

# THE ROYAL COLLEGE OF VETERINARY SURGEONS

## VETERINARY NURSING BYE-LAWS

The Council of the Royal College of Veterinary Surgeons, at a meeting held on the 6<sup>th</sup> day of November 2008 in exercise of its powers under article 21 and 22 of the Supplemental Royal Charter, granted on the 19<sup>th</sup> day of October 1967, hereby makes the following Bye-laws:-

### PART I – PRELIMINARY

#### Citation and commencement

1. These Bye-Laws may be cited as the Veterinary Nursing Bye-Laws and Parts I, II and III shall come into force on 6 November 2008 and Part IV on a date to be determined.

#### Interpretation

2. (1) The Interpretation Act 1978 shall apply to these Bye-Laws as it applies to an Act of Parliament.
- (2) Words and phrases used in the Veterinary Surgeons Act 1966 (“the Act”) or the Supplemental Charter of the College granted on 19 October 1967 (“the Supplemental Charter”) shall, unless the context requires to the contrary, have the same meanings in these Bye-Laws.

- (3) In these Bye-Laws, unless the context requires to the contrary –

“approved awarding body” means a body approved by the Veterinary Nurses Council for the purpose of examining and assessing candidates;

“candidate” means any person enrolled under Bye-Law 4 for the purpose of undergoing training as a veterinary nurse;

“Certificate” means the Certificate in Veterinary Nursing granted by the College under Article 21 of the Supplemental Charter;

“College” means the Royal College of Veterinary Surgeons;

“enrolment” means entering a person as a candidate for the award of the Certificate in accordance with these Bye-Laws and such other educational requirements as may be prescribed by the Veterinary Nurses Council or the approved awarding body whose examinations the candidate is proposing to undertake;

“full-time education course” means a full-time education course approved by the Veterinary Nurses’ Council;

“full-time training” shall be construed in accordance with Bye-Law 5(3);

“Legal Assessor Rules” means the Veterinary Surgeons (Disciplinary Proceedings) Legal Assessor Rules 1967, SI 1967/684;

“List” means the list of veterinary nurses maintained by the College and referred to in paragraph 6 of Schedule 3 to the Act;

“part-time training” shall be construed in accordance with Bye-Law 5(4);

“prescribed” means prescribed by the Veterinary Nurses Council;

“Procedure and Evidence Rules” means the Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules 2004, SI 2004/1680;

“Register” means that part of the List which consists of veterinary nurses who are subject to regulatory requirements set out in Parts III and IV of these Bye-Laws and which shall be known as the Register of Veterinary Nurses;

“Registered Veterinary Nurse” means a veterinary nurse whose name is included in the Register;

“Registrar” means the Registrar of the College appointed under Section 9 of the Act;

“restoration fee” means such prescribed fee as is payable by a person for restoration to the List;

“retention fee” means such prescribed annual fee as is payable by a veterinary nurse for retention in the List;

“Veterinary Nurse” means a holder of the Certificate who is included in the List;

“Veterinary Nurses Council” means the Veterinary Nurses Council constituted under the General Administration Bye-Laws of the College;

“VN Disciplinary Committee” means the Veterinary Nurses Disciplinary Committee set up under Bye-Law 17;

“VN Preliminary Investigation Committee” means the Veterinary Nurses Preliminary Investigation Committee set up under Bye-Law 16;

“VN Registration Appeals Committee” shall consist of the chairman or vice-chairman of the Registration Appeals Committee set up under section 5D of the Act, one other member of that Committee who is not a member of the College and a Registered Veterinary Nurse appointed by the VN Council; and

Any reference in these Bye-Laws to a numbered Bye-Law shall be to the relevant Bye-Law in these Bye-Laws and any reference within a particular Bye-Law to a paragraph, or within a particular paragraph to a sub-paragraph, shall be to the relevant paragraph in that Bye-Law, or sub-paragraph in that paragraph, as the case may be.

## **PART II – THE CERTIFICATE**

### **Award of Certificate**

3. (1) Subject to (2), the Certificate shall be awarded to candidates who have –
- (a) achieved 5 or NVQ awards in veterinary nursing at level 2 and level 3 and who have passed the College's external examinations in veterinary nursing at level 2 and level 3; or
  - (b) passed the relevant examinations for a degree in veterinary nursing or other higher qualification in veterinary nursing awarded by an approved awarding body; or
  - (c) passed the College's Part II veterinary nursing examination;
- and have complied with the requirements of Bye-Law 5 by completing a period of practical training at an approved centre since enrolment.
- (2) The Certificate shall also be awarded to candidates who –
- (a) have undertaken a qualification and training outside the United Kingdom which in the opinion of the Veterinary Nurses Council is of an equivalent standard to the qualifications recognised in the United Kingdom; and
  - (b) in the opinion of the Veterinary Nurses Council, have reached a level of practice commensurate with the veterinary nursing occupational standards at NVQ Levels 2 and 3.

### **Enrolment as a candidate**

4. (1) Applications for enrolment as a candidate shall be made on the appropriate form obtained from the Registrar, accompanied by the prescribed fee.
- (2) Enrolment of a candidate shall lapse after six years from the date of enrolment if the candidate has not been awarded a Certificate by that time.

### **Period of practical training**

5. (1) Subject to the following provisions in this Bye-Law, candidates not attending a full-time education course shall undertake –
- (a) full-time training in an approved training practice for not less than 94 weeks, equivalent to 3,290 hours, excluding annual leave and absence; or
  - (b) part-time training, or combined periods of full-time training and part-time training, equivalent in total to 3,290 hours.
- (2) Candidates attending a full-time education course shall undertake –

- (a) full-time training in an approved training practice for not less than 70 weeks, equivalent to 2,450 hours, excluding annual leave and absence; or
  - (b) part-time training, or combined periods of full-time and part-time training, equivalent in total to 2,450 hours.
- (3) Full-time training need not be continuous and shall be spent in gainful employment or educational practice placement for at least 35 hours a week.
  - (4) Part-time training need not be continuous and shall be spent in gainful employment or educational practice placement for at least 15 hours a week.

### **Approval of awarding bodies**

- 6. (1) The Veterinary Nurses Council may approve awarding bodies for the provision of examinations and qualifications which will be accepted as counting towards the award of the Certificate in accordance with Bye-Law 3(1)(a).
- (2) The requirements for entry to an examination or qualification provided by an approved awarding body shall be determined by the approved awarding body.

### **Compliance with national requirements**

- 7. The provision of veterinary nursing awards by approved awarding bodies shall be in accordance with codes of practice and conditions laid down by the relevant national accrediting bodies.

### **Application for Certificate**

- 8. Applications from eligible candidates for the award of Certificate shall –
  - (1) be made on the appropriate form obtainable from the Registrar;
  - (2) be supported by such documentary evidence of eligibility as the Veterinary Nurses Council may require; and
  - (3) be accompanied by the prescribed fee.

### **Form of Certificate**

- 9. The Certificate shall be signed by the Chairman of the Veterinary Nurses Council and by the Registrar and be in the following form -

“THIS IS TO CERTIFY that

[name of recipient to be inserted]

is qualified as a Veterinary Nurse, and is entitled to be included in that part of the List known as the Register of Veterinary Nurses maintained by the Royal College of Veterinary Surgeons pursuant to Schedule 3 to the Veterinary Surgeons Act 1966.”

## PART III – THE LIST AND REGISTER

### Maintenance and publication

10. The Registrar shall maintain and publish annually the List including that section of the List known as the Register.

### The Register

11. (1) There shall be a section of the List which shall be known as the Register of Veterinary Nurses (“the Register”).
- (2) The Registrar shall enter onto the Register –
- (a) the names of all veterinary nurses entered in the List for the first time on or after 1 January 2003; and
  - (b) the names of those veterinary nurses entered in the List before 1 January 2003 who have signed an agreement to be entered in the Register of Veterinary Nurses, the terms of such agreement being specified by the Veterinary Nurses Council.
- (3) Where a veterinary nurse has agreed to be entered in the Register in accordance with (2) (b), and that veterinary nurse has been entered in the Register, he or she shall not be permitted to withdraw that agreement.

### Entry on the List / Register

12. (1) The holder of the Certificate awarded in accordance with 9 above, shall be entitled on payment of the prescribed fee to be entered on the Register (subject to meeting requirements which may be prescribed from time to time).
- (2) A veterinary nurse who has agreed to be entered in the Register in accordance with 11 (2) (b) above shall be entitled on payment of the prescribed fee to be entered on the Register (subject to meeting requirements which may be prescribed from time to time).
- (3) The VN Registration Appeal Committee shall determine any appeals against a refusal to enter a name on the Register in accordance with 12 (1) and (2) above and shall adopt, with any modifications agreed by the Committee, or necessary interpretations, the practices and procedures of the Registration Appeals Committee set up under section 5D of the Act.

### Retention on the List / Register

13. (1) A veterinary nurse shall be entitled to be retained in the non-registered part of the List or, subject to Bye-Laws 16 – 18, that part of the List known as the Register, if he or she has paid the prescribed retention fee and complies with such other requirements which may be prescribed from time to time.

- (2) The Registrar shall be authorised to remove from the List the name of a veterinary nurse whose retention fee is in arrears after appropriate notification has been issued.

#### **Restoration to the List / Register**

14. (1) A former unregistered veterinary nurse (namely someone whose name was removed from the unregistered part of the List for non-payment of the retention fee) may be restored to the List on payment of the current retention fee and the restoration fee.
- (2) A former registered veterinary nurse (namely someone whose name was removed from the Register for non-payment of the retention fee) may be restored to the Register on payment of the current retention fee and the restoration fee.
- (3) Subject to 18 below a former veterinary nurse whose name has been removed from the Register for a period of five years, or more, shall complete a period of not less than 17 weeks, equivalent to 595 hours, of supervised practice and shall provide suitable evidence of competence prior to restoration to the Register

#### **Use of title and post-nominal letters**

15. (1) A veterinary nurse whose name is included in the List may use the description "Veterinary Nurse" and the post-nominal letters "VN".
- (2) A veterinary nurse whose name is included in the Register may use the title "Registered Veterinary Nurse" and the post-nominal letters "RVN".

## PART IV – DISCIPLINARY AND SIMILAR PROCEEDINGS

### Preliminary Investigation

16. (1) There shall be a VN Preliminary Investigation Committee which shall consist of three members of the Preliminary Investigation Committee set up under section 15 of the Act (including either the president or one of the vice-presidents with at least one of the lay observers appointed to sit with that committee) and three registered veterinary nurses (to be appointed by the Veterinary Nurses Council) with a quorum of three; one veterinary surgeon and two veterinary nurses.
- (2) The VN Preliminary Investigation Committee shall carry out a preliminary investigation into every disciplinary case (that is to say, a case in which it is alleged that a registered veterinary nurse is liable to have his or her name removed from the List or to have his or her entry in the List suspended) and decide whether the case should be referred to the Veterinary Nurses Disciplinary Committee.
- (3) Subject to paragraph (2) of this Bye-Law, the VN Preliminary Investigation Committee shall adopt, with any modifications agreed by the VN Preliminary Investigation Committee, or necessary interpretations, the practices and procedures of the Preliminary Investigation Committee appointed under section 15 of the Act.

### Removal from the List/Register

17. (1) There shall be a VN Disciplinary Committee which shall consist of members of the Disciplinary Committee set up under section 15 of the Act and three registered veterinary nurses (to be appointed by the VN Council) and shall sit as a panel of up to five, with a quorum of one veterinary surgeon, one veterinary nurse and one lay person acting as chairman.
- (2) The VN Disciplinary Committee shall determine any disciplinary case referred to them by the VN Preliminary Investigation Committee and any application under Bye-Law 18.
- (3) If –
  - (a) a registered veterinary nurse whose name is included in the List has been convicted of a criminal offence which in the opinion of the VN Disciplinary Committee renders him or her unfit to practise as a veterinary nurse; or
  - (b) any registered veterinary nurse is judged by the VN Disciplinary Committee to have been guilty of disgraceful conduct in any professional respect; or
  - (c) the VN Disciplinary Committee is satisfied that the name of a registered veterinary nurse has been fraudulently entered in the Register

the VN Disciplinary Committee may, if it thinks fit, direct the removal of that name from the List, or that the veterinary nurse's entry in the List shall be

suspended, that is to say, it shall not have effect during such a period specified in the direction.

- (4) The VN Council shall appoint such legal assessors as it considers necessary for the VN Disciplinary Committee.
- (5) Subject to paragraphs (1), (2) and (3) of this Bye-Law, the VN Disciplinary Committee shall adopt, with any modifications agreed by the VN Disciplinary Committee, or necessary interpretations, the rules and procedures of the Disciplinary Committee appointed under section 15 of the Act, including the Procedure and Evidence Rules and the Legal Assessor Rules.

**Restoration to the List/Register**

- 18. (1) The name of a registered veterinary nurse who has been removed from the List shall not be restored to the List unless the VN Disciplinary Committee makes a direction to this effect following an application for restoration to be considered in accordance with the Procedure and Evidence Rules.
- (2) Any application for restoration to the List shall not be made within ten months of the date of removal or within ten months of a previous application.

PURSUANT to a resolution passed at the meeting of the Council of the Royal College of Veterinary Surgeons on the 6 November 2008, the Common Seal of the said Royal College was hereunto affixed on 6 November 2008 in the presence of –

**L.S.**

President .....

Members of Council .....

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