

VNs: all above board?

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President

A veterinary nurse...

... means a person whose name is entered in the List of Veterinary Nurses (which incorporates the Register of Veterinary Nurses) maintained by the RCVS



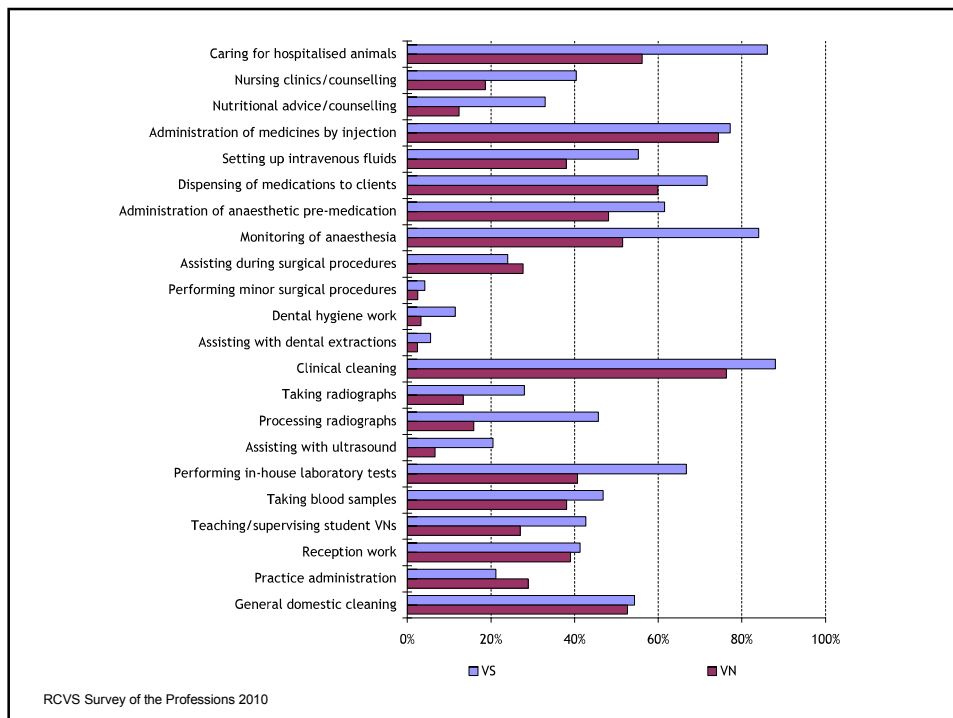
(Guide to Professional Conduct for Veterinary Nurses, Part 1 A, par 1 – it's the very first line of the VN Guide!)

Survey of the Professions 2010

VSs and VNs were asked how the VNs in the team spend their time in practice.



Following graph shows, percentage who state that VNs undertake the activity everyday.



The VN role is wide-ranging. But the legal aspects relate to Schedule 3 of the Veterinary Surgeons Act – our focus today



Legally protected?

- The title 'veterinary surgeon' is legally protected by the Veterinary Surgeons Act 1966
- The title 'veterinary nurse' is legally defined in the VSA, but:
 - Only in relation to Schedule 3
 - No sanctions for misuse of the title
 - Limited protection for owners and their animals



Developing picture

- We are working on the problem
 - Voluntary Register (2007), some protection of the term 'RVN'
 - 82% of those eligible to register have now done so
 - New 'veterinary services act' – could include full professional status and protection, but best case, this could be three to five years away



In the meantime...

...It's up to the veterinary team to ensure that owners are not misled and that animals are protected; it's a professional duty



What can a VN do under Schedule 3?



Schedule 3: A VN may undertake any medical treatment or any minor surgery (not involving entry into a body cavity) providing:

- 6a) the animal is, for the time being, under the care of a registered veterinary surgeon or veterinary practitioner and the medical treatment or minor surgery is carried out by the veterinary nurse at his direction;
- 6b) the registered veterinary surgeon or veterinary practitioner is the employer or is acting on behalf of the employer of the veterinary nurse; and
- 6c) the registered veterinary surgeon or veterinary practitioner directing the medical treatment or minor surgery is satisfied that the veterinary nurse is qualified to carry out the treatment or surgery.



Definitions

- **Direction** means that the veterinary surgeon or veterinary practitioner instructs the person as to the activity but is not necessarily present
- **Supervision** means that the veterinary surgeon or veterinary practitioner is present on the premises and able to assist if required
- **Direct and continuous supervision** means that the veterinary surgeon or veterinary practitioner is present and giving the student his/her undivided personal attention



Entitlements?

- The important bit is
*“[providing that] the registered veterinary surgeon or veterinary practitioner **directing** the medical treatment or minor surgery is **satisfied** that the veterinary nurse is qualified to carry out the treatment or surgery”*
- It is not a right of the listed VN to carry out certain tasks, but vets are entitled to delegate to them, if appropriate



What is 'medical treatment'?

- Carried out as a consequence of diagnosis and requiring intervention
- Not possible to give a definitive list
 - Involves consideration of circumstances as well as the procedures
 - Some specific examples later...



Careful delegation

- Consider three key factors:
 - 1) The nature of the procedure or treatment
 - 2) The animal concerned – species, condition, likelihood of complications, owner's wishes
 - 3) Qualification of person being delegated to: training, experience, confidence, willingness to accept delegation, availability of more qualified support
- RCVS or court would consider 'reasonableness' of decision



VN students



Student VNs

- Defined in Schedule 3 as:
 - A person enrolled under bye-laws made by the RCVS Council for the purpose of undergoing training as a veterinary nurse and at an approved training and assessment centre or a veterinary practice approved by such a centre
- ‘Trainee’ on in-house course is not recognised under this definition



Under Schedule 3, Student VNs can carry out any medical treatment or minor surgery (not involving entry into a body cavity), providing:

7a) the animal is, for the time being, under the care of a registered veterinary surgeon or veterinary practitioner and the medical treatment or minor surgery is carried out by the student veterinary nurse at his **direction** and in the course of the student veterinary nurse's training;

7b) the treatment or surgery is **supervised** by a registered veterinary surgeon, veterinary practitioner or veterinary nurse and, in the case of surgery, the supervision is direct, continuous and personal; and,

7c) the registered veterinary surgeon or veterinary practitioner **is the employer or is acting on behalf of the employer** of the student veterinary nurse.

When is a student not a student?

- To fall under Schedule 3, students must be 'actively training'
 - Enrolled with RCVS – lasts six years; many have re-enrolled since Panorama (including one who first enrolled in 1986!)
 - Enrolled with a centre or university
 - If in work-place training, enrolled with a TP or aTP
- Beware Student VNs 'locuming' – Schedule 3 only applies if they are working in their training environment
- Practices: advise us if you take on a new student
- Students: advise us if you move

Caught between two stools...



*"I've passed my exams!
Got a pay rise and new uniform too!"*

- But in all the excitement, you forget to register...
- Qualified but unregistered means no longer a student, not yet a 'veterinary nurse'
- No Schedule 3 dispensations
 - NB same true of overseas-qualified vets who are not RCVS registered members: they can't work as VNs doing Schedule 3 tasks



Employers: if in doubt, check:
www.rcvs.org.uk/vnlist



Job titles

- You're visiting your grandmother in hospital. It says 'Head Nurse' on her carer's badge
 - Would you expect that person to be qualified?
- Job titles (and uniforms) should not mislead the public (or colleagues)
- **Veterinary nurse** should only be used by a qualified and listed/registered person
- Unqualified staff with a nursing role could be **Veterinary Nursing Assistants**



Unqualified (lay) staff



25% of unqualified veterinary nursing assistants who responded say that they perform minor surgical procedures or teach and supervise student VNs

RCVS Survey of the Professions 2010



What can an unqualified nursing assistant do?

- The law sets out the circumstances under which non-vets may legally carry out veterinary treatments:
 - Listed VNs
 - Enrolled Students
 - Owners (or employees/members of their households)
- It does not include unqualified nursing staff, regardless of training or experience
 - No medical treatment
 - No surgery, minor or otherwise



In the real world...

- In certain circumstances it may not be in the public interest to take regulatory action where delegation to a lay member of practice staff:
 - Is reasonable in all the circumstances
 - Does not put the animal at risk
 - Does not amount to more than minor medical treatment of the sort an owner could undertake
- Ensure any such decision is documented

For example:

- If the on-duty veterinary nursing assistant is on sole duty at night they may be directed by a vet to administer uncomplicated oral medication or subcutaneous injections
- Intramuscular or intravenous injections, or invasive procedures – IV or urinary catheter – should not be delegated to a lay person



Finally, some FAQs



Can veterinary nurses carry out vaccinations?

- First vaccination, or annual booster, using POM-V
 - Vet must carry out clinical assessment and have animal under his care
 - Vet may administer vaccination or may delegate to VN or Student VN
 - If certificate required, vet must do it himself or witness it done
- Second vaccination
 - If authorised by vet at time of first vaccination, then administration and all dealings may be done by VN or Student VN
 - If certificate required, vet must do it himself or witness it done
 - Helpful for vet to be on premises in case of complications

See Advice Note 11: www.rcvs.org.uk/advicenotes



Who can monitor and maintain anaesthesia?



- Inducing, under direction of a vet
 - Can be done by VN or Student VN (under supervision)
- Administering medicine incrementally or to effect to induce and maintain anaesthesia
 - Can only be done by a vet
- Maintaining
 - Responsibility of a vet, but any suitably-trained person may assist by acting as vet's hands (eg moving dials); VN or Student VN best placed to do this
- Monitoring
 - Responsibility of a vet, but may be carried out on his or her behalf by any suitably-trained person; VN or Student VN is best

See Advice Note 19: www.rcvs.org.uk/advicenotes



Can VNs extract teeth?



- VNs may carry out routine dental hygiene work
- May only extract teeth if loose and can be extracted by hand
- Removal of teeth by instrument is not minor surgery (Advisory Committee 2003)

See Advice Note 18: www.rcvs.org.uk/advicenotes



Can a VN castrate a cat?



- Expressly disallowed under Schedule 3, Part II

Nothing in section 19(4)(b) of this Act shall authorise:

(a) the castration of a male animal being—

- (i) a horse, pony, ass or mule,
- (ii) a bull, boar or goat which has reached the age of two months,
- (iii) a ram which has reached the age of three months, or

(iv) a cat or dog;

(b) the spaying of a cat or dog;



Treatment by non-vets: 2004 DC hearing



Veterinary surgeon often stayed in the flat above the surgery leaving a listed veterinary nurse to carry out procedures such as the extraction of all teeth and cat castrations

Struck off



Sources of information

- Online *Guide*
 - www.rcvs.org.uk/guide (VS *Guide*)
 - www.rcvs.org.uk/vnregister (RVN *Guide*)
- Advice Notes
 - www.rcvs.org.uk/advicenotes
- Schedule 3 advice
 - Section 4 of the List/Register of VNs
- Call the Professional Conduct Dept
 - 020 7202 0789
 - profcon@rcvs.org.uk
- *Guide* updates / new Advice Notes in *RCVS News*
 - www.rcvs.org.uk/rcvsnews



Try our *Guide* e-quiz

- Visit the RCVS stand (M26 – on the balcony) to try our VN *Guide* quiz
- Test your knowledge
- Pick up your free brain-trainer
- Vets got 20/25 in their quiz...
– **The challenge is on!**



Thank you for your time
Any questions?