circumstances

57. A small minority of the respondents told us that it could be distressing for a Pet Owner to receive a Written Estimate in some situations, such as where the Treatment Pathway includes the possibility of euthanasia and cremation.

CMA response:

- A Veterinary Business is not required to provide a Written Estimate where the Pet Owner has expressly confirmed that they do not wish to receive one. Accordingly, if a Veterinary Professional considers that providing a Written Estimate may be distressing to the Pet Owner, they may first ask whether the Pet Owner wishes to receive one.

Significant factors

58. A small minority of respondents argued that the requirement to explain significant factors that may affect the estimate could result in lengthy or complex documents that do not improve Pet Owner understanding.

59. Some of these respondents suggested that this requirement should be limited to factors that are reasonably likely to materially affect the estimate, rather than requiring veterinary professionals to list every significant factor which could result in costs changing.

CMA response:

- We have accepted this suggestion.

- We have limited the requirement to describe significant factors to those which the Veterinary Professional is aware of and that are reasonably likely to change in a way which could materially affect the accuracy of the Written Estimate.

charged. There is no obligation to undertake additional evidence gathering, investigations, reviews of records, analysis or modelling for the purpose of producing a Written Estimate.

Accordingly, Veterinary Professionals are not required to identify or describe factors that are merely remote or speculative possibilities.

- The Explanatory Note clarifies that the factors that should be identified will typically be limited to material changes in the assessment of the nature, severity or extent of the Pet's condition, rather than routine variations in treatment requirements or prices charged.

Standard wording

60. A small group of respondents suggested that Veterinary Professionals should be permitted to use standard wording to explain to Pet Owners that estimates are subject to change. For example, wording from a template could be used to explain that the estimated cost is subject to the pet's clinical response.

CMA response:

- We have clarified in the Explanatory Note that Veterinary Professionals may use additional wording about estimates being subject to change, provided that it does not obscure, dilute or detract from the mandatory information in the Written Estimate and that all the requirements of Article 11 are met. Such additional wording could be based on a standard template.

Degree of precision

61. A small minority of respondents asked for clarification on how the Monetary Threshold should be applied where the original estimate is expressed as a range.

CMA response:

- We have clarified that, where an estimate is in the form of a range, the upper bound of that range should be used when assessing whether the Monetary Threshold has been met and whether an updated Written Estimate is required.

Breakdown of costs

62. A very small minority of respondents suggested that a breakdown of the main, distinct and separately priced components of the backward-looking element of a Treatment Pathway could be unhelpful for Pet Owners and could be administratively burdensome.

CMA response:

- We have accepted this suggestion and have removed the requirement for a breakdown to be provided of the main, distinct and separately priced components relating to the backward-looking element of a Written Estimate. Pet Owners will receive a written statement of charges for costs they have incurred under the Itemised Bills remedy.
- The Order requires a breakdown of the main, distinct and separately priced components only for the forward-looking element of the Treatment Pathway, and only to the extent that it includes diagnostic tests and/or treatments reasonably likely to be provided at a FOP or OOH Centre.

How long Written Estimates must be retained

63. A small group of respondents requested clarification on the period that Written Estimates should be retained where the Pet Owner does not proceed with any of the diagnostic tests, treatments or services covered by the Written Estimate.

CMA response:

- We have made a minor amendment to the Explanatory Note to record that Veterinary Businesses must retain each Written Estimate for at least 12 months after it was given to the Pet Owner, irrespective of whether the Pet Owner chooses to proceed with the diagnostic tests and/or treatments which it refers to.
- This requirement supports compliance with the remedy in two ways: (i) by having a secondary process which requires the information to be prepared and recorded, the likelihood of the principal process (providing the Written Estimate to the Pet Owner) is more likely to be completed; and (ii) it helps Veterinary Businesses demonstrate that they have complied with the requirements of the remedy.

Part 3, Article 12 – Itemised bills

64. A handful of the submissions the CMA received relating to the draft documents raised points relating to this remedy.

Timing

65. A very small minority of respondents who commented on this remedy submitted that it could be burdensome to provide Itemised Bills to Pet Owners before payments are taken from Pet Owners.

66. These respondents asked whether the Itemised Bill could be provided around the time payment is sought or taken.

CMA response:

- We have clarified in the Explanatory Note that the requirement to provide an Itemised Bill before or at the same time as payment is sought is satisfied where the Pet Owner receives the Itemised Bill when making payment, and that the Itemised Bill may be in the form of a receipt or invoice issued at the point of sale.

Fixed-Price Bundles

67. Just under half of the respondents who commented on this remedy raised concerns about the ability of practice management systems to display both the price for a Fixed-Price Bundle and the prices of each component, without affecting the total amount payable.

68. A handful of respondents suggested that additional lines could be presented on the Itemised Bill to allow amounts to be reconciled.

CMA response:

- We have clarified in the Explanatory Note that, where a Fixed-Price Bundle is provided, the Itemised Bill must show the total price and the individual prices of each component sold separately by the Veterinary Business.

- The Itemised Bill must only identify (but not necessarily show the price of) any other main component elements. Accordingly, Veterinary Businesses are not required to apportion prices between them.

- Veterinary Businesses can use additional lines on Itemised Bills to reconcile amounts, such as differences between the total price of a Fixed-Price Bundle and the price of each component when sold separately.

Part 3, Article 13 – Ensuring veterinary professionals can act in accordance with the relevant provisions of the RCVS Codes and Guidance

69. A handful of the submissions the CMA received relating to the draft documents raised points relating to this remedy.

Influence from Veterinary Businesses

70. A very small minority of the respondents who commented on this remedy submitted that the requirement to put in place and apply written policies and processes to address the potential for conflict between influence from the Veterinary Business and the ability of Veterinary Professionals to comply with the RCVS Codes and Guidance should be limited to circumstances where there is 'undue' influence. They suggested that, without this qualification, legitimate policies, guidance or governance could be inadvertently prohibited.

CMA response:

- We have rejected this suggestion and consider that the scope of the remedy is limited by its purpose of ensuring that Veterinary Professionals can provide independent and impartial advice and appropriate and timely information about a range of treatment and referral options and their costs. Accordingly, the Order requires Veterinary Businesses to address any influence where it may conflict with the ability of Veterinary Professionals to comply with the RCVS Codes and follow the Guidance. A Veterinary Business's policies and processes which could influence their Veterinary Professionals, but which do not create any potential conflict, are not prohibited.

Part 4, Articles 15 to 18 - Written prescriptions and medicine choice communications

71. A handful of respondents submitted that the number of points at which messaging about written prescriptions must be provided is disproportionate and could lead to communication fatigue. A small number of respondents also asked whether the CMA intends to review the impact of the remedies over time or remove them if they are no longer needed.

CMA response:

- The Final Report set out the Group's analysis and decisions that providing written prescription messaging through a number of different channels was effective and proportionate. That decision reflected several factors, including that an AEC was found in the supply of veterinary medicines despite the Competition Commission

Medicines Order 2003 having introduced requirements to display a poster informing Pet Owners that they could purchase medicines online.

- The CMA has a statutory duty to keep its market remedies under review and may vary, revoke or release its enforcement orders or undertakings (in total or in part) should it decide it is appropriate to do so.

Part 4, Article 15 – Timeframes for issuing a written prescription

72. A small number of respondents asked for clarification as to when a digital copy of the Written Prescription should be issued.

CMA response:

- The Explanatory Note clarifies that a digital copy of the Written Prescription should be prepared by the end of the second Working Day following the consultation or, where this was requested outside the consultation, the same time period but for after the request was made.

73. A small group of respondents asked for clarification that Written Prescriptions may not always be appropriate, including in emergency situations or where clinical or regulatory factors mean that a Written Prescription cannot properly be offered. Respondents also asked whether Veterinary Businesses would need to record decisions not to offer a Written Prescription in such circumstances.

CMA response:

- We amended Article 15 to explicitly clarify that there is not a requirement to offer a Written Prescription where there is a clinical need for the medication to be administered by the Veterinary Professional or where the Pet needs to start taking the medication urgently. Whether the Veterinary Professional chooses to record this decision is a matter for them.

- The method of provision of a digital Written Prescription will be a decision for the Veterinary Professional, be that to provide this to the Pet Owner, or to send the Written Prescription directly to the Pet Owners chosen Pharmacy.

Part 4, Articles 14 and 16 – Standard Written Prescription Notice and standard flyer for Ongoing Medication

74. A majority of respondents to the consultation commented on the proposed Standard Written Prescription Notice (‘Notice’) and the Standard Flyer (‘Flyer’) for Ongoing Medication. Consumer organisations suggested the materials

were clear, likely to be noticed, and likely to encourage shopping around. Veterinary respondents raised concerns that the wording, presentation and repeated messaging were not sufficiently neutral, could undermine trust, or could create communication fatigue.

Headline wording and context

75. Many respondents suggested changes to the headline messaging, including removing references to medicines being “significantly cheaper” online, or making this statement less prominent. Respondents suggested the wording was insufficiently neutral, misleading, inflammatory, or too focused on online savings.

76. Of those who suggested alternative wording, many preferred a main message with wording focused on Pet Owner choice. We also heard suggestions to add further contextual information stating that savings may vary depending on the medicine, prescription fee, delivery costs, urgency, availability and clinical circumstances.

77. We also received responses that said the materials should give greater prominence to factors relevant to Pet Owners’ overall decision, including convenience, continuity of care, immediate availability, professional support, clinical monitoring, regulatory safeguards and the need to compare total costs rather than medicine prices alone.

CMA response:

- The Final Report set out the Group’s decisions that the Notice and Flyer must inform Pet Owners that medicines may be significantly cheaper at places other than FOPs. We have considered further how those messages should be presented.

- We have removed the statement that medicines may be “significantly cheaper online” from the headline of the Notice and Flyer. The headline on the Notice now reads: “You could save money by shopping around for your pet’s medicines”. This removes the references to “significantly cheaper” and “online” from the most prominent line, while retaining the message that Pet Owners may be able to make meaningful savings by purchasing medicines elsewhere.

- We have retained the headline message we consulted on in a less prominent secondary line, amended to: “The same medicines may be significantly cheaper elsewhere”. This implements the decision in the Final Report that Pet Owners must be told that significant savings may be available, particularly where medicines are purchased online. We recognise that savings will not arise in every case and may depend on factors such as prescription fees, delivery costs and clinical circumstances. The wording is therefore conditional, using “may” rather than “will”.

- We have also retained a reference to online comparison in the supporting wording: “Compare prices online and at other retailers to see the savings you might make”. We recognise that online pharmacies are not the only alternative source of medicines. However, the Final Report set out the finding that online suppliers were likely to offer the greatest savings, and searching online is likely to be the most common way for Pet Owners to compare prices or identify alternative retailers.

- We have not included detailed contextual information on all factors that may affect a Pet Owner’s decision, as the Notice and Flyer are not suitable for detailed explanation. Instead, the materials include a prompt for Pet Owners to speak to their vet about obtaining a written prescription, so that relevant clinical and practical considerations can be discussed where appropriate.

Visual presentation, graph and branding

78. Many respondents commented on the visual presentation of the materials. Among these respondents there were widespread concerns relating to the graph and “hundreds of pounds” messaging included in the draft Flyer. Respondents said that the graph had no axis or source, implied exponential or cumulative savings, and overstated the likely savings from Ongoing Medication. One respondent suggested that the graph should be replaced with an infographic showing cumulative savings that could be made.

79. Of those who commented on the visual presentation of the materials, just under half objected to the use of Government branding and yellow highlighting, suggesting that the poster had a warning- or anti-fraud-style design.

CMA response:

- We have removed the bar chart from the Flyer in response to concerns that it could imply a particular pattern or scale of savings over time. It has been replaced with a checklist explaining the process by which a Pet Owner can request and receive a Written Prescription.

- We have retained wording on the Flyer explaining that Pet Owners could save money by shopping around for long-term medicines, that the same medicines may be significantly cheaper elsewhere, and that Pet Owners may compare prices online and at other retailers to see the savings they might make. The Final Report contained the Group’s decisions that these messages must be conveyed to Pet

Owners, but their presentation in the amended materials avoids reliance on a visual representation of savings.

- We have retained the overall design, including the use of Government branding. The Notice and Flyer should be clearly identifiable as standard information required by the CMA, rather than as advertising by the Veterinary Business or by a third party.

Size, format, accessibility and delivery channel

80. Of those who commented on its size, almost all respondents considered that an A2 notice was too large for smaller waiting rooms or consultation rooms. We also heard suggestions that digital alternatives should be available for the notice. In relation to the Flyer, some suggested smaller sizes, or digital alternatives accessible via QR code or email. One respondent suggested they could print the content of the Flyer onto dispensing bags, rather than handing out a separate flyer.

CMA response:

- We have amended the Order to require the Standard Written Prescription Notice to be at least A3 size, rather than A2. This reflects responses that the proposed A2 requirement was too large, particularly for smaller premises. The Final Report referred to an A2 or A3 notice, and we do not consider that a notice smaller than A3 would be sufficiently prominent.

- We are considering digital options for the Standard Written Prescription Notice and will work with the RCVS to make a digital version available. Any digital version would need to be displayed with equivalent prominence to a physical A3 notice.

- We have not amended the requirement for the Standard Flyer to be provided in physical form when Ongoing Medication is dispensed (the decision as to which was in the Final Report). Providing the Flyer only by QR code or email by default would make it less likely that Pet Owners see and engage with the information. However, Pet Owners may request to receive the Flyer by email if this is their preference.

- We have accepted the suggestion that the required Flyer content may be printed on a dispensing bag instead of being provided as a separate flyer, and have updated the Order and Explanatory Note to reflect this. This will meet the requirement to provide the information at the same time as the Ongoing Medication is dispensed, as long as the dispensing bag includes the required content, presents it clearly and prominently, gives it at least the same prominence as any other content on the bag, is kept up to date, and is at least A5 size.

Authorised retailers, prescriptions and clinical suitability

81. A small group of respondents who commented on the Notice and Flyer asked for clearer signposting to authorised online retailers or relevant regulatory information. A handful of respondents suggested that the wording should refer to authorised retailers rather than pharmacies, as "pharmacies" is a protected term.

82. We also heard concerns around the risk of prescription fraud, including suggestions that prescriptions should be capable of being sent directly to the Pet Owner's chosen authorised retailer.

CMA response:

- We have changed the wording on the notice and flyer to refer to 'online retailers', rather than to 'online pharmacies'. We have also asked the RCVS to include a prominent link on its help page to the VMD's register of Authorised Online Retailers. This help page is signposted in the Notice and Flyer.

- In relation to prescription fraud, the Order allows Veterinary Businesses to choose whether to provide Written Prescriptions as paper copies, digital copies, or both. Where a Pet Owner specifies an Authorised Online Retailer, Veterinary Businesses may send the Written Prescription directly to that retailer, including where they consider this appropriate to reduce fraud risk.

Part 4, Article 17 – Own Brand Medication

- The VMD submitted to us that the definition of 'Reference Product' in the Order may inadvertently narrow the scope of the Own Brand products we are seeking to capture in that Article. We have subsequently amended the definition to remove the reference to the VMR and added terminology in line with their recommendations.

Part 4, Article 18 – Prescription Fees

83. Several respondents asked for further clarity on how the Primary and Additional Prescription Fee Caps will operate in practice and how they are adjusted for inflation.

CMA response:

- We have amended Article 18(1) of the Order to provide further clarity on the operation of the Primary and Additional Prescription Fee Caps in practice. In particular, the amended drafting makes clear that both caps also apply where requests are made outside a consultation (for example, in response to renewal requests).

- The Explanatory Note has also been updated to clarify the operation of the Primary and Additional Prescription Fee Caps in practice and how they will be adjusted for inflation. In particular, it explains that no additional fees may be charged in relation to the relevant cap, including fees for preparing or transmitting the Written Prescription; that Veterinary Businesses may charge below either cap; and that administrative amendments to Written Prescriptions may not attract an additional fee.
- The levels of the price caps have been set until 31 March 2028 at £21.40 inclusive of VAT for the Primary Prescription Fee Cap and £12.70 inclusive of VAT for the Additional Prescription Fee Cap.
- The Primary and Additional Prescription Fee Caps will be adjusted for inflation based on the Consumer Prices Index and rounded to the nearest 10 pence on an annual basis, applicable from 1 April 2028. The next updated price cap figures will be published by 14 February 2028.

Part 5, Article 19 – Out-of-hours contracts

84. One respondent supported the proposed changes to out-of-hours contract arrangements but asked for clarification that the recovery of anticipated lost income by an out-of-hours service provider, where a first opinion practice terminates without serving the applicable notice period, would not be treated as a prohibited payment provision. The respondent submitted that this clarification was needed because, under many outsourced out-of-hours contracts, the provider earns income directly from Pet Owners rather than through a monthly fee or subscription paid by the first opinion practice.

CMA response:

- We have amended Article 19(4)(b) to clarify that, where a Veterinary Business operating a FOP has not served due notice under an out-of-hours contract, the permitted payment must be calculated in line with the contract. The Explanatory note makes clear that that this amount may be a set fee, or an amount reflecting reasonably anticipated lost income due under the contract, depending on the relevant contract terms.
- The provisions of the Order reflect the Final Report, which recognised that early termination charges may be calculated by reference to “monthly fees and/or anticipated lost income” for the remaining notice period. The amendment is intended to ensure that the Order accommodates different outsourced out-of-hours

contractual models, while preserving the prohibition on payment provisions that require payments beyond the permitted notice-period amount.

Part 6, Article 20 – Cremation Services

Definitions and scope

85. Respondents made a number of comments on the definition and scope of Cremation Services. One respondent asked for the definition of Cremation Services to make clear that Cremation Add-ons do not fall within that definition and are not themselves services provided in connection with a Cremation. Another respondent suggested that the Order should define minimum meanings for individual and communal cremation, including how pets are placed, whether ashes are returned, and what happens to combined remains.

86. Another respondent queried whether Crematoria themselves fall within scope of the relevant requirements and asked the CMA to clarify the distinction between obligations that apply to Veterinary Businesses and obligations relating to price information for Cremation Services.

CMA response:

- We have not amended the definition of Cremation Services or added further definitions of individual or communal Cremation. Cremation Add-ons are separately defined in the Order, and Article 20 and the Explanatory Note make clear that Cremation Add-ons are discretionary extras, priced separately, and are not part of the Cremation Service price-list obligation.

- We do not consider that further definitions or quality standards for individual or communal cremation are necessary or appropriate. Defining those services in greater detail could risk narrowing the scope of the remedy, for example where a service does not meet every specified feature but would ordinarily be understood by Pet Owners as an individual or communal Cremation.

- The Article 20 requirements apply to Veterinary Businesses providing FOP Services, OOH FOP Services, or OOH Provider Services. These requirements do not apply to Crematoria. The separate Price List requirements set out in Article 7 apply to Veterinary Businesses, including Crematoria. This article makes clear the circumstances in which information relating to Cremation Services must be provided.

Information provided to Pet Owners

87. One respondent suggested that Pet Owners should receive clearer information about what is included in a Cremation Service. Suggested information included whether the Pet is cremated alone or with other animals, whether ashes will be returned, what happens to combined remains following a Basic Communal Cremation, whether collection and transport are included, whether a basic ashes container is included, and who will physically carry out the Cremation.

88. The respondent also suggested that Veterinary Businesses should identify the actual Crematorium used, including where the Veterinary Business handles payment, paperwork, storage or collection.

89. One respondent suggested that requirements to make Pet Owners aware in writing of the prices of Cremation Services and of Cremation Add-Ons should not apply where the Pet Owner declines to receive that information. Another respondent suggested that information could be provided after the Pet Owner decides, including through a consent form.

CMA response:

- The CMA has not amended the Order to require Veterinary Businesses to identify the Crematorium used. Requiring Veterinary Businesses to provide this information would go beyond the remedy set out in the Final Report. Article 7 only requires a link to third-party site where the Veterinary Business provides no element of the Cremation Services itself and instead refers Pet Owners to a third party which provides them. This information can be provided by a Veterinary business if it chooses to but is not required.

- Veterinary Businesses are able to provide additional information to Pet Owners about the Cremation Services they arrange or make available, including the identity of the Crematorium used, where they consider this would be helpful and provided that the information is accurate and not misleading.

- We have amended the Order to make clear that Veterinary Businesses are not required to provide pricing information where the Pet Owner declines to receive this. Veterinary Businesses should still make the relevant information available in writing but, where a Pet Owner refuses to receive that information, we would not expect it to be forced upon them.

- We have not amended the timing requirement. Providing prices after a Pet Owner has already made a decision would not achieve the intended purpose of enabling Pet Owners to take price into account when choosing between cremation options. A Pet Owner may have formed an initial view, but then choose differently once they have seen the relevant written price information. The Explanatory Note makes clear that price information may be provided on a consent form, provided it is given at the appropriate point.

Part 7, Article 21 – In-house complaint processes

90. A small group of respondents who commented on Part 7 asked for greater clarity on the definition of an Actionable Complaint. Respondents were concerned that spurious Complaints, service queries, invoice corrections, clinical discussions or throwaway comments could be treated as Actionable Complaints. Another respondent asked whether insurance claims should be counted as Actionable Complaints, where the actions relating to any such insurance claims do not otherwise amount to Complaints.

91. A small group of those respondents who commented on Part 7 considered that the five working day period before a Complaint becomes an Actionable Complaint was too short to allow for resolution. Reasons given for this were that clinical records would need to be retrieved and reviewed, discussions with the relevant Veterinary Professionals (who may be engaged in clinical duties) would be required, the availability of senior staff to handle the Complaint, the complexity of some Complaints, and that frequently a conversation with the Pet Owner would be needed. Suggested alternatives included ten or twenty working days, or allowing informal resolution to continue where the Complaint has been acknowledged, is being investigated and the Pet Owner has been given a reasonable timescale for a substantive response.

92. Similarly, a very small minority of those respondents who commented on Part 7 said that five Working Days was too short a period for acknowledging an Actionable Complaint for smaller practices in particular. Reasons given for this were similar to those submitted in relation to the prior point, including possible limitations in staff availability and workload pressures.

93. One respondent told us that the timetable for providing a full response should begin only once the practice has sufficient information to investigate the Complaint. Another respondent said that the timetable for sending the full letter for response should be halved from the eight to 12 weeks consulted on. Another respondent said that eight weeks was the maximum amount of time it should take for any Complaint to be dealt with in-house.

94. Article 21(2)(g) of the draft Order referred to additional information which a Veterinary Business may request from a Pet Owner in order to investigate the Complaint. In relation to this, one respondent said that it would be unusual for complainants to provide information and that this provision should be removed

by the CMA, or as a minimum, the information a Pet Owner may need to provide should be specified and consulted on. The same respondent told us that the Complaints procedure should specify that the Veterinary Business should provide all the clinical information (including originals) requested by the Pet Owner in connection with a Complaint within a specified period. This respondent went on to say that if the complainant does not receive the information they have requested, they should have the right to terminate the process and take the Complaint directly to an Ombudsman.

CMA response:

- In the Explanatory Note, we explain that if it is unclear if a Pet Owner is making a Complaint or, alternatively for example, providing feedback, Veterinary Businesses should seek to clarify this with the Pet Owner. An Actionable Complaint will be regarded as such if it meets the definition set out in Article 2 of the Order. This will be the case regardless of whether other processes, such as indemnity insurance claims, are proceeding. As such, some indemnity insurance claims may be accompanied by an Actionable Complaint (and therefore must be handled in accordance with the provisions set out in Article 21 of the Order) while others will not.

- We have made a minor amendment to the Order to provide Veterinary Businesses with 10 Working Days to attempt in good faith to resolve a Complaint made by a Pet Owner informally. If, after 10 Working Days, no resolution has been reached that Complaint will become an Actionable Complaint.

- We consider that five Working Days allows Veterinary Businesses sufficient time to acknowledge in writing an Actionable Complaint. The written acknowledgement must provide the Pet Owner with the Complaint Process and a named contact who the Pet Owner can contact about their Complaint. The Veterinary Business then has up to eight weeks to send a full letter of response (or up to 12 weeks if further time is needed).

- We consider that the timetable for handling Actionable Complaints strikes an appropriate balance between ensuring there is sufficient time for Veterinary Businesses to investigate Actionable Complaints and ensuring a resolution is reached swiftly.

- There may be instances when the Veterinary Business requires further information about the Actionable Complaint from the Pet Owner to investigate it and work towards a resolution. It would not be feasible to specify this information in advance. Paragraph 13.6 of the Supporting Guidance to the RCVS Code of Conduct states that 'Veterinary surgeons and veterinary nurses must provide copies of any relevant clinical records at the request of a client'.[6]

Part 7, Article 22 – Complaint Logs

Nature of the Pet Owner's Actionable Complaint

95. A small number of respondents commented on the Complaint Log. The RCVS and another respondent told us that the number of answer options in the 'Nature of the Pet Owner's Actionable Complaint' field should be simplified as this would enable more accurate data collection. The VCMS submitted a shorter set of more accurate and meaningful answer options for the 'Nature of the Pet Owner's Actionable Complaint' and 'Sub-nature of the Pet Owner's Actionable Complaint' fields to support more accurate data collection and analysis. For the same reason, the RCVS and another respondent also said that Veterinary Businesses should be asked to identify the main subject of the Pet Owner's Actionable Complaint. However, two respondents also said that this field should be multi-select, with one respondent explaining that this would ensure that recurring difficulties were not obscured. Another respondent told us that complaints could consist of many issues and said that there should be space to record the detail of the clinical procedures complained about.

96. One respondent suggested that the Complaint Log should capture the issue that led to the Actionable Complaint from the perspective of the Veterinary Business in addition to the nature of the Actionable Complaint from the Pet Owner's perspective. As part of the consultation, we explored this suggestion with the RCVS and VCMS which both queried the value of this additional field. The VCMS told us that it could over complicate the Complaint Log and that because Complaint issues often arise at multiple stages it would be difficult or meaningless for the practice to identify one stage.

CMA response:

Complaints recorded accurately and assessed effectively can provide a valuable source of learning for both Veterinary Businesses and the RCVS. To this end we have:

- Simplified the 'Nature and Sub-Nature of the Pet Owner's Actionable Complaint' fields by slightly increasing the answer options for the former and removing the latter field. This will support the collation of accurate data.

[6] Supporting Guidance to the RCVS Code of Conduct, 13. Clinical and client records | Royal College of Veterinary Surgeons, accessed 09/09/26.

- Added a new 'Issue which led to the Actionable Complaint' field. Recording this as well as the 'Nature of the Actionable Complaint' from the Pet Owner's perspective will help foster a deeper understanding amongst Veterinary Businesses of why the complaint arose and what could be done to improve the quality of their services.

- Required Veterinary Businesses to select the main nature/issue for both the 'Nature of the Pet Owner's Actionable Complaint' and the 'Issue which led to the Actionable Complaint' fields. While this will mean some aspects of multi-faceted Actionable Complaints are not recorded, this approach will support more accurate recording of the main nature/issue involved.

Outcome of the Actionable Complaint

97. Two respondents told us that the Complaint Log should record whether an Actionable Complaint was 'upheld', 'partially upheld' or 'not upheld' as this reflects how the industry records Complaints. However, the VCMS told us that the use of 'upheld' and 'not upheld' is unhelpful and it anticipated that a majority of complaints would be logged as 'partially upheld'. It also said that this language is misleading in a mediation context and that it assumes error, blame or an admission. Instead the VCMS advocated for the use of 'resolved', either instead of 'upheld' or in addition to it, with guidance on the difference. The RCVS also submitted that 'resolved' or 'partially resolved' would align more with the nature of mediation and would be more likely to encourage less defensive reporting from Practices.

98. Two respondents recommended recording the stage in the process at which the Actionable Complaint was concluded in a new field. We also received several detailed comments on the appropriate answer options that this field should include. For example, one respondent said that 'Mediation declined by the Pet Owner' should be removed because, while Veterinary Businesses will have an obligation to signpost Pet Owners to their selected ADR provider, the Pet Owner's decision on whether to pursue mediation will not necessarily be communicated to the Veterinary Business.

CMA response:

- For the Complaint Log to be a valuable source of learning for Veterinary Businesses and the RCVS, it will be important that the outcome of the Complaint, that is whether it has been resolved or not, and the stage at which an Actionable Complaint was concluded, can be accurately recorded. We have therefore created two new fields to capture this information. We have also adjusted the answer options for the new 'Actionable Complaint concluded' field where appropriate, given the feedback we received. For example, we have removed 'Mediation declined by the Pet Owner' to reflect the fact that Veterinary Businesses may not have this information.

Summary of the Actionable Complaint and steps taken by the Veterinary Business

99. The VCMS told us that guidance on the level of detail required and word counts for the 'Summary of the Actionable Complaint' and 'Steps taken by the Veterinary Business' free text fields would be helpful for Veterinary Businesses. It said this would prevent wide variance in response lengths. It also queried how free text responses to the 'Steps taken by the Veterinary Business' field would be analysed and anticipated that practices may input cut and paste responses. The RCVS made a general point that drop down boxes are preferrable to free text for ease of analysis and also noted that the 'Steps taken by the Veterinary Business' field may lead to complex answers which would be difficult to analyse. The RCVS also queried the purpose of collecting information about the steps taken by the Veterinary Business to investigate a Complaint.

Animal age

100. The RCVS queried the necessity of collecting data on the animal's age and noted that different animals have different life expectancies. Similarly, the VCMS told us that the 'Animal age' field was not likely to be relevant or provide statistically meaningful insight without a link to species given the variation in life expectancy.

CMA response:

- For the Complaint Log to provide a rich source of material that Veterinary Businesses can use to improve the quality of their services our view is that the 'Summary of the Actionable Complaint' and 'Steps taken by the Veterinary Business' fields should not have a character limit. We also consider AI tools could be used by the RCVS to analyse the text in these fields to inform its annual publication on Complaints in the veterinary market for Household Pets.

- We recognise that the relevance of an animal's age to an Actionable Complaint will be linked to its species. We have therefore removed 'Animal age' as a standalone field and requested that Veterinary Businesses include the animal's age and species/breed in the Summary of the Actionable Complaint where it is relevant to the Complaint.

Part 7, Article 23 – Mediation

101. A very small minority of those respondents who commented on Part 7 of the draft Order submitted that a Veterinary Business should be able to decline engagement in mediation where the Pet Owner has engaged in vexatious behaviour, threatening, abusive or intimidating conduct towards Practice staff. Another respondent asked for the terms frivolous and vexatious to be amended as Pet Owners would likely be upset to learn from Veterinary Businesses that their Complaint had been classed as such.

102. One respondent stated that a Veterinary Business should not be regarded as failing to mediate in good faith because it disputes liability or declines a settlement it considers to be unjustified.

103. One respondent requested clarity on qualifying providers, eligibility, costs, insurer participation (noting that compliance with professional-indemnity insurer requirements should be permitted), interaction with RCVS complaints and civil proceedings, limitation periods, confidentiality and data sharing. This respondent said that the process must allow mediation to be declined in exceptional cases such as fraud or advanced litigation.

104. A very small minority of respondents asked whether ADR costs would be covered by the levy on Veterinary Businesses established by the Funding Order.

105. One respondent asked that the CMA clarify that the obligation to participate in mediation rests on the Veterinary Business and may be discharged through an appropriate representative.

106. One respondent, the RCVS, stated that in relation to Article 23(5)(b) other investigations may be ongoing in relation to the same issues that are raised in the Complaint, rather than in relation to precisely the same Complaint.

CMA response:

- The Order provides that the obligation on Veterinary Businesses to engage in mediation does not apply when the ADR provider reasonably considers that a Complaint is frivolous or vexatious. It is for the ADR provider, not the Veterinary Business, to determine whether a Complaint is frivolous or vexatious. We have clarified in the Explanatory Note that the ADR provider’s decision about whether a Complaint is frivolous or vexatious should be communicated by the ADR provider to the Pet Owner.

- In the Explanatory Note we explain that engaging in mediation 'in good faith' means that the Veterinary Business must engage proactively with the mediation process in a genuine attempt to resolve Complaints fairly and without undue delay.

- Articles 21 and 23 of the Order address most of points raised in paragraph 103 above. For example, Article 23(4)(b) states that the obligation on Veterinary Businesses to engage in mediation does not apply if the Complaint is the subject of ongoing court proceedings. Specific ADR providers are responsible for the provision of information on confidentiality and data sharing.

- We have clarified in the Explanatory Note that the ADR provider contracted by the RCVS will be funded by Veterinary Businesses through the levy established by the Funding Order. Where a Veterinary Business chooses to use another ADR provider it may need to pay for that ADR service.

- We have clarified in the Explanatory Note that the obligation to participate in mediation rests on the Veterinary Business. However, Veterinary Businesses should require their staff to support the mediation process.

- Article 23(5)(b) of the Order has been amended to acknowledge that other forms of investigation may be ongoing in relation to the same Complaint or the same issue(s) raised in the Complaint.

Part 8, Articles 24 to 28 – Monitoring, compliance, variation and termination

Reporting non-compliance and materiality

107. A small number of respondents made a number of comments on reporting non-compliance with the Order. A minority of these respondents submitted that Veterinary Businesses should be required to report non-compliance only where it is material, or where minor or technical non-compliance has not been remedied within a short period.

CMA response:

- It is for the CMA to consider whether a breach is material and to consider enforcement action and therefore all non-compliance should be reported to the RCVS and the CMA. Even breaches of limited materiality may be important where there are a number of them by the same Veterinary Business. We also consider that not having a materiality threshold during the early phase of the implementation period is useful for overall compliance whilst familiarity with the Order develops. In the future, the CMA may reconsider this approach as part of its general duty to keep its remedies under review. For these reasons, we have not made any changes to Article 25.

Implementation periods and record retention

108. A handful of respondents asked for additional implementation periods where the CMA or RCVS makes material changes to the requirements in future.

109. A small number of respondents also asked for clarification of what the specified document retention period will be under Article 25.

CMA response:

- Some Articles of the Order already provide implementation periods when new materials become available. For example, if the Notice and Flyer are amended and reissued, Article 16 provides that Veterinary Businesses will have one month to ensure compliance. If the CMA exercises its power to amend the Order in full or in part, compliance requirements and any appropriate implementation period would be considered as part of making those changes.

- We have amended the Explanatory Note to explain that the timeframe will be communicated to Veterinary Businesses by the CMA or RCVS when they make such a request for information under Article 25. We would generally expect that Veterinary Businesses would retain documentation relevant to the demonstration of compliance with obligations in the Order for a period of no less than 12 months.

Mystery Shoppers

110. A handful of respondents suggested using 'mystery shoppers' to assess compliance.

CMA response:

- We have not amended the Order to permit this type of inspection as we consider providing reasonable notice to Veterinary Businesses before physical inspections is sufficiently effective and proportionate.

Main points relating to the draft Substantive RCVS Undertakings

Consultation requirements

111. A small number of respondents commented on the consultation requirements in the draft Undertakings. Some considered that consultation with representative bodies should be mandatory in relation to the Find a Vet Platform, the Sharing Criteria and the Decision Tree. One respondent also submitted that all Relevant Veterinary Businesses, rather than only those

identified by the RCVS, should be given the opportunity to comment on these materials.

CMA response:

- We have amended the Undertakings to adopt a consistent approach to consultation. Under that approach, the RCVS is required to consult Relevant Veterinary Businesses, professional associations and other relevant stakeholders, as it considers appropriate, when developing the Find a Vet Platform, the Sharing Criteria and the Decision Tree. We have not amended the Undertakings to require consultation with all Relevant Veterinary Businesses or specific representative bodies because we consider that the RCVS should decide which stakeholders are appropriate to consult with depending on the context.

Communication with Veterinary Businesses

112. The RCVS suggested that the Undertakings should allow communication with Veterinary Businesses through channels other than email, on the basis that this would enable more effective communication with a wider range of practices.

CMA response:

- We have updated the Order and Undertakings to allow for other possible communication methods, while retaining the requirement for the RCVS to communicate by email as a minimum.

Paragraph 3 – the monitoring role of RCVS

113. Half of the respondents who commented on the Undertakings made submissions on the monitoring role of the RCVS.

114. One respondent asked for further consultation and clarification on the expertise of the RCVS's monitoring team, whether there would be a formal process for escalating concerns about the handling of monitoring cases, and whether complaints and monitoring outcomes would be tracked and recorded systematically.

CMA response:

- The Undertakings require the RCVS to monitor Veterinary Business compliance effectively. The CMA will assess the effectiveness of that monitoring role. The additional proposed requirements are not necessary. Veterinary Businesses may escalate concerns to the CMA through existing channels available to them.

115. A minority of the respondents commented on the relationship between RCVS monitoring of Veterinary Businesses’ compliance with the Order and its other activities. Some said the monitoring system should avoid requesting evidence already available through other regulatory or Practice Standards Scheme processes. Others suggested functional or organisational separation between monitoring and other RCVS activities, supported by safeguards such as audit or appeal arrangements.

CMA response:

- The requirements of the Order are separate from other regulatory schemes and requirements the RCVS operates. They require separate monitoring. The RCVS’s Monitoring Proposal, in accordance with which it will monitor Veterinary Businesses’ compliance with the requirements of the Order, nonetheless provides for it to make use of information it obtains in the course of its other activities where that information is relevant to compliance with the Order.

- The RCVS has undertaken to monitor compliance effectively. That undertaking is binding and the CMA will ensure it is adhered to. Any concerns Veterinary Businesses have about the RCVS’s activities can be raised with the CMA. We have therefore not added any additional audit or appeal arrangements in relation to RCVS monitoring.

116. A minority of the respondents also commented on the RCVS’s approach to conducting spot checks. A small number expressed concern over the RCVS having a ‘power of entry’ which it currently does not possess. Others suggested that there should be random or routine monitoring as well as risk-based monitoring. One respondent submitted that reasonable notice should be required for physical inspections, but not for remote checks of websites or other publicly available materials.

CMA response:

- The Undertakings require the RCVS to conduct spot checks, where it considers this necessary for the purpose of monitoring compliance with the Order effectively, on the basis of risk. That may include physical spot checks and inspections, which the Order requires Veterinary Businesses to allow, but the Undertakings and that Order do not give the RCVS any new general power of entry. The RCVS is required to give Veterinary Businesses reasonable notice in advance of any physical spot check.

- We consider that the relevant provisions will be effective and are proportionate. We have not made any changes to the Undertakings in response to the relevant submissions, but have made some additions to the Explanatory Note to the Order clarifying where inspections may be required.

117. One respondent suggested that the compliance report to be produced by the RCVS should be shared with professional representative bodies.

CMA response:

- We do not consider it appropriate for the RCVS to be required to provide professional representative bodies with access to reports on Veterinary Businesses' compliance with the Order, given that those bodies have no role in monitoring or enforcing that Order. We have not made any changes to the Undertakings in response to this submission.

Paragraph 4 – Find a Vet (functionality)

118. Several respondents submitted technical comments on the design and delivery of an enhanced Find a Vet Platform. This included one respondent which submitted that there should be integrated methods for providing data to the RCVS, in addition to a web form. Another respondent provided examples of functionality the enhanced Find a Vet Platform should have, including a visible pending mark where notified changes to the information on the platform are yet to be published and a public mechanism to report suspected inaccuracies.

119. A small number of respondents commented on the interaction between updates to a Veterinary Business's Price List and corresponding updates to the Find a Vet Platform. One respondent requested they should be able to submit future-dated price changes and another asked for a specific timeline for RCVS to update the Find a Vet Platform once updated pricing had been supplied by a Veterinary Business.

120. One respondent was concerned that Pet Owners would be able to sort veterinary practices by price without sufficient context around service and value. This respondent suggested that the default ranking should not be by price with the lowest price first and that information such as consultation length, opening hours, emergency availability should be given prominence.

121. One respondent submitted that charities should be included on Find a Vet without being required to comply with the CMA's other remedies.

CMA response:

- We do not consider that the Undertakings should prescribe detailed requirements for how data could be provided to the RCVS by Veterinary Businesses in future, beyond requiring the use of a web form in the first instance. Those arrangements will be developed by the RCVS in consultation with relevant stakeholders. However, we have updated the Undertakings to require CMA approval for any alternative means of data provision, and to require the RCVS to publish on its website the date on which it has complied with the Find a Vet requirements in paragraph 4.1 of the Undertakings.

- Paragraph 4.6 of the Undertakings requires the RCVS to adapt and enhance the Find a Vet Platform so that Pet Owners can filter and sort search results by key data fields, including Practice location, Pet characteristics, Practice characteristics, service provision and price. The RCVS may develop other functionality, such as that respondents put to us, in future iterations of the platform, but that is not required to fulfil the Undertakings.

- Veterinary Businesses can start charging new prices as soon as they provide amended pricing information to the RCVS. The Undertakings require the RCVS to update the Find a Vet Platform as soon as possible, but Veterinary Businesses need not wait for it to do so. The Undertakings have been changed to require the RCVS to allow Veterinary Businesses to submit future-dated changes to the information to be published on the platform.

- Charities are outside the scope of the Order where they do not provide Veterinary Services for Household Pets on a commercial basis. However, the RCVS may include such charities on the enhanced Find a Vet Platform if it wishes.

Paragraph 4 – Find a Vet (Sharing Criteria and Approved Third Parties)

122. Several respondents made comments on the Sharing Criteria and the process for approving third parties to receive Find a Vet data from the RCVS. Some respondents asked for clarification that Approved Third Party status governs access to RCVS-supplied data only and should not operate as a wider licence or accreditation regime for veterinary comparison services. Other respondents requested the RCVS to consult several named categories of potentially interested parties (for example, Pet Owners, consumer organisations and accessibility users) on the Sharing Criteria.

CMA response:

- The RCVS approval process governs only which third parties may receive Find a Vet Information from the RCVS (Approved Third Parties). It does not operate as an accreditation regime for veterinary comparison services. Nor does it regulate – either by endorsing or restricting – other third parties from operating comparison services and using information they obtain independently in the usual course of their business.

- We consider that it would be unduly restrictive to fix all the categories of potentially interested parties with which the RCVS must consult about the Sharing Criteria. It will be for the RCVS to determine which parties it considers appropriate to consult on these matters, such that a fair and well-informed consultation occurs, and that it takes into account reasonable representations it receives in response.

123. Two respondents commented on the restrictions on paid or promoted rankings that should be included in the Sharing Criteria. Some respondents said the criteria should not prevent Veterinary Businesses paying for ancillary transactional services, such as appointment booking, on Approved Third Party platforms, provided this does not affect the ranking, ordering or prominence in which businesses are presented on those platforms. Others suggested that the Sharing Criteria should permit subscriptions, grants, donations and general advertising revenue where they do not influence such ranking.

CMA response:

- The drafting in the Undertakings has been updated to ensure that the prohibition on Approved Third Parties receiving payments relating to ranking, ordering or prominence do not prevent those third parties from receiving payment from Veterinary Businesses for other services the third parties provide (for example, processing appointment bookings). Any such payment for other services must not, however, influence where a Veterinary Business appears in any ranking on an Approved Third Party platform.

124. A small number of respondents sought a more transparent RCVS approval process, including publication of the Sharing Criteria and register of Approved Third Parties; written reasons, timeframes and appeal routes for approval decisions; and equivalent procedural safeguards where RCVS approval is withdrawn.

CMA response:

- We have updated the Undertakings to require the RCVS to publish the Sharing Criteria and a list of Approved Third Parties on its website, to decide applications without undue delay, to give written reasons for refusing access to Find a Vet Data or Processed Find a Vet Data, and inform refused applicants of their right to appeal to the CMA.

125. Two respondents suggested that the RCVS should make Find a Vet information available to Approved Third Parties at a defined refresh cadence, so that comparison services reflect prices as charged. One respondent suggested that, where the CMA changes Veterinary Businesses' Price List

obligations, there should be advance notice to Approved Third Parties and a transition period to allow their systems to be updated.

CMA response:

- We have updated the Undertakings to require the RCVS to provide updated Find a Vet information to Approved Third Parties at regular intervals.

- If the CMA changes any obligations it has imposed on Veterinary Businesses, including Price List obligations, it will follow its usual review processes, including considering any appropriate implementation period. Approved Third Parties and other affected parties will receive advance notice through the usual processes (such as publication on the CMA website). Specific requirements in the Undertakings (which record obligations the RCVS has agreed to take on) are both unnecessary and inappropriate.

126. One respondent said that it had serious concerns about unregulated third-party listing/comparison sites, including inaccurate pricing, illegitimate bookings, customer and pet welfare risks, data protection concerns, and increased platform costs. It asked the CMA to investigate urgently and encouraged the RCVS to launch the enhanced Find a Vet Platform quickly.

CMA response:

- The CMA has noted the concerns raised about unregulated third-party listings and comparison sites. The provisions of the Undertakings relating to the approval criteria for the RCVS to share information from the Find a Vet Platform seek to address this concern. Listings and comparison sites – whether Approved Third Parties or other providers – are also subject to general consumer protection law.

Paragraph 7 – Provision of mediation

127. One respondent suggested that the ADR provider with which the RCVS undertakes to contract should be independent of both the RCVS's monitoring and representative functions, with contractual safeguards for case confidentiality and use of aggregate data to identify wider or systemic issues.

CMA response:

- The Undertakings have been amended to specify that the ADR provider contracted by the RCVS must be independent. Contractual terms, beyond those relevant to the delivery of the remedy which have been included in the Undertakings, are for the RCVS to consider.

Written representations on decisions made in the Final Report

128. Written representations on the decisions made in the Final Report were not considered by the Group as part of the consultation on the draft Substantive Order, Explanatory Note to the Substantive Order, or Substantive RCVS Undertaking. Those are matters that were consulted upon in the Group's provisional decision and determined in the Final Report. The Group is not re-opening the decisions it made at that stage, and they are outside the scope of the consultation on implementing the remedies.

129. Since stakeholders did nonetheless comment on such matters, and while no further consideration was given to these points as part of our consultation, we summarise below the key points and signpost to the relevant Group decision in our Final Report.

130. Unless otherwise stated, references to the Final Report in this section are references to Part B of the Final Report.

Implementation periods

131. One respondent sought a grace period of up to 12 months in addition to the implementation periods set out in the Final Report where a Veterinary Business could show it was implementing the measures as quickly as possible. A small group of respondents also raised concerns about implementation timelines for smaller businesses, including requests for an additional category for businesses with three or fewer first opinion practices or referral centres, and for implementation periods to begin only once all templates, notices and technical specifications are available. The implementation periods for each remedy (including the decision to allow longer Implementation Periods for Small Veterinary Businesses than Large Veterinary Businesses) were decided to be effective and proportionate in the Final Report. See Part B section 2 for an overall summary and the 'Implementation timeframe' sub-headings under each remedy.

Cumulative impact of Order on smaller Veterinary Businesses

132. A small group of respondents submitted that, while most Articles may not impose a significant burden when viewed in isolation, their cumulative effect would place a substantial burden on Veterinary Businesses. Many of those respondents said this would be particularly challenging for smaller Veterinary Businesses, which have fewer dedicated resources to support compliance. Paragraphs 11.65 to 11.67 in Part B of the Final Report explain that the CMA recognised that the package of remedies would impose cumulative costs on Veterinary Businesses, and took this into account in its proportionality

assessment. As part of that assessment, the CMA noted that Veterinary Businesses may realise efficiencies by implementing individual remedies together in a planned and coordinated way, and that some measures were already being carried out by some Veterinary Businesses. The Group concluded that the remedies package as a whole was effective and proportionate.

Review of the Order

133. A small group of respondents sought clarity on whether the CMA would revisit certain provisions of the Order after a period of time. As explained in Part 2, paragraphs 2.97 – 2.99 of the Final Report, the CMA has a statutory duty to keep Orders under review. This includes a mandatory review 10 years after issuing the Final Report. In relation to the Standard Notice and Flyer, we have also recommended that the RCVS reviews the relative prices of medicines at FOPs and Authorised Online Retailers three years after the Order is implemented.

Scope of Order – Referral Centres

134. A handful of respondents either asked for clarity as to the applicability of the Order to Referral Centres or otherwise suggested that all the requirements of the Order should apply to them. Referral Centres that also offer primary veterinary care for Household Pets will be required to comply with the Order. Certain requirements also apply in relation to Referral Centres specifically (see the summary in the table at Part 2, paragraph 3.6 of the Final Report). Otherwise, Referral Centres which do not offer primary veterinary care for Household Pets do not operate in the markets in which the CMA has identified AECs and are therefore not subject to the Order.

Part 2, Article 6 – Practice Information

135. One respondent submitted that a Veterinary Business should not be in breach of the requirements of Articles 4 and 5 in respect of the Practice Information it is required to publish under Article 6 relating to an OOH provider, where an outsourced OOH provider fails to provide the Veterinary Business with the necessary information. This respondent also submitted that it would be overly burdensome for Veterinary Business to continuously verify that information provided by an outsourced OOH provider is up to date. It told us that the Explanatory Note should specify that a Veterinary Business would not be in breach of Article 6(1)(c) if the outsourced OOH provider had not provided it with up-to-date information in writing for publication.

136. This matter was determined in the Final Report. It is important for Pet Owners to have information about OOH Service provision, as they access these key services through a FOP. It is in the interests of a Veterinary Business to publish up-to-date information on the services it provides. Such a business can, in the contractual arrangements between the parties, influence or control the information an OOH provider gives to that business.

Part 2, Article 7 – Price List

The price list is not sufficiently standardised

137. A substantial number of respondents submitted arguments about how the treatments, services, products and procedures in the Price List Schedule were not appropriate, as drafted, for a standardised price list because there may be clinical differences between the delivery of these items across different practices. We received suggestions that specific items in the Price List Schedule required revision to enable like-for-like comparison between practices, including for example in respect of dental assessments, ultrasound, cytology, vaccinations, castration, spay procedures, CT and MRI scans, x-rays, cremations and euthanasia.

138. Several respondents asked for further functionality features to be added to the Price List. Examples included additional tick-boxes and free text functionality. Alternatively, it was proposed that the CMA should extend the checkbox obligations to a larger set of services that are not standardised across the sector.

139. Several respondents asked for further functionality features to be added to the Price List. Examples included additional tick-boxes and free text functionality. Alternatively, it was proposed that the CMA should extend the checkbox obligations to a larger set of services that are not standardised across the sector.

140. The Final Report contained the Group's decisions on the standardised list of items that make up the Price List Schedule, and form the basis of the Price List remedy. That decision followed extensive engagement with stakeholders, including by roundtable discussion and public consultation on the Group's provisional decision, as well as expert input from our Veterinary Advisory Panel. It reflects the Group's considered assessment as to what constitutes an appropriately standardised list of treatments, services, products and procedures that can enable meaningful price comparison between different Veterinary Businesses.

141. We did, however, consider submissions that related to the definitions to support practice implementation in the indicative Price List annexed to the Explanatory Note (Annex 2), for example adding clarification that the 'Cytology (fine needle aspiration)' line item includes both fine needle aspiration and laboratory testing. Schedule 1 has also been updated in a limited number of instances to address minor comments on the clinical accuracy of the terminology used or to accurately reflect the decision in the Final Report.

142. We note that the CMA has a statutory duty to keep its market remedies under review and may vary, revoke or release its enforcement orders or undertakings (in total or in part) should it decide it is appropriate to do so. The Price List remedy, including the suitability of the items on the list, will be kept under review in this way.

Additional information in Price List, factual descriptors etc

143. Several respondents requested that we allow additional information to be provided on the Price List. For example, one respondent sought confirmation that brief contextual explanations may be provided immediately adjacent to the Price List, or through a clearly signposted accompanying link, provided the standardised format remains unchanged. Other respondents requested that concise descriptions of clinically material inclusions and exclusions behind the headings be permitted.

144. The Final Report contained the Group's decision that free text must not be used to describe items on the defined list of services, to ensure that Pet Owners see Price Lists which are comparable. This requirement reflected the Group's assessment that the effectiveness of the Price List remedy depends on prices being comparable as between Practices and that this requires consistency of terminology and presentation across Practices' Price Lists. The Final Report set out the decision that variants of an item on the Price List (as opposed to the 'standard' version) must be provided on the list but, other than the descriptions of these variants, no additional text other than the exact name of each item from the Price List Schedule should be displayed.

145. Where Veterinary Businesses wish to display information about the price of other services, treatments, products or procedures on their Price List (ie ones which are not listed in the Price List Schedule), they may do so and there is no free text restriction under the Order in respect of such information. However, we have added wording to the Explanatory Notes to confirm that the inclusion of such information on a Price List should not reduce, obscure or otherwise impede the visibility of the items required by Article 7 to be on the Price List.

146. We have also added to the Explanatory Notes that Veterinary Businesses may use a brief, factual description for variants to indicate how certain services, products, treatments or procedures differ from the standard option.

Hyperlinks to third party websites

147. The Price List remedy requires Veterinary Businesses to provide hyperlinks to third party websites such as OOH Service providers'. One respondent noted that the validity of links depends on third parties' own websites, which the publishing Veterinary Business does not control. It asked the CMA to confirm that a business which establishes the correct link and checks it on a reasonable periodic basis is not in breach where a third party subsequently moves or restructures its webpages.

148. The Final Report contained the Group's decision that, where a Veterinary Business directs customers to a third party for OOH services and cremations, it must include (among other things) links to the OOH and cremation providers' price lists. This decision was taken to ensure Pet Owners had access to the full Price List on the Veterinary Business's website, without imposing an undue burden on that business. The Final Report also emphasised the need for pricing information to be up to date. The decisions in the Final Report reflect that it is within a business's control (for example, in the contractual arrangements it makes with third parties) to ensure that any such link is updated.

Updates to prices displayed on the Price List

149. Several respondents said the requirement to update prices on the Price List and Parasiticide Price List before charging new prices was not workable. A number of respondents requested a grace period or a reasonable timeframe to enable prices to be updated. Some Veterinary Businesses said that prices are updated automatically by practice management systems without their knowledge, so it would be unrealistic for businesses to change prices immediately.

150. The Final Report determined that, where prices of treatments, services, products or procedures on the standardised price list change, Veterinary Businesses must update their Price List(s) before new prices are charged to Pet Owners. As stated in the Final Report, this position is consistent with the requirements of the Digital Markets, Competition and Consumers Act 2024, which requires that prices must be accurate and price changes quickly communicated to consumers. The decision was also informed by our assessment that a lack of accurate and up to date price information can limit informed choice on the part of Pet Owners and dampen competition. As such,

the Order does not permit any grace period in respect of price changes to items on the standardised Price List.

Part 2, Article 8 – Parasiticide Price List

Limit the Parasiticide Price List to Top 10 Parasiticides by volume

151. Several respondents suggested that by relying on a definition for Most Common Parasiticides based on 100 or more units sold in a FOP during the previous year, the Parasiticide Price List requirement will produce very substantial lists and impose significant administrative burdens on Veterinary Businesses. One respondent said that this approach does not in fact produce a list of the most commonly sold products. It was suggested by multiple respondents that the CMA should limit the list to the top 10 Parasiticide products by sales volumes at each FOP.

152. We decided in the Final Report that the 'most commonly sold' pet Parasiticide products would be those products of which the FOP sold at least 100 units in the previous 12 months or, if the number of products meeting this threshold is less than 10, the top 10 Parasiticide medicine products by sales in the previous 12 months. The Final Report did not impose any limit on the number of Parasiticides on the list; all Parasiticides of which the FOP sells more than 100 units should be included.

153. As set out in the Final Report, our assessment was that a price list meeting these criteria (and others set out in the Final Report) would be likely to: cover a breadth of Parasiticides that will enable most Pet Owners to compare the prices of the medicines they need; exclude those medicines sold only to very small numbers of Pet Owners; limit the burden on Veterinary Businesses to keep the price list updated; account for differences in Practice size; and comply with the VMR.

Group level methodology for identifying Most Common Parasiticides

154. Some respondents who operate multiple FOPs submitted that Article 8 should permit a group-level methodology for identifying Most Common Parasiticides, rather than requiring a per-site approach.

155. We decided in the Final Report that the identification of 'most commonly sold' pet Parasiticide products should be undertaken on a per-FOP basis. The decision in the Final Report reflected the fact that there can be significant variation of prescribing practices within Veterinary Businesses, due to differing clinical approaches and local environments for which different Parasiticides may be more clinically appropriate.

Updates to Parasiticide prices

156. Several respondents raised practical concerns about the requirement to update the Parasiticide Price List before charging new prices for Parasiticides. Respondents suggested such a requirement would impose significant cost and administrative burdens, given the frequency of price changes for veterinary medicines, automatic price updates through practice management systems and where internal systems create a delay before updated prices can be reflected on a publicly available price list.

157. Some respondents suggested a short grace period for price updates to take effect or a reasonable timeframe for updates to take effect, such as a requirement to review and update prices quarterly.

158. The requirement for a Veterinary Business to update the Parasiticide Price List before any new prices for Parasiticides can be charged is one that was decided in the Final Report. The CMA's view is that no grace period is required. As set out in the Final Report, when Parasiticide prices change, the price list should be updated before new prices are charged to Pet Owners in line with the requirements of the Digital Markets, Competition and Consumers Act 2024.

Discoverability requirements in Article 8

159. Another respondent submitted that the Parasiticide Price List should be subject to the same discoverability and format requirements as the main Price List. In particular, the respondent suggested that the Parasiticide Price List should be reachable within one click from the homepage and identifiable by terms such as "price", "pricing" or "fees" in page navigation and metadata.

160. The Final Report is clear that the specific discoverability requirements in (what is now) Article 7(4) of the Order apply only to the (standardised) Price List and do not extend to the Parasiticide Price List. Whereas it is likely that most Pet Owners would visit a FOP's Price List, our view was that only a subset of them will view the Parasiticide Price List. The Parasiticide Price List is therefore likely to be relevant to a smaller proportion of Pet Owners who are visiting a practice website and, as such, the general display requirements under Article 4 of the Order are sufficient in this regard.

Part 2, Article 9 – Pet Care Plans

Trigger for savings claim requirements

161. A small number of respondents also asked for greater clarity on the trigger for the Pet Care Plan savings claim requirements. Some respondents were concerned that wording such as “states, claims or indicates” could capture general value or affordability claims, such as “great value” or “cost-effective care”, even where no specific saving was claimed. They proposed limiting the full disclosure obligation to quantified claims, such as claims referring to a monetary amount, percentage or other specific comparison.

162. As we note in paragraph 37 above, it was decided in the Final Report that where a Veterinary Business indicates that a Pet Owner could save money on a Pet Care Plan in comparison to purchasing services separately, it will be required to provide the information listed in paragraph 3.151 of the Final Report in respect of such savings claim. The decision to impose these requirements reflected the importance of ensuring that Pet Owners have the information they need to be able to evaluate whether a Pet Care Plan offers them value for money and to make informed choices that drive competition.

163. Implementing the decision in the Final Report, the Order requires that the information listed in Article 9(7) must be disclosed in respect of both Quantified Savings Claims and General Savings Claims. The information is, however, required in different ways depending on the type of claim made.

164. Under Article 9(1), a Veterinary Business makes a Quantified Savings Claim where it states, claims or indicates that a Pet Owner could save money by purchasing a Pet Care Plan, as compared with purchasing the products and/or services on a standalone basis, and ‘such statement, claim or indication includes a specific monetary amount, percentage or other quantified saving, or describes the magnitude of the saving’. Under Article 9(2), a Veterinary Business makes a General Savings Claim where it makes such a statement, claim or indication regarding savings on a plan, but that statement, claim or indication refers to the existence but not the magnitude of the saving.

165. The inclusion of the defined terms ‘Quantified Savings Claim’ and ‘General Savings Claim’, and the associated amendments made to Article 9 of the Order following the consultation, provide greater clarity on the circumstances and manner in which the savings claim information must be provided by Veterinary Business.

Administrative burden of updating Pet Care Plan Information

166. Some respondents raised concerns about the requirement to keep Pet Care Plan Information, and related savings claims, up to date before revised prices are charged. Some respondents said this was particularly difficult for written materials available at premises. Others said that frequent changes in standalone Parasiticide prices would make continuous recalculation of Pet Care Plan savings administratively burdensome. It was suggested that allowing a reasonable period for updating the information would be more proportionate.

167. It was decided in the Final Report that Pet Care Plan pricing and standalone service pricing information needs to be updated when any prices change. The aim of the remedy is to provide Pet Owners with clearer, more comprehensive pricing information about Pet Care Plans and the standalone prices of items contained in them. To ensure Pet Owners are well equipped to choose a plan that best suits their needs or decide to buy services separately, rather than being misled, and that they can make informed decisions that drive competition between providers, it is important that this information is accurate and up to date. The decision in the Final Report reflected this.

Volume and complexity of information to be presented

168. Respondents suggested that significant volumes of information will be required for the purposes of this remedy. One Veterinary Business expressed concern that the volume and complexity of Pet Care Plan Information could make it difficult for Pet Owners to understand. It requested flexibility for Veterinary Businesses to design interfaces (AI-enabled or otherwise) that would present information in a tailored and user-friendly manner.

169. The decision was taken in the Final Report that Veterinary Businesses operating one or more FOPs that offer a Pet Care Plan will be required to publish clear and comprehensive information about those plans on the website(s) relating to those FOPs and in the Practice. Paragraph 3.152 of the Final Report set out how such information should be published both online and in Practices and those requirements have been implemented in Articles 4 and 9 of the Order.

170. Provided that Veterinary Businesses satisfy the requirements imposed in the Order regarding the display of Pet Care Plan Information, and any additional information in respect of savings claims made, they have discretion as to how they present this information.

171. Annex 2 of the Explanatory Note to the Order provides an illustrative example of the information a Veterinary Business could provide in respect of one of its FOP's Pet Care Plans.

Part 3, Article 11 – Written Estimates for higher price treatments

Ability of Veterinary Professionals to estimate reasonably likely costs

172. A small group of respondents suggested that, where there are a number of possible diagnoses and/or treatments, some Veterinary Professionals would take a pessimistic approach to identifying what is reasonably likely to be recommended and the amount it is reasonably likely to cost. Accordingly, they told us that the reasonably likely costs of a Treatment Pathway could, in some cases, be misleading.

173. It was decided at Paragraph 4.78 of the Final Report that giving Written Estimates based on 'worse case' scenarios which do not reflect reasonably likely possibilities would not be a proper exercise of reasonable care and skill and would not comply with the remedy.

174. In the Order, the use of the Veterinary Professional's judgement and exercise of reasonable care and skill is reflected in the definition of 'Treatment Pathway' and the requirement on Veterinary Businesses at Article 11(4) to ensure that the amounts estimated in the Written Estimate are as accurate as reasonably possible taking account of the relevant Veterinary Professional's judgement and their exercise of reasonable care and skill.

Breakdown of the main, distinct and separately priced components

175. A handful of respondents submitted that requiring a breakdown of the main, distinct and separately priced components of a Treatment Pathway could lead Pet Owners to treat Written Estimates as binding quotations, rather than indicative assessments based on the information available at the time.

176. Paragraph 4.103 of the Final Report determined that, where the Treatment Pathway involves tests and/or treatments that would be provided at a FOP, the Written Estimate should include a breakdown of any distinct and separately priced main components of the Treatment Pathway.

177. This decision is reflected in Article 11(5) of the Order. To the extent that a Treatment Pathway includes diagnostic tests and/or treatments provided at a FOP or OOH Centre that are reasonably likely to be provided in the next 12 months, the Written Estimate must include a breakdown of their main, distinct

and separately priced components, with the estimated costs of diagnostic tests and treatments shown separately.

Whether out-of-hours providers should give Written Estimates

178. We heard from a small minority of respondents that providers of OOH Services should be excluded from the Written Estimate remedy because, in their view, these providers typically provide medical care on a one-off basis and have limited visibility of the Pet's medical records and Treatment Pathway.

179. Paragraph 4.4 of the Final Report sets out the Group's decision that all Veterinary Businesses operating one or more FOPs, including where they offer OOH Services in an out-of-hours centre, premises or location, must give Pet Owners a Written Estimate of the reasonably likely costs of a Treatment Pathway.

180. This decision is reproduced in Article 11(1) of the Order.

Whether Written Estimates should include the cost of Referral Services

181. Around a quarter of respondents submitted that Veterinary Professionals may be unable to estimate the cost of Referral Services included within a Treatment Pathway accurately and, therefore, a requirement for them to do so could be burdensome.

182. Paragraph 4.29 of the Final Report sets out the Group's decision that, where a Veterinary Professional in a FOP recommends a Referral Service, the estimate of the cost of the Treatment Pathway will include the diagnostic tests and/or treatments which they recommend the Pet Owner obtains from a Referral Centre. Paragraph 4.31 of the Final Report notes that the estimate will depend on the circumstances and may be an indication based on the relevant Veterinary Professional's judgement and knowledge of the market.

183. This is reflected Article 11(6) of the Order.

Practical difficulties in giving a Written Estimate by the next Working Day

184. A small group of respondents told us that, in some circumstances, it may be difficult to provide Written Estimates by the next Working Day, such as where the Veterinary Professional works part-time.

185. Paragraph 4.98 of the Final Report states that the Veterinary Business must provide a Written Estimate in sufficient time for the Pet Owner to be able to consider whether they wish to proceed with the Treatment Pathway and seek

an alternative Written Estimate from another source if they wish to do so, and before they have committed to the Treatment Pathway. In any case, a Written Estimate must be provided no later than the end of the day following the Veterinary Professional’s recommendation of the Treatment Pathway.

186. These requirements are reflected in Article 11(7) of the Order.

Whether updated Written Estimates should be provided for chronic conditions

187. A handful of respondents submitted that the requirement to provide an updated Written Estimate when the total estimated cost is reasonably likely to increase by 20% or by an amount equal to the Monetary Threshold, whichever is lower, should not apply where the Treatment Pathway includes a chronic condition.

188. Paragraph 4.143 of the Final Report sets out the Group’s decision that the Pet Owner should be provided with an updated Written Estimate if the total estimated cost of the Treatment Pathway increases by at least 20% or an amount equal to the Monetary Threshold, whichever is lower. It also stipulates that the relevant period for determining whether the total estimated cost increases is the 12 month period running from the date of the original Written Estimate. Therefore, in circumstances where a Pet has a chronic condition, a new or updated Written Estimate is not required after the original 12-month period has ended.

189. This requirement is reflected in Article 11(9) of the Order.

Part 3, Article 12 – Itemised bills

Concerns about the level of detail

190. Around a quarter of respondents who referred to this remedy submitted that Itemised Bills which contain a detailed breakdown of every component provided could be unhelpful and confusing for Pet Owners.

191. Paragraph 4.179 of the Final Report sets out the Group’s decision that Itemised Bills must, as a minimum, show the following separately:

- amounts relating to individual relevant medicine products;
- amounts relating to other goods and services provided by the Practice, individually or categorised together; and

- fees for outside services and any charges for additional administration or other costs to the Practice in arranging such services, individually or categorised together.

192. In addition, paragraph 4.182 of the Final Report states that, in addition to the above breakdown, the level of itemisation must be sufficient to enable the Pet Owner to:

- have a reasonable understanding of the price of each medicine provided to them;

- have a reasonable understanding of the prices they have been charged for goods and services and how those compare to (i) any quote or estimate they were given and (ii) with published price lists; and

- to track their purchases of goods and services over time and make more informed choices over future purchases.

193. These requirements are reflected in Article 12(3) and Article 12(4) of the Order.

Part 3, Article 13 – Ensuring Veterinary Professionals can act in accordance with the relevant provisions of the RCVS Codes and Guidance

Potential self-preferencing of Referral Centres

194. A handful of respondents who referred to this remedy submitted that additional measures should be put in place to prevent FOPs' practice-management systems from self-preferencing (automatically selecting or defaulting to) Referral Centres under the same ownership.

195. Paragraph 4.205 of the Final Report sets out the Group's decision that the remedy must address the potential for conflict between:

- any instructions, incentives, undue influence or (actual or perceived) pressure from a Veterinary Business to or on its Veterinary Professionals to recommend certain diagnostics, treatment options or referrals; and

- the ability of Veterinary Professionals to follow the Codes and apply the Guidance.

196. With regard to referrals to Referral Centres, paragraph 4.206 of the Final Report states that the remedy will ensure that Veterinary Professionals can give advice about which Referral Centre they deem most appropriate, without undue influence from a Veterinary Business. Paragraph 4.213 of the Final

Report records the Group's decision that an explicit ban on in-group referrals was not necessary.

197. These requirements are reflected in Article 13(2) of the Order.

Part 4, Articles 14 to 16 – Veterinary Medicines

Impact on businesses

198. Around a quarter of respondents submitted that the measures requiring Veterinary Businesses to make Pet Owners aware of their ability to buy medicines elsewhere, particularly the Notice and Flyer, were disproportionate. Respondents said that similar requirements are not imposed in other sectors and that the measures would have adverse effects on smaller Veterinary Businesses in particular.

199. Concerns about our market-opening measures in veterinary medicines were raised early in the investigation. Paragraphs 5.195 to 5.210 in Part B of the Final Report explained why the Group decided these remedies were effective, no more onerous than necessary, the least onerous effective option, and not disproportionate to their aims. As set out in that section and elsewhere in the Final Report, those decisions were reached following extensive engagement with a wide range of stakeholders.

Risk of fraud

200. Some respondents raised fraud concerns, particularly where prescriptions are sent digitally or directly to an online pharmacy. Respondents suggested that Veterinary Businesses and Veterinary Professionals should be able to take proportionate steps to reduce fraud risk, including sending prescriptions directly to the Pet Owner's chosen pharmacy where appropriate.

201. The risk of fraud in relation to Written Prescriptions was another point raised at an early stage of our investigation, and we have been careful to preserve clinical decision-making to safeguard against that risk. For example, Article 15 of the Order and the Explanatory Note reflects paragraphs 5.124 and 5.125 of the Final Report, which state that FOPs may send a prescription directly to the Pet Owner's Authorised Online Retailer. Article 15 also reflects the Group's decision, at paragraph 5.126 of the Final Report, to exclude Controlled Drugs from the requirement to provide a digital version of a Written Prescription. See also the 'Effects of our medicine remedies' section of the Final Report.

Notice and flyer

202. In addition to the points set out in the sections above 'Impact on businesses' and 'Risk of fraud', respondents raised additional points specifically in relation to the Notice and Flyer. Some respondents suggested that the Notice and Flyer were misleading because savings may not always be available online and placed too much emphasis on online purchasing.

203. As set out in the Final Report, it is our assessment that many Pet Owners could make substantial savings when purchasing a prescribed medication from an Online Pharmacy rather than directly from their FOP. We recognise that other retailers are available, but the principal third-party retailers currently available are Online Pharmacies (para 5.52 of our Final Report). We also recognise that savings may not always be available, and the Notice and Flyer reflect that and encourage Pet Owners to conduct their own research to compare prices.

204. Some respondents suggested that the Notice and Flyer were not necessary because Pet Owners are already aware that they can request a Written Prescription and purchase medicines online. However, as set out in paragraph 5.22 of our Final Report, our Pet Owners survey found that 38% of Pet Owners were unaware that they could request a Written Prescription from their Vet to be fulfilled elsewhere. The Group decided that this remedy was required to increase Pet Owner awareness and the Final Report sets out that decision.