

Veterinary Surgeons Act 1966 – Legislative Reform Order

1. The Department for Environment, Food and Rural Affairs (Defra) is currently consulting on a legislative reform order (LRO) to amend the Veterinary Surgeons Act 1966 (VSA) to enable the Royal College of Veterinary Surgeons (RCVS) to reconstitute its disciplinary committees independently of the RCVS Council, to ensure that the same group of people are not responsible for setting the rules, investigating complaints and hearing cases.
2. The VSA provides the statutory basis for the regulation of the veterinary profession by the RCVS - supervising veterinary education, registering veterinary surgeons and guiding their professional conduct. The LRO is one of a number of initiatives, also outlined in this paper, being undertaken to reform the Act and to ensure that the RCVS keeps up-to-date with best regulatory practice.

Legislative Reform Order

3. In August 2010, the RCVS put formal proposals for an LRO to amend the VSA to Defra, and in a meeting on 9 September 2010, the Minister of State, Jim Paice, confirmed that the Department would develop and draft an LRO. The LRO was proposed so as to address the most important deficit of the Act, because at the time there appeared to be no near-term prospect of Government legislation to rewrite the Act.
4. The LRO will amend a specific part of the Veterinary Surgeons Act 1966, to require the RCVS Preliminary Investigation and Disciplinary Committees to be made up of veterinary surgeons and lay members who are not RCVS Council members, and who are appointed independently.
5. Under the LRO proposals, following a transitional period, the Committees would cease to include Council members. The bodies which consider allegations of misconduct on the part of veterinary surgeons would thus be independent of the policy discussions at Council. The proposals would also improve the independence of the disciplinary processes by formally bringing lay people into the relevant Committees and the changes would increase the pool of people available to investigate complaints and sit on disciplinary hearings, thus allowing the case-load to be more efficiently handled and ensuring that complaints are heard swiftly.
6. The RCVS LRO proposals are based on extensive consultations undertaken by the RCVS. The LRO is also backed by the profession's representative body, the British Veterinary Association (BVA).
7. The RCVS considers that the LRO proposals are uncontroversial, will bring the RCVS in line with the modern systems used by other healthcare regulators and are in the interests of the public and the profession. If Parliamentarians have any questions or concerns regarding the proposal for the LRO, however, then representatives of the College would be happy to address these or arrange a meeting to discuss the issues further.

8. The Defra public consultation was launched on 16 January 2012 and can be accessed at the following link: <http://bit.ly/rcvslro>. The consultation closes on 10 April 2012.

Ensuring regulatory best practice – non-statutory initiatives

9. In addition to the LRO, the RCVS also been undertaking a number of non-statutory initiatives and introducing new professional requirements, to ensure regulatory best practice.
10. In November 2010, following legal advice and a consultation exercise, the College introduced a Heath 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. This brought the College in line with other healthcare regulators, which already have jurisdiction to deal with such health issues.
11. Recently, the College introduced a Performance Protocol which aims to allow the College to manage proportionately any justified concerns about the professional performance of veterinary surgeons and registered veterinary nurses, and to provide a supportive framework to oversee remedial steps designed to address these concerns and encourage professional development.
12. The College has also introduced a new Code of Professional Conduct which is designed to provide a benchmark for professional standards and to set out the principles governing the conduct of veterinary surgeons and their responsibilities. This new Code is designed to provide greater clarity as to roles and responsibilities of veterinary surgeons.

RCVS
March 2012

For further information about this subject or to arrange a meeting with representatives of the RCVS, please contact Anthony Roberts on (020) 7202 0735 or email a.roberts@rcvs.org.uk