

## **ADVICE NOTE 30**

### **WHISTLEBLOWING**

- 1) Veterinary surgeons and veterinary nurses may consider that they have witnessed inappropriate conduct in the workplace, on the part of a professional colleague or the practice as a whole. Inappropriate conduct may include a breach of the *Guide to Professional Conduct* for veterinary surgeons and veterinary nurses or unethical behaviour, for example false certification, seriously deficient veterinary care for an animal or practising under the influence of drugs or alcohol.
- 2) Following such consideration, a veterinary surgeon or veterinary nurse may decide to 'blow the whistle' and report the matter.

#### **Reporting Inappropriate Conduct**

- 3) The first consideration in reporting inappropriate conduct is for the veterinary surgeon or veterinary nurse to consider resolving the matter internally. Annex S to the *Guide to Professional Conduct*, entitled 'Teamworking', states the following:  
*"Veterinary surgeons:*  
*6. Should consider communicating with a senior veterinary surgeon within an organisation or practice on any professional conduct issue that they cannot resolve. A senior veterinary surgeon may be a veterinary surgeon who is a line manager, the principal, a senior partner or the Chief Veterinary Surgeon (CVS) of the organisation, as appropriate;*
- 4) A veterinary surgeon or veterinary nurse may consider that the matter of inappropriate conduct is particularly serious or may involve senior members of the organisation. The matter may also have been reported internally but remains unresolved. In these circumstances, veterinary surgeons and veterinary nurses should consider bringing the issue to the attention of the RCVS Professional Conduct Department<sup>1</sup>.

#### **Resolving the matter**

- 5) A veterinary surgeon or veterinary nurse reporting inappropriate conduct internally will need to observe any internal protocol for whistleblowing, and resolution will be dealt with by the employer.
- 6) If the matter has been brought to the attention of the RCVS Professional Conduct Department it is likely that the veterinary surgeon or veterinary nurse will be asked to submit a formal complaint<sup>2</sup>. If the matter involves allegations of illegal conduct or inappropriate action that comes within the jurisdiction of another regulator or authority, then the RCVS Professional Conduct Department may advise that the matter also be brought to the attention of the relevant body, for example the Police.

- 7) It is important for veterinary surgeons and veterinary nurses to acknowledge that the RCVS may be unable fully to investigate anonymous complaints.
- 8) Certain whistleblowing is protected under The Public Interest Disclosure Act 1998, which seeks to protect employees from detrimental treatment by employers if they whistleblow. Veterinary surgeons and veterinary nurses should consider obtaining independent legal advice if they may qualify for protection under the Act, and for further guidance on how their employment may be affected. It may also be beneficial to consider whether membership of a trade union or similar organisation would be of assistance, or whether relevant legal cover is provided by, for example, any household insurance policy.
- 9) Whistleblowing may be carried out whether the Act applies or not.

### **Client Confidentiality**

- 10) Veterinary surgeons and veterinary nurses must also be aware of their duty to keep client information confidential. If reporting inappropriate conduct involves the disclosure of client information, the veterinary surgeon or veterinary nurse must observe part 2A of the *Guide to Professional Conduct*<sup>3</sup> (see also RCVS Advice Note 20) and only disclose information for public interest or animal welfare reasons.

### **Links**

- British Veterinary Association (BVA) [www.bva.co.uk](http://www.bva.co.uk)
- British Veterinary Nurses Association (BVNA) [www.bvna.org.uk](http://www.bvna.org.uk)
- RSPCA [www.rspca.org.uk](http://www.rspca.org.uk)
- Citizens Advice Bureau [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)
- Advisory, Conciliation and Arbitration Service (ACAS) [www.acas.org.uk](http://www.acas.org.uk)
- Public Concern at Work (PCAW) [www.pcaw.co.uk](http://www.pcaw.co.uk)
- Health and Safety Executive (HSE) [www.hse.gov.uk](http://www.hse.gov.uk)
- The Law Society [www.lawsociety.org.uk](http://www.lawsociety.org.uk)

Professional Conduct Department  
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<sup>1</sup> Paragraph 7, Annex S to the Guide to Professional Conduct. Paragraph 2, Part 1E of the Guide to Professional Conduct.

<sup>2</sup> The RCVS complaints procedure can be viewed at <http://www.rcvs.org.uk/complaints>

<sup>3</sup> Part 3 'Annexes', section 2(A) in the *Guide to Professional Conduct for Veterinary Nurses*.