

## **Becoming a First Rate Regulator: A framework for discussion and ideas for a strategic plan**

### **Background**

Over recent years the RCVS has gone to strenuous efforts to ensure that it is regulating the veterinary profession in an effective and modern fashion.

In November 2010, for example, following legal advice and a consultation exercise, the College introduced a Health Protocol which allows the Preliminary Investigation Committee to deal compassionately with veterinary surgeons who have health problems, such as alcohol or drug addiction or mental health issues, while continuing to protect the public interest. In 2012, the College also introduced a Performance Protocol that allows the College to manage proportionately justified concerns about the professional performance of veterinary surgeons and registered veterinary nurses, and to provide a supportive framework to oversee remedial steps.

The Health and Performance Protocols allow the College to take a tailored and proportionate approach and thereby to protect the welfare of animals and the public interest.

In April 2012 the Code of Professional Conduct was launched so as to provide a new benchmark for professional standards. This new Code was designed to provide greater clarity as to roles and responsibilities of veterinary surgeons.

The most significant change during this period, however, has been the Legislative Reform Order (LRO) which came into force in April 2013 and reconstitutes the RCVS disciplinary committees separately from Council, thereby ensuring that the same group of people is not responsible for setting the rules, investigating complaints and hearing cases.

### **Launch of the First Rate Regulator initiative**

As outlined above the RCVS has gone a long way in recent years to ensure that it remains a respected body and that it undertakes its core regulatory functions in an effective and modern fashion. As with any organisation, however, there is room for improvement.

At his first RCVS Council meeting, in November 2012, Chief Executive Nick Stace announced the launch of the First Rate Regulator (FRR) initiative. The purpose of the initiative was to get an objective picture of where the RCVS was in terms of regulatory effectiveness in the context of other healthcare and professional regulators, and to help the RCVS build upon the good work that it does and the reforms that had been undertaken, whilst highlighting those areas where the organisation could improve.

The first phase of the FRR initiative was concerned with building an evidence base. Sally Williams and Associates were contracted to listen to the profession, the public and other stakeholders, and internal audiences (staff and Council) to establish levels of satisfaction with the College as regulator, and better understand where gaps exist between expectation and delivery. The response to this

research was impressive, with 4,897 veterinary surgeons, veterinary nurses and practice managers responding to one survey, and 265 members of the public responding to a survey of those who had complained about a veterinary surgeon to the College in the last two years. Desk-based research was also carried out to examine how other veterinary, healthcare and professional regulators are currently operating and the process of reform that they had been through in recent years.

In April 2013, Sally Williams sent her research findings and recommendations for reform to the RCVS.

## **Ideas for a strategic plan**

On 22 April 2013 the Officers of the RCVS met with the author of the FRR Report, Sally Williams, for a full-day workshop. The aim of the workshop was to consider the research and recommendations in detail, with a view to developing a plan for implementing reform.

During the workshop the Officers identified a series of proposals, based on the Report's recommendations, that were priorities for the RCVS and which, if implemented, would allow it to become a 'First Rate Regulator'. The Officers' recommendations for implementing change fell into three categories: those concerning the 'Identity' of the RCVS; those relating to the 'Service' the RCVS provides to the public and profession; and those areas where significant 'Evolution' would be required to ensure the College was operating at the forefront of best regulatory practice. It is envisaged that the proposals adopted by the Officers, which are outlined in the section below, should provide a basis for discussion at the RCVS FRR Council Workshop on 5 June 2013.

The FRR Council Workshop will, in turn, inform the strategic plan, in particular around the need for a clearer identity, a focus on improving service and remaining firmly in the driving seat of reform, challenging ourselves to be better.

Council will have a further opportunity to discuss a draft strategic plan at an additional meeting held in September 2013 and the final plan will be approved at the Council meeting in November 2013.

## **Officers' proposals**

### **Identity**

The FRR research has shown that there is some confusion amongst the public and the profession as to the purpose of the RCVS and this has a negative impact upon the way the College is perceived and its effectiveness as a regulatory body. It is imperative, therefore, that the RCVS clarifies and articulates its role and purpose, so as to ensure the confidence of the public and profession.

#### Key actions:

- Setting out a clear purpose and vision along the lines of 'setting, upholding and raising veterinary standards', as well as the clear definition of the RCVS 'Royal College' role, should be put at the heart of the organisation's identity and strategic plan.
- The RCVS should demonstrate a proactive approach to regulation, backed by an engagement strategy with the profession, public and other stakeholders. This will ensure that the RCVS is seen as both a modern and relevant regulator.

- The status of veterinary nurses within the RCVS should be better defined and articulated. The RCVS is clear in its support for statutory regulation of veterinary nurses and the protection of title. The RCVS has also recognised the status of veterinary nurses within the RCVS, by giving the Chairman of the Veterinary Nurses Council a position on the Operational Board. Consideration, however, will need to be given to the wider role of veterinary nurses within the RCVS and whether they should be granted their own membership category.
- Consideration should be given as to how the true 'Royal College' role of the RCVS can be defined and potentially expanded.
- The future direction of the RCVS, its organisational goals and specific areas for improvement should be articulated in a new strategic plan.

## **Service**

Research has shown that both the profession and the public consider that the service they receive from the RCVS could be greatly improved. Complainants felt that their complaints were not adequately investigated, the processes were confusing and protracted, and that they were treated without adequate compassion. The profession considered that the RCVS was out of touch with the realities of practice and that the advice and guidance offered was not always relevant.

### Key actions:

- Performance targets to ensure customer focus should be introduced in the Registration and Professional Conduct Departments. Audio recordings of telephone calls should be introduced in these departments to ensure customer focus and to protect staff from abuse.
- Greater flexibility in the way that the public and profession can communicate with the RCVS should be introduced. This could include a greater range of e-services and the development of new ways to interact with the RCVS.
- A 'Complainants' Charter' should be introduced outlining what the public can expect from the RCVS when they make a complaint about a veterinary surgeon.
- Communication with and support of those involved in the complaints process should be strengthened and a more compassionate approach adopted at every stage. Consideration should be given to the introduction of an electronic tracking system that would allow complainants and those who have been complained about, to monitor the progress of the complaint.
- The length of time taken for complaints to progress to the Disciplinary Committee should be reduced, whilst not compromising robustness or fairness. This will ensure that justice is delivered swiftly and the stress on the complainant and defendant be reduced.
- The RCVS should take a proactive approach to fitness to practise and be willing to investigate where an allegation, but no formal complaint, exists. This would be supported by the introduction of a dedicated phone line for anonymous 'whistle-blowing'.

- The advice and support provided to veterinary surgeons and veterinary nurses should be reviewed and strengthened. This review should consider how the advice that is currently provided could be made more relevant to those in clinical practice, in addition to new approaches to providing advice and guidance.

## **Evolution**

Although the proposals for change made under the headings of 'Identity' and 'Service' will significantly change the way the RCVS operates at a day-to-day level, and may require additional resources to implement, they simply build upon the existing work of the RCVS.

There are, however, a number of recommendations that have the potential to more significantly change the jurisdiction of the RCVS and the way it operates, or that will require considerable work or legislative change to implement. These proposals have been categorised under the heading of 'Evolution'.

### Key actions:

- A Working Party, incorporating external stakeholders, should be set up to define the true 'Royal College' role of the RCVS and to consider whether this should be expanded. It is envisaged that the Legislative Working Party will lead this work.
- The Royal Charter should be reviewed and reformed to provide a surer foundation for the work of the RCVS activities performed under the Charter.
- Consideration should be given to the Disciplinary Committee adopting a civil standard of proof which would be in line with other regulatory bodies and ensure that animal welfare was better protected.
- A review should be undertaken as to the desirability and feasibility of the RCVS approaching government to request additional powers, such a greater range of sanctions and powers of entry.
- The mechanisms available for consumer redress should be reviewed and consideration should be given to the future role of the RCVS in supporting such mechanisms.
- Once the bulk of the FRR reforms have been implemented, the RCVS should review its governance structures to establish whether they present any obstacle to working at the forefront of regulatory best practice.
- The FRR reforms should be reviewed in three years' time to measure whether they have been effectively implemented, and whether the confidence of the public and profession in the RCVS has improved. Those recommendations in the report that were not initially taken forward should also be reviewed.
- Consideration should be given to wider legislative requirements and over the course of the next three years a framework should be agreed with Government and stakeholders.