

Candidate Brief



Royal College of Veterinary Surgeons

Registered Veterinary Nurses Preliminary

Investigation Committee (RVN PIC)

(2 registered veterinary nurses for 2023 and 1 for 2024)

Charter Case Committee

(2 registered veterinary nurses for 2023)

Reserve Committee Member

(1 reserve for either committee)

October 2022

Managing Director

Sarah Thewlis

sat@thewlisgraham.com

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Welcome from Dr Melissa Donald President of the RCVS

Dear Candidate,

The RCVS PIC, RVN PIC, DC and RVN 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/RVNDC) 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 applications@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 "Melissa Donald". The signature is written in a cursive, flowing style.

Dr Melissa Donald
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 endeavour 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 has 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 600 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. With effect from early October 2022 however, this process is due to change such that Case Examiner Groups will cease to exist, and a system of Stage 1 and Stage 2 PICs will be introduced.

Stage 1 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 on the basis of 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 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. A member of the stage 2 PIC will also be part of a stage 1 RVN PIC. Input on this is generally in writing on line via an individual case action plan. There is some flexibility in how members respond but it is expected that case responses will be actioned within a maximum of 7 days; with follow up responses within 48 hours. Before making a decision there will be a stage 1 RVN PIC decision meeting. These meetings will be scheduled as required, but plenty of notice will be given. The Stage 1 RVN PIC meetings will take place remotely and are expected to generally be very short (as the majority of the discussion will have taken place in writing). Given the volume of RVN cases, these decision meetings may be relatively infrequent and arranged on an ad hoc basis. 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 to five per year. Hearings are usually listed for between two and five days, but very occasionally longer listings are necessary. Cases are generally held in person in central London, though some may be held remotely via video conferencing and/or in other locations.

The Charter Case Committee

As a new Committee, it is very difficult to accurately predict a time commitment. It is estimated that around 5 RVN 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 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:

RVN PIC: 2 veterinary nurses, with effect from July 2023 and 1 veterinary nurse for 2024.

Charter Case Committee: 2 veterinary nurses, with effect from January 2023.

RVN PIC or CCC: 1 reserve veterinary nurse for either committee.

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 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;
- 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.
- have five years minimum experience in veterinary nurse practice.

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

Candidates applying 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 or work for the RCVS e.g., acting as an expert witness, being a member of the RCVS Council.

External to the RCVS Candidates who hold office in, or are employed by, organisations which represent the interests of the veterinary profession e.g., the BVA, BNVA, the BSAVA 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.

Please contact Thewlis Graham Associates at RCVS@thewlisgraham.com about any conflict of interest that you would like to discuss further.

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

Members of the RVN PIC, and Charter Case Committee 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 or Charter Case Committee will be set out in RVN and Charter Case Protocol, the relevant provisions of which are in Annex B and Annex E below. Applicants must disclose full details if any of the matters mentioned in the protocol applies to them.

Veterinary nurses 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.

Allowances

- In the event of face to face meetings 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 at least 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

Dates	Activity
4 November 4pm	Applications close
w/c 5 December	Thewlis Graham consultants interviewing of interested candidates - online
w/c 9 January 2023	Independent Panel interviewing of candidates - online

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 online.

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 online. 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 Claire Drummond on 020 7850 4781 if you have any queries.

How to Apply

To apply for any of these roles, please read the instructions in full below, you will need to click on the editable application form and social media and reference document form links (you will find all of the links on the microsite). There is also an online diversity and inclusion monitoring form.

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 on microsite).**
2. **Completed professional references and social media form (link on microsite).**
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 – you will find these on the microsite.

Application form:

AA0902 – application form link – you will find this on the microsite

Professional references and social media form:

AA0902 professional references and social media link – you will find this on the microsite

Diversity and Inclusion Monitoring

Diversity and Inclusion Monitoring is independent of the recruitment process but please do complete your completed form as Thewlis Graham Associates is committed to monitoring and analysing diversity and inclusion 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.

Please click [here](#) to complete this survey:

If you have any problems with this, please contact Tracey on: tct@thewlisgraham.com.

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.

8. Advert

Registered Veterinary Nurses Preliminary Investigation Committee (PIC), and Charter Case Committee* Vacancies

Registered Veterinary Nurse and Reserve 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 RVN falls short of the standards expected by the profession and the public. This is done principally through two committees established under the RCVS Charter: the RVN Preliminary Investigation Committee (RVN PIC) and the RVN Disciplinary Committee (DC).

The task of a PIC is to investigate any case in which it is alleged that a RVN is liable to be removed from the register of 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. DC also deals with applications for restoration to the register following removal.

A new Committee, the Charter Case committee (CCC), is now being established also 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

The RCVS are looking to appoint 6 committee members:

- 2 RVNs for the Charter Case committee plus 1 reserve RVN
- 2 RVN for RVN PIC (one for appointment in 2023 and one deferred appointment for 2024) plus 1 reserve RVN

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;
- 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; and
- Be able to manage time effectively.
- Have five years minimum experience in veterinary nurse practice.

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

Closing date: 4 November 4pm

Interviews: Thewlis Graham Associates will interview candidate's w/c 5 December by video call. The RCVS Independent Selection Panel will interview shortlisted candidate's w/c 9 January 2023.

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

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

T: +44 (0) 20 7850 4781 E: enquiries@thewlisgraham.com
Thewlis Graham Associates, 16 St. Martin's Le Grand, London EC1A 4EN

www.thewlisgraham.com

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Registered office: 16 St. Martin's Le Grand, London EC1A 4EN

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

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 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 nurses or 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 committee appointed under the Charter 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 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 Committee Rules

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

Citation

- I. 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
 - “Council” means the Council of the RCVS set up in XXX 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 or barrister
 - "Preliminary Investigation Committee" means the Preliminary Investigation Committee set up under section 15 of the Act

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 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. [The lay members shall be legally qualified.]
6. The Committee shall be chaired by a lay person.

Appointment of members

7. The Council will set up a committee (here referred to as “the selection committee”) to advise it on the appointment of members of the Charter Case Committee. Before appointment 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.
9. The following are ineligible for membership of the Charter Case Committee:
 - Members of Council.
 - Current or previous members of the Preliminary Investigation Committee or Veterinary Nurses Preliminary Investigation Committee (unless three years has lapsed since their membership).
 - 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

- estateawarded, the person not having been discharged;
- e. they must not be the subject of a bankruptcy restrictions order or an interim bankruptcyrestrictions order;
 - f. they must at no time have made a composition or arrangement with, or granted a trustdeed 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 nothaving been terminated), or erasure from such a register, or a decision that had the effect ofpreventing 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 VeterinarySurgeons Act 1966 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 membershipof 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 withany 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 ofadverse 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 ofthe veterinary profession.

13. Before removing from office, a member of the Charter Case 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.

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.

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.

Annex F)

Information for veterinary nurses

Introduction

Whenever concerns are raised with us about a registered veterinary nurse (RVN), it is our responsibility to investigate those concerns, and to take further action if we consider them to have any substance.

If concerns are raised with us about you, we appreciate that it can be a very worrying time. The following information outlines our process for dealing with concerns, to give you an idea of what to expect, and answers some of the immediate questions you might have.

If a concern about you has been raised with the Veterinary Client Mediation Service (VCMS), please visit [the VCMS website](#) for more details about the VCMS process or call **0345 040 5834**.

How does the investigation process work?

A Case Manager will be assigned to your case from our Professional Conduct team and will be responsible for investigating the concerns that have been raised.

We have no powers of interim suspension. A decision to stop you from working can only be made after there has been a Disciplinary Committee (DC) hearing.

There are three distinct stages to our investigation process, which are outlined below and explained in more detail in ‘How we assess and investigate concerns raised about a veterinary nurse’.

Stage 1

Your case will be investigated by a Preliminary Investigation Committee composed of at least three members, including one veterinary nurse, one lay member and one other. Once it has sufficient information, the Committee will meet to consider the matter and decide whether it can be closed (with or without formal advice). We will write to you to explain the decision.

If the Committee decides that it cannot be closed at that point the matter will be progressed to Stage two for further investigation.

Stage 2

The RVN Preliminary Investigation Committee (RVNPIC) will consider all the available information, and may request more details (for example, expert reports or detailed witness

statements), before deciding whether to refer the case to stage three – a public RVN Disciplinary Committee hearing.

If the PIC decides that there is not a realistic prospect that the veterinary nurse's conduct could affect their fitness to practise it can close the case with no further action or close the case and issue formal advice to the veterinary nurse.

If the PIC considers that there is a realistic prospect, but that it may not be in the public interest for the matter to go to the Disciplinary Committee (for example, because the veterinary surgeon has shown a great deal of insight, or the matters are at the lower end of seriousness) it may decide to refer the case to the Charter Case Committee.

If the PIC considers that there is a realistic prospect and that it is in the public interest for it to do so, the case will be progressed to Stage 3.

Stage 3 (RVN Disciplinary Committee)

An RVN Disciplinary Committee (RVNDC) hearing is ordinarily held in public, similar to a court, to decide whether the RVN is guilty of serious professional misconduct and must face formal action.

Relevant witnesses may be required to attend to give evidence.

Is the veterinary nurse guilty of serious professional misconduct?

If **no**, we will write to tell you the RVNDC's reasons for its decision.

If **yes**, the RVN may be struck off the register; suspended for up to two years; or, given a formal reprimand. The Committee may also decide to postpone judgement for up to two years.

You might be reassured to know that only around 20% of all concerns raised with us are progressed beyond stage one, for further consideration by the Registered Veterinary Nurse Preliminary Investigation Committee (RVNPIC), and that only a small percentage of those reach stage three – a formal Registered Veterinary Nurse Disciplinary Committee (RVNDC) hearing.

What types of concerns can the RCVS deal with?

We can only deal with the most serious concerns – those that will affect fitness to practise, i.e., your right to work as a veterinary nurse.

This will involve behaviour that has fallen far short of what is expected of a veterinary nurse and would include, for example:

- Very poor professional performance where there are serious departures from the Standards set out in the [RCVS Code of Professional Conduct for Veterinary Nurses](#) Fraud or dishonesty.
- A criminal conviction or caution.
- Physical or mental health problems affecting ability to work.

We cannot:

- fine you,
- order additional treatment that a client thinks their animal needs;
- order you to apologize;
- order a refund of fees that have been paid or to cancel fees that are outstanding;
- give clinical advice about treatment that has been given;
- order compensation payments; or;
- resolve issues relating solely to negligence ([read our note on negligence](#)).

How do you obtain information?

We need to gather all the information necessary so that the PIC can make a decision. This may include:

- more information from the person who has raised concerns;
- information from others at your practice, e.g., your colleagues; and;
- information from anyone else who may have witnessed or have knowledge about the incidents raised.

The Case manager may seek information over the telephone, or in writing.

As we aim to deal with matters as promptly and efficiently as possible, we may consider that your case is one where it would be appropriate to seek information from you over the telephone.

However, you must feel comfortable with providing information in this way, so, if you have any reservations about any aspect of the process, please ask for advice either from your professional indemnity insurers or a legal adviser if you have one.

Please remember that the Case Manager will stop the conversation if they consider that you should speak to an adviser before giving us any further information, for example, because

they think that you have admitted, or may admit, to conduct which could affect your fitness to practise, i.e., serious professional misconduct.

If you prefer to respond in writing, or if at any stage we ask you to write to us, we require a response as soon as possible, and will ask you to do so within a stated timeframe. This will help us to deal with the matter promptly.

What information do I need to supply?

A common dilemma when responding to concerns is how much detail to include.

You should aim to cover all matters referred to in the 'Raising concerns about a veterinary nurse' form, or the areas highlighted by your Case Manager.

If you consider that there is material that may be helpful, although it is not directly relevant, please indicate the nature of it in your response, or make the Case Manager aware of it. We will request copies if we think it necessary.

Copies of any information you provide will generally be sent to the person who raised the concerns for them to comment on what you have said and will also be used to help make decisions at any stage of the investigation.

Can I see previous decisions?

Concerns raised with us are confidential unless and until they reach the final stage of our investigation process and are referred to the RVNDC for a (usually) public hearing or are dealt with by the Charter Case Committee.

[The RVNDC's charges, findings and decisions and judgments over the past three years.](#)

How long does it take to reach a decision about a concern?

All cases are different, and we tailor our investigations to the nature of the concerns raised, thereby ensuring that a decision can be made as appropriately and speedily as possible. However, the following guideline may be helpful:

- **Stage 1** – completed within 7 months of the concerns first being raised with us.
- **Stage 2** – completed within 12 months of the concern first being raised with us.
- **Stage 3 (RVN Disciplinary Committee)** – hearings scheduled and held within 14 months of the concern first being raised with us.

Will you keep me informed about progress?

Yes. You will receive regular updates from your Case Manager, whom you may contact at any time during normal office hours if you need any information or have any uncertainties.

I am unhappy with your decision, what can I do?

We aim to give you a proper explanation and reasons for the decisions we make.

If, however, you are unhappy with a decision, you should first contact your Case Manager for further explanation.

After doing this, if you remain unhappy, you should write to the Head of Professional Conduct and the Chair of the RVN Preliminary Investigation Committee to request they consider your concerns.

You will need to state the reasons for your request, as well as detailing any new or relevant information. If you are dissatisfied with their response, you will need to consider whether to pursue your concerns through the courts by seeking a judicial review of our decision

If you have any queries about our investigation process, please contact your Case Manager.

Advice on how to respond may be provided by your professional indemnity insurer.

I'm worried about the case against me – who else can I talk to?

We understand that having concerns raised about you can be very worrying. Please consider seeking help and advice from others, for example:

- Your indemnity insurer
- [Vetlife](#): access via the helpline number **0303 040 2551** or at [Vetlife Website](#) from where anonymous email support is available.