

<b>Summary</b>	
Meeting	Standards Committee
Date	12 September 2022
Title	Standards Committee Minutes
Summary	Minutes of Standards Committee Monday, 12 September 2022, at 10am
Decisions required	None
Attachments	Classified appendix
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<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a
Classified appendix	Confidential	1, 3

**1 Classifications explained**

Unclassified	Papers will be published on the internet and recipients may share them and discuss them freely with anyone. This may include papers marked 'Draft'.
Confidential	Temporarily available only to Council Members, non-Council members of the relevant committee, sub-committee, working party or Board and not for dissemination outside that group unless and until the relevant committee or Council has given approval for public discussion, consultation or publication.
Private	The paper includes personal data which should not be disclosed at any time or for any reason, unless the data subject has agreed otherwise. The Chair may, however, indicate after discussion that there are general issues which can be disclosed, for example in reports to committees and Council.

**2 Classification rationales**

Confidential	<ol style="list-style-type: none"> <li>1. To allow the Committee or Council to come to a view itself, before presenting to and/or consulting with others</li> <li>2. To maintain the confidence of another organisation</li> <li>3. To protect commercially sensitive information</li> <li>4. To maintain public confidence in and/or uphold the reputation of the veterinary professions and/or the RCVS</li> </ol>
Private	<ol style="list-style-type: none"> <li>5. To protect information which may contain personal data, special category data, and/or criminal offence data, as listed under the General Data Protection Regulation</li> </ol>

Minutes of the Standards Committee held remotely on Monday, 12 September 2022, at 10 am

Members:	L Allum	
	B Andrews-Jones	
	L Belton	Chair
	M Castle	
	D Chambers	
	O Cook	
	M Gardiner	
	C-L McLaughlan	Vice Chair
	C Roberts	
	W Wilkinson	

In attendance:	E C Ferguson	Registrar
	M Donald	President
	L Lockett	CEO
	G Kingswell	Head of Legal Services (Standards)
	B Jinks	Standards and Advisory Lead
	V Price	Senior Standards and Advice Officer
	M Akwah	Standards and Advice Officer
	V Kwok	Standards and Advice Officer

AI 1 Apologies for absence and declarations of interest

1. The Chair welcomed the President and CEO to the meeting as observers. Apologies were received from W Wilkinson and C Roberts.
2. In relation to AI 3(a), declarations of interests were made by B Andrews-Jones and O Cook, both of whom know D Doherty personally.

Matters for decision

*n.b. AI 2(a) and (b) were tabled for this meeting, however these have been moved to the November 2022 meeting of the Standards Committee.*

AI 2(c) Storage of quinalbarbitone – confidential [content warning: suicide]

3. See paragraphs 1-6 of the classified appendix.

AI 2(d) Controlled drugs (CD) guidance

4. The Committee were advised that the current controlled drugs guidance has been available on the RCVS website in PDF form since 2015, and therefore an update to both the content and the formatting is proposed. The key content updates comprise the inclusion of the new interpretation of 'independent witness', as well as updated information on the storage of Schedule 2 and 3 CDs.

Further it is proposed that the guidance sit on the website using an 'a to z' type format, instead of a separate pdf, as this will be searchable and more user-friendly.

5. The Committee had the following discussion:
- a) On p15, it states "in order to maintain independence, vets should not rely on the same vet to repeatedly witness destruction of CDs at their practice" – it was explained that practices would find this quite difficult to achieve. It was explained that this is part of the VMD's new interpretation of an 'independent witness' and unfortunately not something that can be changed internally within the College.
  - b) On p14, in relation to independent witnessing it states, "a person legally authorised to witness the destruction of CDs such as a CDLO", it was queried whether this could include a pharmacist, human medics, or a non-CDLO police officer.

**Action: Standards and Advice Lead**

- c) On p39, in relation to RVNs and use of CDs for euthanasia at a home visit, it was queried why it would not be permitted for an RVN to undertake this task alone. It was explained that the Misuse of Drugs Regulations 2001 specifically allow veterinary surgeons to carry CDs outside of practice, but this does not extend to RVNs. This means if an RVN was to be holding CDs out of practice, without a vet, they may be in breach of these regulations.
  - d) There were concerns that the wording on p28 in relation to prescribing CDs for own animals is restrictive and would not allow vets to euthanise their own animals with CDs. However, it was noted that this was a 'should' rather than a 'must', and so there was still room for some degree of veterinary judgement within the current wording.
  - e) Regarding the format of a CD register, on p32 it states that the CD register can be a computerised system but cannot be a practice management system. It was suggested that this be amended to say that if the practice management system complies with the characteristics of a computerised CD register, then it may be appropriate to use.
6. The Committee agreed to approve the new CD guidance for publication, with the above amendments and incorporating the relevant amendments regarding quinalbarbitone.

**Action: Standards and Advice Lead**

[AI 2\(e\) Review of client confidentiality](#)

7. Amendments have been suggested to Chapters 13 and 14 of the supporting guidance to the Code of Professional Conduct in relation to client confidentiality.
8. In relation to Chapter 13, the amendments stem from an advice query where the previous owner of a horse would not consent to the clinical records of that horse being passed to the new owner's vet and insurer. It is therefore proposed that a sentence be added to the guidance to say that where a previous owner declines consent to pass over the previous clinical histories, that the previous vet can still provide these to the new vet where there are concerns that not doing so could lead to

welfare issues (para 13.14). It was clarified that this relates only to the animal's clinical data and not the client's personal data.

9. Chapter 14 was last reviewed in 2020 when the GDPR was brought in, however it is proposed that this Chapter be amended to reflect the advice queries that the team receives around client confidentiality at the moment, for example, questions about harm to animals, and failure to attend follow-up appointments. Further, the proposed changes expand the discussion around animal welfare concerns so that the guidance more clearly includes neglect and adding in a stronger theme throughout that vets and RVNs can make their own decisions about whether a report would be justified or not, and that the RCVS would be supportive of a report being made if they have genuine concerns.
10. The Committee had the following discussion in relation to the proposals for Chapter 13:
  - a) There was concern that should the guidance in 13.14 be approved, it may encourage clients not to seek veterinary treatment (especially horse owners) as they may feel that they do not have a relationship of confidentiality.
  - b) In relation to horses specifically, it is common for clients to use at least two different practices (e.g., one for vaccinations, one for other treatments). Each practice may not know that the other is also treating the horse - it was therefore queried whether the new owner would even get a full history. It was advised that there is already guidance around mutual clients in the supporting guidance (Chapter 5) and therefore, in theory, this should not be a problem as each practice should be sharing their clinical histories with the others.
  - c) It was queried why, if the clinical records are owned by the vet, that consent needs to be sought at all before passing on records to a new owner. Discussion was had around the common-law expectation that there is a duty of confidentiality between parties (which extends to animal data, unlike GDPR) and how this means that it is the norm for consent to be given before any records are disclosed. The duty of confidentiality is important but not absolute, meaning that these records can still be disclosed where there are animal welfare concerns or issues in the wider public interest.
  - d) For the sale of horses, it could be added to the pre-purchase examination that a statement is required from the vendor that they have provided all clinical records from all practices that have treated the horse while they have owned it. Although this would be difficult to enforce, the new owner could raise a case in the small claims court should the vendor be found dishonest.
  - e) It was agreed that in para 13.12, "diagnostic images and similar records" should be changed to "diagnostic images and similar data relating to the animal".

**Action: Standards and Advice Team**

11. Whilst the Committee understood what the revised guidance was trying to achieve, it felt more work was required in order to avoid unintended consequences. It suggested that a flowchart similar to

the general one for breaching client confidentiality might be useful. It was agreed that this should be considered again at the next meeting.

**Action: Standards and Advice Team**

12. In relation to Chapter 14; a typo was noted in 14.31, and it was requested that the flow of 14.41 be reconsidered. The Committee approved the proposed changes to this Chapter, subject to these minor amendments.

**Action: Standards and Advice Team**

[AI 2\(f\) Exemption order for vaccination of farm animals – confidential](#)

13. See paragraphs 7-10 of the classified appendix.

[AI 2\(g\) Legislative reform and the 'farmer exemption' – confidential](#)

14. See paragraphs 11-14 of the classified appendix.

[AI 2\(h\) Use of 'internal locums' – confidential](#)

15. See paragraphs 15-16 of the classified appendix.

[AI 3\(a\) DC report](#)

16. The Committee noted the report.

[AI 3\(b\) PSS report](#)

17. The Committee noted the report.

[AI 4\(a\) RVP Subcommittee report – Confidential](#)

18. The Committee noted the report.

[AI 4\(b\) ERP report – Confidential](#)

19. The Committee noted the report.

[AI 4\(c\) Certification subcommittee report – Confidential](#)

20. The Committee noted the report.

[AI 4\(d\) Riding Establishments Subcommittee report – Confidential](#)

21. The Committee noted the report.

[AI 5 Risk and equality](#)

22. There were no new additions to the risk register.

[AI 6 Any other business](#)

23. Claire-Louise McLaughlan was voted in as vice chair of the Committee.

24. The Committee was informed that Defra are undertaking a review of the Animal Welfare (licensing of Activities Involving Animals) (England) Regulations 2018, and the Committee will have the opportunity to contribute.

25. The Committee was informed that that under care consultation deadline has been extended for two weeks to allow for the national mourning of the death of the Queen.

#### Date of next meeting

26. The date of the next meeting is 14 November 2022

#### Table of actions

Paragraph(s)	Action	Assigned to
5b	Ask the VMD whether “a person legally authorised to witness the destruction of CDs such as a CDLO” could include a pharmacist, human medics, or a non-CDLO police officer.	<b>Standards and Advice Lead</b>
6	Make agreed amendments to CD guidance and publish	<b>Standards and Advice Lead</b>
10e	Make terminology amendment	<b>Standards and Advice team</b>
11	Reconsideration of the proposal re the client confidentiality guidance	<b>Standards and Advice team</b>
12	Amend guidance typo	<b>Standards and Advice team</b>