

PRIVATE & CONFIDENTIAL

Candidate Brief



Royal College of Veterinary Surgeons

2022 Appointments

RCVS Preliminary Investigation Committee (PIC)
(2 veterinary surgeons, 2 lay members)

RVN Preliminary Investigation Committee (PIC)
(1 veterinary nurse)

RVN Disciplinary Committee (DC)
(1 veterinary nurse)

Charter Case Committee
(2 veterinary surgeons, 2 legal lay members,
2 veterinary nurses)

Y0101

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Welcome from Dr Kate Richards President of the RCVS

Dear Candidate,

The RCVS PIC, RVN PIC and DC are all committees of the RCVS which deal with allegations of professional misconduct against veterinary surgeons and veterinary nurses. As such they are a vital element of regulation and serve to assure the public that those who give veterinary care are properly qualified and fit to practise.

The RCVS will also shortly be introducing a new Committee: The Charter Case Committee. This Committee may issue public or private warnings in cases where the threshold for referral to a Disciplinary Committee (DC/RVN DC) has been crossed, but certain criteria have been met such that the matter may be dealt with in a more proportionate way, provided always that the welfare of animals and the public interest are protected.

We are intending to make a number of appointments this year and I am delighted you are interested in one of these positions. If, having read the brief, you believe you have the requisite skills and knowledge and are committed to the seven principles of public life we would like to hear from you. These are exciting opportunities to support the RCVS in our commitment to excellent standards of veterinary care.

For a confidential conversation with Thewlis Graham Associates who are managing the process, please contact Sarah Thewlis, Managing Director on 0207 850 4781 or email: RCVS@thewlisgraham.com. Sarah will be happy to discuss this opportunity with you and answer any questions you may have.

Yours sincerely

A handwritten signature in black ink that reads "Kate Richards".

Dr Kate Richards
RCVS President

2. About the RCVS and the committees

The RCVS was established in 1844 by Royal Charter to be the governing body of the veterinary profession. Its statutory duties are currently laid out in the Veterinary Surgeons Act 1966. The RCVS safeguards the interests of the public and animals by ensuring that only those registered can carry out acts of veterinary surgery.

The RCVS aims to enhance society through improved animal health and welfare and does so by setting, upholding and advancing the educational, ethical and clinical standards of veterinary surgeons and veterinary nurses.

The RCVS is an organisation of two parts:

A **regulator**, with responsibilities set out in the Veterinary Surgeons Act 1966 and arising via its Supplementary Charter 2015:

- To maintain a Register of Veterinary Surgeons entitled to practice in the UK
- To maintain a Register of Veterinary Nurses entitled to practice in the UK
- To regulate veterinary education and the standards required for inclusion on the Registers
- To regulate professional conduct of both veterinary surgeons and veterinary nurses through Codes of Professional Conduct, investigating concerns and potentially removing names from the Register

A **Royal College**, with powers under the Royal Charter of 1844 and the Supplemental Charter of 2015:

- To award postgraduate qualifications, including Fellowships and Certificates
- To maintain a list of veterinary surgeons who are RCVS Specialists
- To inspect and accredit practices in accordance with the voluntary Practice Standards Scheme
- To support RCVS Knowledge and the development of veterinary science
- To provide a source of information and opinion on relevant veterinary matters.

In addition, we also:

- Register veterinary practice premises where veterinary medicines are stored or supplied, on behalf of the Veterinary Medicines Directorate
- Maintain, a list of approved riding establishment inspectors



On registering all members declare that they “will pursue the work of the profession with integrity, and that their constant endeavor will be to ensure the health and welfare of animals committed to their care”. Our combined role, as regulator and Royal College, is to ensure that veterinary surgeons and veterinary nurses live up to this promise. <http://www.rcvs.org.uk/about-us/royal-charter-and-legislation/>.

RCVS & RVN Committees

The RCVS regulates the educational, professional and ethical standards of all veterinary surgeons and veterinary nurses, regardless of the kind of work they do. A robust investigation and disciplinary mechanism is in place and will be triggered if a veterinary surgeon or nurse falls short of the standards expected by the profession and the public. The statutory functions are set out in the Veterinary Surgeons Act 1966, and Supplemental Royal Charter 2015. Veterinary Nurses follow the same processes as veterinary surgeons as confirmed in the Veterinary Nurse Conduct and Discipline Rules 2014 (see Annex C).

The Act requires the governing Council of the college to establish a Preliminary Investigation Committee (PIC) and a Disciplinary Committee (DC). The task of the PIC/RVN PIC is to investigate any case in which it is alleged that a veterinary surgeon or nurse is liable to be removed from the register of veterinary surgeons and nurses, or suspended from the register for a period, by reason of serious professional misconduct. After investigation, the PIC/RVN PIC decides whether to refer the case to the DC/RVN DC.

If a case is referred, the DC/RVN DC hears the evidence, determines the facts and, amongst other sanctions, has power to direct that the name of the person concerned should be removed from the register or that registration should be suspended for a period of time. The DC/RVN DC also deals with applications for restoration to the register following removal.

The new Charter Case Committee will offer an alternative to a disciplinary hearing in certain cases where specified criteria have been met. This is via a system of public or private warnings. The Protocol governing this new Committee and its Rules are set out respectively in Annexes D and E. It will be made up of three members: one veterinary surgeon or veterinary nurse; one lay member; one other. One member of the Committee must be legally qualified.

Working methods:

On average around 800 concerns about veterinary surgeons are reported to the RCVS each year and considerably lesser numbers for veterinary nurses. Around a fifth of these are investigated by the PIC.

Currently, the PIC delegates an initial investigation process to Case Examiner Groups. This process is, however, due to change shortly such that Case Examiner

Groups will cease to exist, and a system of Stage 1 and Stage 2 PICs will be introduced.

Stage1 PICs will be made up of three members (to include at least one veterinary surgeon or veterinary nurse; and one lay member; and one other) who are assisted by a Case Manager from the Professional Conduct Department. Stage 1 PICs consider concerns based on documentary evidence (including information submitted by the complainant and the respondent veterinary surgeon/nurse). If the Stage 1 PIC considers that there is no realistic prospect of establishing serious professional misconduct it may close a case with or without issuing advice. If it considers that further information is required by way of expert reports and/or formal witness statements before a decision can be made, it will refer matters to the Stage 2 PIC for its consideration.

The Stage 2 PIC is generally made up of five members and will meet every two weeks (less frequently in the case of RVN PIC - see below). It will decide whether to refer the case on to the DC and in certain circumstances may refer a case to the Charter Case Committee. Further details about the procedure are set out in Annex F.

Workload and time commitment:

The PIC

The Stage 2 PIC meets twice every month, and each member is required to attend around 10 meetings per year (up to one a month). One days' preparation/reading time is available per meeting. It is intended that meetings will be a mixture of on-line video conferencing and face-to-face meetings (though this remains under review). During the pandemic, meetings have been by video conferencing, following government guidelines.

In addition, each member will also be part of one of the four Stage 1 PICs. The majority of input will be in writing to an individual case action/investigation plan. Time commitment for this is likely to be between a half, and a full day, per week but can vary depending on the volume of concerns at any given time. There is some flexibility for individual members in how they approach this as this is a remote process. However, it is expected that case responses will be submitted within a week; with follow up issues generally responded to within 48 hours.



Before making a decision on a case there will be a Stage 1 PIC decision meeting held by video conferencing. These meetings will be scheduled every two weeks and may be short depending on case numbers, but it is expected that most of the decision-making process will have been carried out previously on line, so each should not last more than a couple of hours.

Taking all into account and including reading time, the time commitment estimated is five-six days per month per member.

The RVN PIC

The Stage 2 RVN PIC meets between six and eight times a year. Meetings are generally short, up to half a day, and are generally held remotely by video conferencing, though there will be occasional face to face meetings. Half a day's reading time is available per meeting. As above, a member will also be part of a Stage 1 RVN PIC with the same process of remote written input to each case and decision meetings. Given the much lower volume of RVN cases it is anticipated that overall time commitment including decision meetings will be in the region of half a day per month.

The RVN DC

The RVN DC has a quasi-judicial role and procedure. The case is generally heard in public. The respondent veterinary nurse appears before the panel, will sometimes be legally represented and is subject to cross-examination; oral evidence is normally heard from witnesses; a legal assessor advises on points of law; and the committee retires to consider its findings and decisions in private.

Numbers of cases referred to the RVN DC vary; but are generally in the region of two or three per year. Hearings are usually listed for between two and five days, but very occasionally longer listings are necessary. Listings are set some time in advance and individual members canvassed regarding their availability. There is an allowance of between half a day and a full day for reading time per case. Cases are generally held in person in central London, though some may be held remotely via video conferencing and/or in other locations. This will be notified to members at the same time as canvassing availability.

The Charter Case Committee

As a new Committee, it is difficult to accurately predict a time commitment. It is estimated that around 20 cases will be referred through this process every year, but this may vary. Based on this estimation, it is anticipated that individual members might expect to spend half to one day a month, with the majority of decisions reached in writing and/or via video conferencing meetings. Please note the Charter Case Committee is a working title and may change.

3. Person Specification

It is proposed to make the following appointments with effect from July 2022:

RCVS PIC: 2 veterinary surgeons and 2 lay members

RVN PIC: 1 veterinary nurse

RVN DC: 1 veterinary nurse

Charter Case Committee: 2 veterinary surgeons, 2 legally qualified lay members and 2 veterinary nurses

NB: **legally qualified** for members of the Charter Case Committee means a solicitor, barrister, Scottish advocate, or member of the Northern Irish Bar.

The normal term of office will be four years, with a maximum of two terms (any extension of term will be at the discretion of the RCVS)

Veterinary surgeons and veterinary nurses must be currently registered, and in active practice.

All committee members must:

- be committed to the seven principles of public life (see Annex A);
- understand the importance of maintaining public confidence in the regulation of the veterinary profession;
- (for lay members only) have a general understanding and genuine interest in the work of the veterinary profession and animal health and welfare;
- be able to grasp detail and contribute to objective decision-making by exercising sound judgment;
- be able to establish and maintain excellent working relationships with a changing group of colleagues from a range of backgrounds and experiences;
- have good oral and written communication skills;
- have a reliable internet connection; and
- be able to manage time effectively.

Appointments will be made on the basis of merit. In choosing between candidates of equal merit, regard may also be had to the desirability of committee members having a range of collective experience.

4. Conflicts of interest

Committee members will be required to declare any general conflict of interest of any relevant business interests, positions of authority or other connections with organisations relevant to the business of the Royal College of Veterinary Surgeons and any conflict of interest that arises in the course of committee business.

Candidates who hold office in, or are employed by, organisations which represent the interests of the veterinary profession, or provide indemnity insurance for veterinary surgeons, may also be required to withdraw from such offices or employment if offered appointment to one of the committees. Any such office or employment should be declared at the outset. Candidates should also be aware that, if appointed to any of the committees, they would be expected to refrain from becoming involved in their private capacity in investigating or acting as expert witnesses in relation to any matter that might potentially come before one of the committees.

A former member of the PIC will only be considered for appointment to DC after a break of three years.

5. Fitness to be a member of one of the committees

Members of the RCVS PIC and Charter Case Committee's plus the RVN PIC and DC Committee's hold office subject to satisfying certain conditions. Factors which will affect an applicant's suitability include, but are not limited to:

- criminal convictions or outstanding criminal charges;
- a finding of impaired fitness to practise by any regulatory body;
- disqualification from a profession or as a company director;
- bankruptcy;
- having an unspent conviction for a money laundering, bribery or terrorism-related offence, among others;
- having ever been found to be in contempt of court;
- having ever been removed as an officer or employee of a charity for misconduct or mismanagement;
- being subject to notification requirements under sexual offences legislation (i.e., they are on the sex offenders register); or
- being a "designated person" under anti-terrorist legislation.

The full conditions which apply to service as a member of the PIC, DC or CCC will be set out in the RCVS, RVN and Charter Case Protocol, the relevant provisions of which are in Annex B and Annex G below. Applicants must disclose full details if any of the matters mentioned in the protocol applies to them.

Veterinary surgeons who seek appointment should be aware that if they are selected for interview, information held by the RCVS on any past complaints against them which have been referred to the PIC or DC, or any current complaints, will be disclosed to the Selection Committee. Any information disclosed in this way will be copied to the candidate in question.

6. Terms and conditions of office

Payments

- Committee members will be office holders, not employed by the RCVS. They will be entitled to a financial loss allowance based on the number of days or half days spent on College business.
- The limits for reimbursement of financial loss and travelling expenses are set by the RCVS Council.

Loss of Earnings

- Committee members are eligible to claim loss of earnings of (currently) £325 per day.
- Members of the DC may receive a compensatory loss of earnings payment if a hearing is cancelled at short notice.

Allowances

- Committee members are eligible to claim reimbursement of overnight subsistence of up to £245 per night and economy rail or air fare or motor mileage.
- There is no stationery/computer consumables allowance.

Taxation

- For those in full or part-time employment, or those not in employment, the RCVS will deduct at tax at source as though the individual was on the RCVS payroll.
- Those who are self-employed, and have a consultancy, would be paid in full on an invoice from the consultancy, on the assumption that they pay any tax due themselves.

All committee members will be required to comply with arrangements for appraisal for their performance plus attend two-day annual training (post appointment) and any necessary ad hoc training. There will be additional one-day training for Chairs and Vice-Chairs.



7. Timeline, Application Process and How to apply

Timeline - 2022

Dates	Activity
24 February	Applications close
w/c 21 March	Thewlis Graham consultant interviewing of interested candidates – via video call
w/c 21 April	Independent Selection panel interviews – via video call
29 April	Candidates informed of outcome

(Please note these dates may change)

Application Process

Members will be appointed to serve on **one** specific committee. Applicants should indicate whether they wish to be considered for appointment to more than one committee and to specify which committees.

Thewlis Graham Associates will acknowledge all applications. These will be assessed against the criteria in the Person Specification section and the people who best meet these will be invited for interview with Thewlis Graham Associates. These will be held via video interview in light of the ongoing pandemic.

Those candidates not invited to interview will be advised by email.

Longlisted candidates will also be advised by email. After a consultation between the Independent Selection Panel and Thewlis Graham Associates, a shortlist will be drawn up and shortlisted candidates invited for interview by the Independent Selection Panel. All candidates will be informed of the outcome following this date.

Please ensure that you include your mobile phone number and email address in your application. Do not hesitate to contact Thewlis Graham Associates on: RCVS@ThewlisGraham.com if you have any queries or wish to arrange a confidential conversation with Sarah Thewlis.

How to Apply

To apply for any of these roles, please click on the editable relevant application form below. You then need to click on the editable social media and reference document too. **We require all documents to be in word format only please.**

Please email to RCVS@thewlisgraham.com the following documents. Please note that we will only consider full applications which consists of all the following:

1. **Completed application form (link below).**
2. **Completed professional references and social media form (link below).** The reference part of this asks for the name, job title, organisation, email address and mobile number of two professional referees. (Please note that referees will not be approached without your prior permission).
3. **CV in word format**
4. **Personal summary/cover letter** in word format, which fully addresses the criteria listed in the Person Specification section and outlines your interest in the role and the RCVS. Maximum 2 pages only please.
5. **Diversity and Inclusion Monitoring form – online survey to be completed**

Document links – please click on these to take you to the editable documents, please supply back in word only.

Application form – relevant to which member role you are applying for.

Y0101VET – application form link

Y0101RVN – application form link

Y0101LAY – application form link

Y0101LAYLEGAL – application form link

Professional references and social media form:

Y0101 professional references and social media (link)

Diversity and Inclusion Monitoring

Please click on the relevant link to complete the diversity and inclusion monitoring survey. You only need to do this once.

Y0101VET – [link here](#)

Y0101RVN – [link here](#)

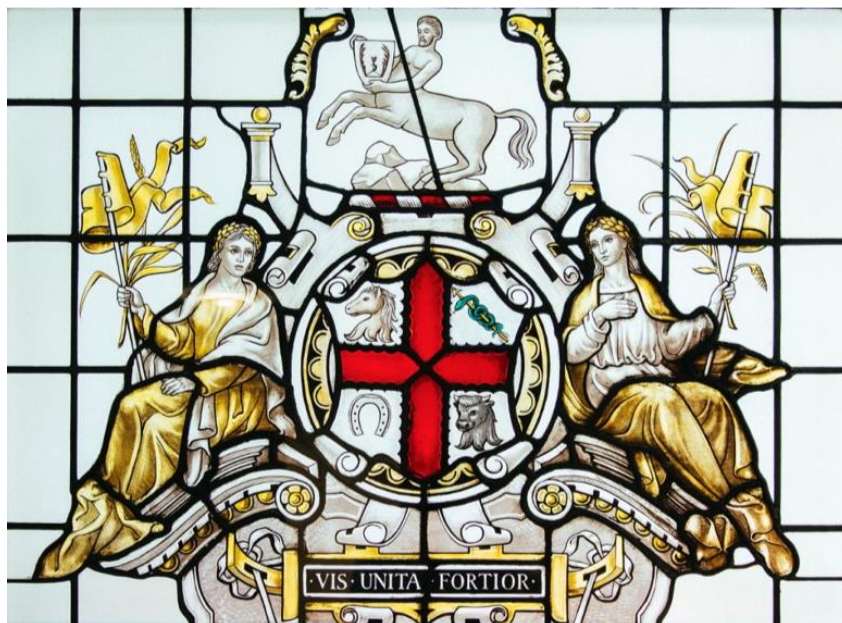
Y0101LAY – [link here](#)

Y0101LAYLEGAL – [link here](#)

This is independent of the recruitment process but please do send a completed form with your application as Thewlis Graham Associates is committed to monitoring and analysing diversity information so that we can ensure that our processes are fair, transparent, promote equality of opportunity for all, and do not have an adverse impact on any particular group.

Any information provided on this form will be treated as strictly confidential and will be used for statistical purposes only. It will not be seen by anybody directly involved in the selection process. No information will be published or used in any way which allows any individual to be identified.

Thank you



8. Advert

Preliminary Investigation Committee (PIC), RVN Disciplinary Committees (PIC and DC) and Charter Case Committee* Vacancies

Veterinary Surgeon, Registered Veterinary Nurse and Lay Member Vacancies

The RCVS was established in 1844 by Royal Charter to be the governing body of the veterinary profession with the purpose of safeguarding the interests of the public and animals by ensuring that only those registered with the RCVS practise veterinary surgery. The RCVS aims to enhance society through improved animal health and welfare and does so by setting, upholding, and advancing the educational, ethical, and clinical standards of veterinary surgeons and veterinary nurses.

One of the functions of the RCVS is to have in place a robust investigation and disciplinary mechanism if there are concerns that the work of a veterinary surgeon or veterinary nurse falls short of the standards expected by the profession and the public. The statutory functions are set out in the Veterinary Surgeons Act 1966, and Supplemental Royal Charter 2015. This is done through two statutory committees: the Preliminary Investigation Committee (PIC) and the Disciplinary Committee (DC) and their counterparts for RVNs: the RVN PIC and RVN DC.

The task of a PIC is to investigate any case in which it is alleged that a veterinary surgeon/RVN is liable to be removed from the register of veterinary surgeons/RVNs or suspended from the register for a period, by reason of serious professional misconduct. After investigation, the PIC decides whether to refer the case to a DC. If a case is referred, the DC hears the evidence, determines the facts and, amongst other sanctions, has power to direct that the name of the person concerned should be removed from the register or that registration should be suspended for a period of time. The DC also deals with applications for restoration to the register following removal.

A new Committee: The Charter Case Committee, is now being established under the RCVS Charter powers. This Committee may issue public or private warnings in cases where the threshold for referral to a DC has been crossed, but certain criteria have been met such that the matter may be dealt with in a more proportionate way, provided always that the welfare of animals and the public interest are protected.

*Please note Charter Case is a working title and the name of the Committee may change.

The RCVS are looking to appoint two veterinary surgeons and two lay members onto the Preliminary Investigation Committee (PIC), one Registered veterinary nurse onto the RVN Preliminary Investigation Committee (PIC), one Registered veterinary nurse onto the RVN Disciplinary Committee (DC), and two veterinary surgeons, two legally qualified lay members and two Registered veterinary nurses onto the Charter Case Committee.

NB: legally qualified for members of the Charter Case Committee means a solicitor, barrister, Scottish advocate, or member of the Northern Irish Bar.

All committee members must:

- be committed to the seven principles of public life;
- understand the importance of maintaining public confidence in the regulation of the veterinary professions;
- (for lay members) have a general understanding and genuine interest in the work of the veterinary professions and animal health and welfare;
- be able to grasp detail and contribute to objective decision-making by exercising sound judgement;
- be able to establish and maintain excellent working relationships with a changing group of colleagues from a range of backgrounds and experiences;
- have good oral and written communication skills; and
- be able to manage time effectively.

Remuneration: Currently loss of earnings is set at £325 per day. Expenses will be covered for these roles.

Closing date: 24 February 22

Interviews: Thewlis Graham Associates will interview candidates w/c 21 March 22 by video call. The RCVS Independent Selection Panel will interview shortlisted candidates w/c 21 April 22.

For further information and details of how to apply please visit our microsite:

www.thewlisgraham.com/assignment-briefings.

Having read all the application documentation on our website, should you require a confidential telephone conversation prior to your application, please contact Thewlis Graham Associates on: RCVS@ThewlisGraham.com

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Annex A)

The seven principles of public life

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Annex B)

Extract from the Royal College of Veterinary Surgeons Preliminary Investigation Committee and Disciplinary Committee Protocol 2022

Conditions about fitness to be a member of a statutory committee

Members of the committees shall hold office subject to satisfying the following conditions:

- a. they must at no time have been convicted of an offence involving dishonesty or deception in the United Kingdom, or in relation to the welfare of animals, or where the final outcome of the proceedings was a sentence of imprisonment or detention, the conviction not being a spent conviction;
- b. they must at no time have been removed from the office of charity trustee or trustee for a charity by reason of any misconduct or mismanagement in the administration of the charity for which the person was responsible or to which the person was privy, or which the person contributed to or facilitated by their conduct;
- c. they must at no time have been removed from office as the chair, member, convenor or director of any public body on the grounds that it was not in the interests of, or conducive to the good management of, that body that the person should continue to hold that office;
- d. they must at no time have been adjudged bankrupt or had sequestration of their estate awarded, the person not having been discharged;
- e. they must not be the subject of a bankruptcy restrictions order or an interim bankruptcy restriction order;
- f. they must at no time have made a composition or arrangement with, or granted a trust deed for, their creditors, not having been discharged in respect of it;
- g. they must not be disqualified from being a company director;
- h. they must not be included in a barred list under statutory provisions for the safeguarding of vulnerable groups;
- i. they must at no time have been subject to any investigation or proceedings concerning fitness to practise by any licensing body, if the final outcome of the investigation or proceedings was suspension from a register held by the licensing body (that suspension not having been terminated), or erasure from such a register, or a decision that had the effect of preventing practice of the

profession licensed or regulated by the licensing body, or only allowing practice subject to conditions which were not lifted;

- j. they must at no time have had their name removed from the register of veterinary surgeons under Section 16 of the Veterinary Surgeons Act 1966;
- k. they must not have been the subject of a direction under Section 16 of the Veterinary Surgeons Act 1966 for their registration to be suspended, if that suspension remains in operation;
- l. they must not be, or have been, subject to any investigation or proceedings concerning fitness to practise by any licensing body or by the Council, or at any time convicted of an offence elsewhere than in the United Kingdom, if the Council is satisfied that their membership of the committee would in view of that investigation or those proceedings or that conviction be liable to undermine public confidence in the regulation of the veterinary profession;
- m. their attendance at meetings of the committee must not have fallen below a minimum level of attendance acceptable to the Council;
- n. they must undertake any education or training required by the Council and comply with any arrangements as to appraisal of their performance as committee members which the Council may require;
- o. they must not be unable to perform their duties as committee members because of adverse physical or mental health.

The Council may remove from office any member of a statutory committee if satisfied that they do not comply with one or more of the conditions mentioned above, or that their membership of the committee would for any other reason be liable to undermine public confidence in the regulation of the veterinary profession.

Before removing from office a member of a statutory committee, the Council will set up a panel to advise it on the matter and will have regard to the advice of that panel. The panel will not include members of the Council.

Annex C)

RVN Conduct and DC rules

Made by the Council of the Royal College of Veterinary Surgeons on 6 November 2014, to come into force on the date when the Supplemental Royal Charter of 2014 comes into operation

Investigation of complaints

- There shall be a Veterinary Nurse Preliminary Investigation Committee which shall carry out a preliminary investigation into every disciplinary case and decide whether the case should be referred to the Veterinary Nurse Disciplinary Committee.
- The Veterinary Nurse Preliminary Investigation Committee shall be appointed by the Veterinary Nurses' Council. The Committee shall not include members of the Preliminary Investigation Committee, the Disciplinary Committee, or the Veterinary Nurse Disciplinary Committee.
- The quorum of the Veterinary Nurse Preliminary Investigation Committee shall be three, to include: a lay member, a registered veterinary nurse and a veterinary surgeon; or: a lay member and two registered veterinary nurses.
- The Veterinary Nurse Preliminary Investigation Committee shall adopt, with any necessary modifications, the practices and procedures of the Preliminary Investigation Committee. Adjudication of complaints
- There shall be a Veterinary Nurse Disciplinary Committee which shall adjudicate any disciplinary case referred to it and any application for restoration following removal or suspension at the direction of the Committee.
- The Veterinary Nurse Disciplinary Committee shall be appointed by the Veterinary Nurses' Council. The Committee shall be chaired by a lay person.
- The Committee shall not include members of the RCVS Council, the Veterinary Nurses' Council, the Preliminary Investigation Committee, or the Veterinary Nurse Preliminary Investigation Committee.
- The quorum of the Veterinary Nurse Disciplinary Committee shall be three, to include a registered veterinary nurse, a veterinary surgeon and a lay person.

Further information regarding removal of names from register for crime or disgraceful conduct, appeals and restoration to the register can be found here

<https://www.rcvs.org.uk/document-library/veterinary-nurse-conduct-and-discipline-rules-2014/>

Annex D)

Charter Case Protocol

Introduction

1. The Supplementary Royal Charter 2015 (the Charter), requires the RCVS to set, uphold and advance veterinary standards, and to promote, encourage and advance the study and practice of the art and science of veterinary surgery and medicine, in the interests of the health and welfare of animals and in the wider public interest. The Charter also broadens the functions of the RCVS, allowing for a more flexible approach when dealing with some concerns relating to professional conduct.
2. The RCVS recognises that, in some cases, the public interest can be served without the need for a Disciplinary Committee (DC) hearing even where there is a realistic prospect that the DC would find the veterinary surgeon or veterinary nurse guilty of serious professional misconduct (known as ‘the realistic prospect test’). This protocol allows for those cases to be dealt with in an alternative and more proportionate way, whilst still protecting the public interest.
3. Using its powers under the Charter, the RCVS has established a committee to deal with such cases. This committee is known as the Charter Case Committee (CCC).

Referral to the CCC

4. The Preliminary Investigation Committee (PIC) or Veterinary Nurses Preliminary Investigation Committee (VN PIC) may refer cases to the CCC where it is satisfied that the realistic prospect test has been met but where the public interest can be served by one of the outcomes set out at paragraph 7 of this protocol and without referral to DC for a hearing. When deciding whether to refer a case to the CCC, the PIC or VN PIC will consider all relevant factors, which may include the following:
 - a. the seriousness of any allegations;
 - b. any admissions that have been made;
 - c. the level of insight demonstrated;
 - d. the complainant’s view;
 - e. any relevant mitigation;
 - f. the previous history of the veterinary surgeon or veterinary nurse;

- g. whether there is any risk to animal welfare or the wider public interest in dealing with the matter in the way proposed;
 - h. the risk of repetition and steps taken to address the concerns raised;
 - i. the time that has elapsed since the alleged incident/s.
5. The PIC or VN PIC may refer suitable cases to the CCC where a veterinary surgeon or Registered Veterinary Nurse (RVN) disputes the allegations made, provided that the matters disputed do not require resolution by DC.
6. Consent from the veterinary surgeon or RVN is not required to refer a case to the CCC, however consent will be sought and obtained where possible.

Powers of the CCC

7. The CCC may:
- a. issue a public warning, to be published on the RCVS website/in the RCVS register for specified period;
 - b. issue a confidential warning; or
 - c. refer cases back to the PIC or VN PIC.
8. The CCC may only refer cases back to the PIC or VN PIC where:
- a. the CCC does not agree that the case is suitable to be dealt with under this protocol; or
 - b. new information is provided that renders the case unsuitable to be dealt with under this protocol.
9. When deciding which of the above outcomes is most suitable in a particular case, the CCC will consider all relevant factors, which may include those set out at paragraph 4.

CCC process

10. When a case is referred by the PIC or VN PIC, and the CCC agrees that it is suitable to be dealt with under this protocol, the CCC will notify the veterinary surgeon or RVN that the case has been referred and considered. This notification will include:
- a. details of the proposed warning (see paragraph 18), where appropriate;
 - b. whether the CCC intends to publish a warning and if so, for how long.

11. The CCC will also invite the veterinary surgeon or RVN to consent to the proposed outcome, or to make representations if they believe a different outcome is more appropriate. If the veterinary surgeon or veterinary nurse agrees to the proposed course of action, they will be invited to confirm this in writing.
12. Once the veterinary surgeon or RVN has responded to the notification and the CCC is satisfied it has sufficient information, a final decision will be issued. If no consent is given, or no response is received within a period to be determined by the CCC, the CCC may still deal with the case in the way proposed and will give reasons for this as part of its final decision.
13. Warnings will be published seven days after the final decision has been issued, i.e., sent to the veterinary surgeon or RVN. The RCVS will not publish:
 - a. any confidential information, including that relating to clients or health conditions;
 - b. information that may prejudice other legal proceedings or legal, regulatory or disciplinary investigations;
 - c. information which directly relates to the private and family life of the veterinary surgeon or RVN concerned;
 - d. references to identifiable third parties.
14. If the veterinary surgeon or RVN does not engage with the CCC, the CCC may still proceed as proposed, however it must be satisfied that reasonable attempts have been made to ensure that the practitioner is aware of the proposed course of action.
15. The CCC is not bound by its proposal until the final decision has been issued. If the CCC is provided with further information that means the case is no longer suitable to be dealt with under this protocol, it may refer the matter back to the PIC or VN PIC for consideration.

Warnings

16. Warnings state that an aspect of a practitioner's past practice or conduct was unacceptable and that this should not be repeated. Their purpose is to maintain professional standards and help prevent future breaches of the Code of Professional Conduct ('the Code') by the individual concerned, and in the case of public warnings, all professionals regulated by the RCVS.
17. Warnings may be confidential or public, meaning they are published on the RCVS [website/register]. By publishing warnings in suitable cases, the RCVS

can restate publicly what the Code requires in particular situations, which helps to promote and maintain professional standards.

18. Warnings issued by the CCC will set out:

- a. the area of concern;
- b. the relevant code provisions and supporting guidance;
- c. the reasons for issuing the warning or advice.

19. A warning will remain on the RCVS [website/register] for a maximum of two years, however the exact length of time in each case will be a matter for the CCC and depend upon the facts of that case.

20. Warnings will remain on an individual's file for a period of five years, after which time they will be removed.

Status of warnings

21. Warnings issued by the CCC will not affect a veterinary surgeon's or RVN's registration status. However, veterinary surgeons and RVNs should bear in mind that they may need to declare such warnings to employers, insurance bodies and other organisations. Details of a warning may also be provided to relevant bodies by the RCVS (e.g., employers or overseas regulatory bodies) where appropriate and in the public interest.

22. If concerns are raised about an individual who has been subject to a warning in the past, the PIC, VN PIC, DC, VN DC or CCC may take that warning into account unless the advice or warning was issued more than five years ago and no longer appears on the file.

Reviews

23. Decisions by the CCC will only be eligible for review where:

- a. the decision may be materially flawed, or
- b. there is new information which may have led to a different decision.

24. In addition, the Registrar must be satisfied that such a review is in the public interest or is necessary to prevent injustice to the veterinary surgeon or RVN. Further, cases where the veterinary surgeon or RVN has consented to the warning will not be eligible for review.

25. Where the above criteria are met, reviews will be carried out by a differently constituted CCC, and any public record will be amended to show that the decision is under review.

Annex E)

Charter Case Rules

Made by the Council of the Royal College of Veterinary Surgeons to come into force in 2022

Citation

1. These rules may be cited as the Royal College of Veterinary Surgeons Charter Case Rules 2021.

Interpretation

2. In these rules: -

- “Act” means the Veterinary Surgeons Act 1966;
- “Charter” means the Supplementary Royal Charter 2015;
- “Charter Case Protocol” means the College’s protocol for dealing with cases in accordance with these Rules
- “Council” means the Council of the RCVS mentioned in section 1 of the Act;
- "Disciplinary Committee" means the Disciplinary Committee mentioned in section 15 of the Act;
- "Lay person" means a person who is not and never has been a registered veterinary surgeon or a registered or listed veterinary nurse, and is not and never has been entitled to apply to be so registered or listed;
- “Legally qualified” means a solicitor, barrister, Scottish advocate or member of the Northern Irish Bar;
- "Preliminary Investigation Committee" means the Preliminary Investigation Committee set up under section 15 of the Act;
- “Veterinary Nurses’ Council” means the Veterinary Nurses’ Council mentioned in article 13 of the Charter;
- “Veterinary Nurse Disciplinary Committee” means the Veterinary Nurse Disciplinary Committee mentioned in the Royal College of Veterinary Surgeons Veterinary Nurse Conduct and Discipline Rules 2014;

- “Veterinary Nurse Preliminary Investigation Committee” means the Veterinary Nurse Preliminary Investigation Committee mentioned in the Royal College of Veterinary Surgeons Veterinary Nurse Conduct and Discipline Rules 2014;

The Charter Case Committee

3. There shall be a Charter Case Committee which shall determine cases referred to it by the Preliminary Investigation Committee or the Veterinary Nurse Preliminary Investigation Committee, or by other means, in line with the Charter Case Protocol.
4. The quorum for decisions of the Charter Case Committee shall be three, to include:
 - a lay member and a veterinary surgeon and one other; or
 - a lay member and a veterinary nurse and one other.
5. One member of the Committee shall be legally qualified, and this member shall have responsibility for drafting the decisions of the Committee.
6. The Committee shall be chaired by a lay person.

Appointment of members

7. The Council will set up a committee (hereafter referred to as “the selection committee”) to advise it on the appointment of members of the Charter Case Committee. Before appointing members of the Charter Case Committee, Council will have regard to the advice of the selection committee.
8. The selection committee will not include members of the Council or the Veterinary Nurses Council.
9. The following are ineligible for membership of the Charter Case Committee:
 - members of Council or the Veterinary Nurses’ Council;
 - current or previous members of the Preliminary Investigation Committee or Veterinary Nurses Preliminary Investigation Committee (unless three years has lapsed since their membership ended);
 - current members of the Disciplinary Committee or Veterinary Nurses Disciplinary Committee.

Term of office

10. Appointed members of the Charter Case Committee will hold office for four years or such shorter terms as the Council may determine in a particular case.

Conditions about fitness to be a member of the Charter Case Committee

11. Members of the committees will hold office subject to satisfying the following conditions:

- a. they must at no time have been convicted of an offence involving dishonesty or deception in the United Kingdom, or in relation to the welfare of animals, or where the final outcome of the proceedings was a sentence of imprisonment or detention, the conviction not being a spent conviction;
- b. they must at no time have been removed from the office of charity trustee or trustee for a charity by reason of any misconduct or mismanagement in the administration of the charity for which the person was responsible or to which the person was privy, or which the person contributed to or facilitated by their conduct;
- c. they must at no time have been removed from office as the chair, member, convenor or director of any public body on the grounds that it was not in the interests of, or conducive to the good management of, that body that the person should continue to hold that office;
- d. they must at no time have been adjudged bankrupt or had sequestration of their estate awarded, the person not having been discharged;
- e. they must not be the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order;
- f. they must at no time have made a composition or arrangement with, or granted a trust deed for, their creditors, not having been discharged in respect of it;
- g. they must not be disqualified from being a company director;
- h. they must not be included in a barred list under statutory provisions for the safeguarding of vulnerable groups;
- i. they must at no time have been subject to any investigation or proceedings concerning fitness to practise by any licensing body, if the final outcome of the investigation or proceedings was suspension from a register held by the licensing body (that suspension not having been terminated), or erasure from such a register, or a decision that had the effect of preventing practice of the profession licensed or regulated by the licensing body, or only allowing practice subject to conditions which were not lifted;
- j. they must at no time have had their name removed from the register of veterinary surgeons under section 16 of the Veterinary Surgeons Act 1966 or

the register of veterinary nurses under paragraph 11 of the Royal College of Veterinary Surgeons Veterinary Nurse Conduct and Discipline Rules 2014;

- k. they must not have been the subject of a direction under section 16 of the Veterinary Surgeons Act 1966 or the register of veterinary nurses under paragraph 11 of the Royal College of Veterinary Surgeons Veterinary Nurse Conduct and Discipline Rules 2014 for their registration to be suspended, if that suspension remains in operation;
 - l. they must not have been subject to an adverse finding by any licensing body or regulator as regards their fitness to practise;
 - m. they must not be, or have been, subject to any investigation or proceedings concerning fitness to practise by any licensing body or by the Council, or at any time convicted of an offence elsewhere than in the United Kingdom, if the Council is satisfied that their membership of the committee would in view of that investigation or those proceedings or that conviction be liable to undermine public confidence in the regulation of the veterinary profession;
 - n. they must undertake any education or training required by the Council and comply with any arrangements as to appraisal of their performance as committee members which the Council may require;
 - o. they must not be unable to perform their duties as committee members because of adverse physical or mental health.
12. The Council may remove from office any member of the Charter Case Committee if satisfied that they do not comply with one or more of the conditions mentioned above, or that their membership of the committee would for any other reason be liable to undermine public confidence in the regulation of the veterinary profession.
13. Before removing a member of the Charter Case Committee from office, the Council will set up a panel to advise it on the matter and will have regard to the advice of that panel. The panel will not include members of the Council.

Powers of the Charter Case Committee

14. In line with the Charter Case Protocol, the Charter Case Committee may:

- Issue a warning to a veterinary surgeon or Registered Veterinary Nurse, to be published on the RCVS website for a period of time specified by the Committee, or
- Issue a confidential warning to a veterinary surgeon or Registered Veterinary Nurse, or
- Refer cases back to the Preliminary Investigation Committee or the Veterinary Nurse Preliminary Investigation Committee.

Decisions

15. The CCC may make decisions at a meeting, by reviewing the documents or by other means.

16. Decisions of the CCC shall be by majority.