

Consultation on RCVS Charter: summary of points made in responses

The proposal

The consultation paper published by the RCVS on 13 December 2014 invited comments on proposals for a new Royal Charter, to replace the existing Supplemental Charter of 1967. The draft of the new Charter included new bye-laws to replace the current bye-laws of the College.

Responses were received from the following:

- Association of Meat Inspectors (AMI);
- Association of Veterinary Surgeons Practising in Northern Ireland (AVSPNI);
- British Equine Veterinary Association (BEVA)
- British Small Animal Veterinary Association (BSAVA);
- British Veterinary Association (BVA);
- British Veterinary Nursing Association (BVNA);
- British Veterinary Union (BVU);
- Central Veterinary Society (CVS);
- CVS (UK) Ltd;
- Society of Practising Veterinary Surgeons (SPVS);
- People's Dispensary for Sick Animals (PDSA); and
- 37 individuals.

The comments received are summarised below.

General

The consultation paper explained that the main reasons for seeking a new Charter were to set out the objects of the College and to recognise its role as the regulator of the veterinary nursing profession. Reactions to the proposals as a whole were as follows:

- broadly supportive (BVA, PDSA); revision of Charter justified (BEVA, PDSA);

- broadly in agreement, but RCVS shouldn't make demands of its members without consultation (individual respondent);
- proposals will diminish veterinary profession (two individual respondents);
- proposals could have been more radical, eg break up College (AVSPNI);
- query about public opinion and expectations of RCVS as regulator (individual respondent).

Objects of the College

The draft Charter says that the objects of the College shall be "to set, uphold and advance veterinary standards, and to promote, encourage and advance the study and practice of the art and science of veterinary surgery and medicine, in the interests of the health and welfare of animals and in the wider public interest". The following comments were received:

- insufficient prominence given to health and welfare of animals (BVA);
- objects supported (BSAVA, SPVS, BEVA);
- public interest includes welfare of veterinary surgeons and veterinary nurses (SPVS);
- objects should include interests of veterinary profession (PDSA).

Activities of the College

The draft Charter says that, in addition to statutory functions, the College "may undertake any activities which seem to it necessary or expedient to help it to achieve its objects". It goes on to say that these "may include, but are not limited to," the following:

- a. accrediting veterinary courses and qualifications, other than as provided for in the act in relation to veterinary surgeons;
- b. working with others to develop, update and ensure co-ordination of international standards of veterinary education;
- c. administering examinations for the purpose of registration, awarding qualifications and recognising expertise other than as provided for in the act;
- d. developing, accrediting, and promulgating guidance on post-registration veterinary education and training for those admitted as members and associates of the college;
- e. supporting the continued development and examination of new knowledge and skills;

- f. awarding fellowships, honorary fellowships, honorary associateships or other designations to suitable individuals;
- g. keeping lists or registers of veterinary nurses and other classes of associate;
- h. promulgating guidance on professional conduct;
- i. setting standards for and accrediting veterinary practices and other suppliers of veterinary services;
- j. promoting the resolution of disputes between registered persons and their clients;
- k. providing information services to the veterinary professions;
- l. providing historical information about the development of the veterinary professions;
- m. monitoring developments in the demographic of veterinary professionals;
- n. providing information about, and promoting fair access to, careers in the veterinary professions.

Respondents made the following comments:

- concern about breadth of power to undertake activities necessary or expedient to achieve objects (BVA, BSAVA); powers too broad (CVS);
- Charter should make clear that RCVS will not encroach on BVA's remit (BVA); should not compete with CPD providers (BEVA);
- query whether pre-registration training of veterinary nurses adequately covered (individual respondent);
- "supporting the continued development and examination of new knowledge and skills" too broad (BVA);
- power to promote resolution of disputes should extend to complainants generally, not just clients (PDSA); opposed to such a power (BVU);
- "providing information services to the veterinary professions" too broad (BVA);
- query over need to monitor demographic developments (AVSPNI); should perhaps have power to advise on such developments, not just monitor them (CVS);
- RCVS functions should include providing information and opinion on relevant veterinary matters (individual respondent); may be appropriate to mention involvement in public affairs (BEVA);

- should seek Charter powers to regulate non-veterinary owners of veterinary businesses (BVU).

Veterinary nurses

The draft Charter requires the College to keep a register of veterinary nurses, provides for registered veterinary nurses to be associates of the College, and requires the Veterinary Nurses' Council to set standards for the education, training and professional conduct of veterinary nurses. The bye-laws attached to the Charter say that the names of those listed veterinary nurses who are not currently registered shall be entered in the register, and that registered veterinary nurses shall be entitled to use the post-nominal letters RVN. The bye-laws also require the RCVS Council to make rules in relation to the registration of veterinary nurses and the handling of complaints concerning their professional conduct.

The responses were:

- support regulation and recognition of veterinary nurses (BVA, BVNA, BSAVA, BEVA, CVS (UK) Ltd, 17 individual respondents);
- query whether veterinary nurses can be regulated by RCVS under Charter (CVS);
- opposed to creation of title of Associate of RCVS and dilution of title of "veterinary surgeon" (CVS); RVNs should be styled ARCVS, to signal more clearly that RVN removed from the register cannot practise (PDSA);
- support creation of single register (BVNA, BEVA, CVS (UK) Ltd, four individual respondents);
- opposed to single register (five individual respondents); concern over fees for transfer from list to register (PDSA, two individual respondents); query about costs of new badge and indemnity insurance and increased accountability (two individual respondents);
- Should consult listed veterinary nurses on reasons for not joining register (BSAVA); survey or questionnaire would have been better than open consultation (BVNA); should do more to communicate with listed veterinary nurses (individual respondent);
- support regulation of veterinary nurses but want non-practising category on register (individual respondent);
- RCVS best placed to regulate veterinary nurses (BVNA); query whether other ways of regulating veterinary nurses have been considered (BVNA); not clear why veterinary nurses would want to be regulated by RCVS (AVSPNI); veterinary surgeons and veterinary nurses should be regulated separately (individual respondent);
- real problem is employment of unqualified people (AVSPNI); Veterinary Nurses' Council should not be able to restrict activities of unqualified staff (CVS (UK) Ltd);

- Veterinary Nurses' Council should be subject to RCVS Council (CVS (UK) Ltd); query about autonomy of Veterinary Nurses' Council (BVNA);
- worried about future fee increases (BVNA).

Associates other than veterinary nurses

The draft Charter gives the College power to make bye-laws creating classes of associate of the College other than veterinary nurses. Any such bye-laws would have to be approved by a resolution of the members at a general meeting and by the Privy Council.

- broadly support having option to recognise new classes of associate (BVA, BEVA, Association of Meat Inspectors); support regulation of physiotherapists and other groups by RCVS (individual respondent);
- reasons for this not clear (AVSPNI); deep concern (CVS); cautious about this, no need for veterinary students to be RCVS associates (CVS (UK) Ltd); concern (particularly over veterinary students), regulation of new groups should be self-financing, and members should be consulted (BSAVA).

Staff

An individual respondent questioned why article 18 of the draft Charter requires the RCVS Council to appoint the Registrar, while article 19 allows the College (as distinct from the Council) to employ staff.

Financial provisions

Articles 20 to 25 of the draft Charter confer a range of financial and related powers on the Council. Comments received were:

- power to set fees too wide (CVS);
- power to "establish, promote, encourage and support, financially or otherwise, any body, whether charitable or not, whose objects are similar to its own" too broad (BVA, AVSPNI);
- query over overlap between articles 22 and 23 (AVSPNI);
- query over power to "make charges for any goods and services supplied to any person including members and associates of the College"; not clear how income might be used (BVA).

General meetings

The bye-laws attached to the draft Charter set a quorum of 25 members for the annual general meeting and give 200 hundred members the right to require the summoning of a general meeting. (In

the present Charter the quorum for the AGM is 12, and 50 members may call for a general meeting.) The bye-laws also give the RCVS Council power to make rules as to the summoning of general meetings and procedure at such meetings. The responses were:

- support new provisions on quorum and requisitioning of general meetings (BSAVA);
- agree that 50 members to requisition general meeting may be too low, but question why 200 proposed (PDSA);
- concerned that quorum of 25 could be too low, but recognise that higher quorum might be unworkable (AVSPNI);
- query over power to make rules as to summoning of general meetings and procedure at such meetings (AVSPNI).

Appointment of committees

The bye-laws attached to the draft Charter give the RCVS Council power to appoint persons to be members of committees for such term as it may specify. Comments were:

- excessive powers of patronage (AVSPNI);
- should have time limit for service as committee member (CVS).

Treasurer

The bye-laws attached to the draft Charter require Council to elect a Treasurer at its first meeting following the annual general meeting. The present Charter says the same. An individual respondent questioned the timing of the election of the Treasurer.

Timetable

The BVA and CVS took the view that the consultation period was too short and the timetable for a new Charter too ambitious.

Comments outside scope of Charter consultation

The following comments were received on matters which did not directly concern the proposals for the new Charter, or proposed changes which would be outside the scope of a Charter:

- disciplinary jurisdiction should be widened to cover negligence as well as conduct (individual respondent);
- RCVS regulatory functions should be transferred to new statutory regulator (individual respondent);

- query about plans for statutory protection of RVN title (BVA, BVNA, PDSA, BVU); should not give up seeking new Veterinary Surgeons Act (BVU);
- veterinary nurses struck off register should not be able to practise at all (BSAVA);
- query about position of PDSA-trained listed veterinary nurses (PDSA);
- Practice Standards Scheme should be mandatory (CVS, CVS (UK) Ltd, individual respondent); scheme should not be mandatory, critical of changes in it (individual respondent); reinforcement of scheme supported (BVNA).
- CPD should be compulsory (CVS);
- composition of RCVS Council should be reviewed (CVS (UK) Ltd); veterinary nurses should be represented on RCVS Council (individual respondent);
- existence and role of RCVS should be advertised to clients of veterinary practices, and College should not be seen as "cosy club" (individual respondent);
- query about use of statutory income for non-statutory purposes (CVS);
- questions role of RCVS Knowledge, criticises costs of RCVS website (individual respondent);
- RCVS should control opening of new UK veterinary schools (individual respondent).