

Veterinary Nursing Rules

Preliminary Investigation and Disciplinary and Restoration Proceedings

Preliminary Investigation

1. (1) There shall be a VN Preliminary Investigation Committee, appointed by the Veterinary Nurses Council, which shall consist of:
 - (a) one veterinary surgeon,
 - (b) two registered veterinary nurses,
 - (c) two lay persons (not being nor having been a veterinary surgeon or veterinary nurse);

But, shall not include members of the VN Disciplinary Committee, members of the Disciplinary Committee set up under section 15 of the Veterinary Surgeons Act 1966 (the Act), or members and Lay Observers of the Preliminary Investigation Committee set up under section 15 of the Act.

The quorum of the VN Preliminary Investigation Committee shall be three, constituted by one Lay member and the veterinary surgeon and one registered veterinary nurse; or one Lay member and two registered veterinary nurses.

- (2) The VN Preliminary Investigation Committee shall carry out a preliminary investigation into every disciplinary case (that is to say, a case in which it is alleged that a registered veterinary nurse is liable to have his or her name removed from the Register or to have his or her entry in the Register suspended) and decide whether the case should be referred to the VN Disciplinary Committee.
- (3) Subject to paragraphs (1) and (2) of this rule, and where otherwise not inconsistent with these Rules, the VN Preliminary Investigation Committee shall adopt, with any modifications agreed by the VN Preliminary Investigation Committee, or necessary interpretations, the practices and procedures of the Preliminary Investigation Committee appointed under section 15 of the Act.

Removal from the Register

2. (1) There shall be a VN Disciplinary Committee whose membership shall be taken from among the following:
- (a) veterinary surgeons,
 - (b) registered veterinary nurses,
 - (c) lay persons (not being nor having been veterinary surgeons or veterinary nurses);

And may include the members of the Disciplinary Committee set up under section 15 of the Act;

But, shall not include members of the VN Council, members of the VN Preliminary Investigation Committee or members and Lay Observers of the Preliminary Investigation Committee set up under section 15 of the Act.

Save always that each member of a VN Disciplinary Committee has been duly appointed by the Veterinary Nurses Council, each VN Disciplinary Committee shall consist of not more than five and not less than three members of whom not less than one shall fall within each of paragraphs (1) (a) - (c) of this rule and the Chairman and any Vice-Chairmen shall be persons falling within paragraph (1) (c) of this rule, who have respectively been appointed to such positions by the Veterinary Nurses Council.

- (2) The VN Disciplinary Committee shall determine any disciplinary case referred to them by the VN Preliminary Investigation Committee and any application under rule 4.
- (3) If –
- (a) a registered veterinary nurse whose name is included in the Register has been convicted of a criminal offence which in the opinion of the VN Disciplinary Committee renders him or her unfit to practise as a veterinary nurse; or
 - (b) any registered veterinary nurse is judged by the VN Disciplinary Committee to have been guilty of disgraceful conduct in any professional respect; or
 - (c) the VN Disciplinary Committee is satisfied that the name of a registered veterinary nurse has been fraudulently entered in the Register

the VN Disciplinary Committee may, if it thinks fit, direct the removal of that name from the Register, or that the veterinary nurse's entry in the Register shall be suspended, that is to say, it shall not have effect during such a period specified in the direction.

- (4) The Veterinary Nurses Council shall appoint such legal assessors as it considers necessary for the VN Disciplinary Committee.
 - (5) Subject to paragraphs (1), (2) (3) and (4) of this rule, and where otherwise not inconsistent with these Rules, the VN Disciplinary Committee shall adopt, with any modifications agreed by the VN Disciplinary Committee, or necessary interpretations, the rules and procedures of the Disciplinary Committee appointed under section 15 of the Act, including the Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules Order of Council 2004 and the Veterinary Surgeons (Disciplinary Proceedings) Legal Assessor Rules 1967.
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 - (1) A person in respect of whom the VN Disciplinary Committee has made a direction under rule 2 (3), may, at any time within 28 days from the notice of direction, lodge an appeal.
 - (2) The appeal shall be heard by a barrister or solicitor with at least 10 years' standing.
 - (3) The procedures of the appeal shall be as determined by the appointed barrister or solicitor and may include an oral hearing. The appointed barrister or solicitor may quash or vary the direction, or may remit the case back to the VN Disciplinary Committee.
 - (4) The appeal shall be by way of a rehearing, including consideration of a transcript of the disciplinary hearing (to be provided by the College) and submissions by both parties.
 - (5) The fee for an appeal shall be £500, to be refunded if the appeal is successful.

Restoration to the Register

4.
 - (1) The name of a registered veterinary nurse who has been removed from the Register shall not be restored to the Register unless the VN Disciplinary Committee makes a direction to this effect, following an application for restoration to be considered in accordance with the Procedure and Evidence Rules.
 - (2) Any application for restoration to the Register shall not be made within ten months of the date of removal or within ten months of a previous application.