

REVIEW OF THE VETERINARY SURGEONS ACT 1966: QUESTIONS AND ANSWERS

REGULATION

- 1. I understand that regulation for VNs will be a voluntary system to begin with. What will this mean and will it apply to all VNs from the onset?**

The present legislation does not provide for mandatory regulation for VNs, but the VN Council is currently developing a scheme for voluntary regulation which it hopes to introduce next year. This will pave the way for a mandatory scheme in the future. The Government is expected to introduce new legislation to replace the Veterinary Surgeons Act and provide for the regulation of veterinary nurses in the relatively near future.

- 2. When will regulation become mandatory for VNs?**

Not until new legislation is in place.

- 3. Will VNs have to make the change from voluntary to mandatory regulation as soon as the new legislation goes through Parliament or will there be time to get ready?**

This will be up to the Government, but it is likely to happen within one or two years of a new Act being approved by Parliament.

- 4. Once regulation becomes mandatory, will all unqualified and/or unregistered nursing staff lose their jobs?**

We propose that registered VNs alone should be allowed to call themselves veterinary nurses, and that certain tasks should be reserved to registered VNs and student VNs acting under supervision. There is no reason to suppose, however, that other staff would lose their jobs.

- 5. If VNs accept regulation now alongside vets in the ways that are suggested, will it be possible to establish an independent regulatory body for VNs later?**

Yes, so long as the Government of the day agrees to bring in new legislation for the purpose.

- 6. Will the role of the VN become defined and veterinary nursing restricted to VNs?**

Only registered VNs will be able to call themselves veterinary nurses. It is already the case that certain procedures, set out in Schedule 3 to the Veterinary Surgeons Act, can only be performed by registered VNs, student VNs under supervision or veterinary surgeons.

- 7. How much will it cost to register each year?**

This will depend on the way the regulatory system is set up. Dealing with complaints about individual practitioners is a significant cost for RCVS at the moment, but it is hard

to predict how many complaints would relate to registered VNs in the future. The consultation paper proposes a common system to supervise the professional conduct of veterinary surgeons, registered VNs and other groups, partly in order to keep costs down. Full regulation of VNs would be bound to cost more than the present arrangements, but it is hoped that the annual fee would not be more than £120.

GUIDE TO PROFESSIONAL CONDUCT FOR VNS

8. What sort of thing would we be expected to sign up to and is this really achievable by the average VN in practice or working in other areas such as education?

The Guide to Professional Conduct is being written by VNs with help from the RCVS and will be approved by the VN Council. This should ensure that it will be achievable by VNs. In the future, under a new Act, again the Veterinary Nurses Council will decide the content of the Guide.

9. Will there be any training for VNs to get us ready for regulation, e.g. understanding the guide to conduct and its implications, and will it form part of the student VN's training?

Certainly VN training will need to include an element relating to professional conduct and responsibility.

10. Currently everything I do is under the direction of my veterinary surgeon and he or she is ultimately accountable for my actions. Regulation would mean that I am accountable for my own actions. Will this include everything I do or will there still be some areas where the VS is still accountable for my actions?

You will certainly be accountable for your own actions and responsible for ensuring that you only work within your own area of competence. However there will be occasions when you act under veterinary direction, and then the directing veterinary surgeon will be accountable too.

11. What if a veterinary surgeon asks me to do something that I feel or know is wrong at the time: should I say no?

If the task is outwith your area of competence or you believe it is illegal you should point this out and explain your concerns. Yes, you may need to refuse. Guidance will be available in the Guide to Professional Conduct and from the Veterinary Nurses Council.

12. Will I be individually accountable for my actions outside of my work environment?

Yes: professionals are expected to be responsible, trustworthy people, and not just while on duty. A veterinary surgeon with a criminal conviction can be removed from the Register if the Disciplinary Committee considers that the offence renders them unfit to practise, and under new legislation this would extend to all the regulated professions.

SCHEDULE 3

13. Will regulation mean that more procedures will become restricted to vets and VNs?

Not necessarily. There is no proposal to change the definition of "veterinary surgery", which determines the boundary between what qualified and unqualified people can do.

14. Will regulation mean that veterinary nursing procedures within Schedule 3 will no longer be performed by any one other than VNs or student VNs?

Schedule 3 allows listed VNs and student VNs acting under supervision to give medical treatment and carry out minor surgery (not involving entry into a body cavity), subject to various conditions. It will continue to be unlawful for anyone other than a registered VN or a student VN to carry out Schedule 3 procedures unless they are covered by another part of the Schedule (as is the case with people who own or look after farm animals). However, it will be easier to monitor illegal acts and to take action against transgressors once a regulatory structure for VNs is in place.

CONTINUING PROFESSIONAL DEVELOPMENT

15. How much and what sort of CPD will I be required to take every year?

This will be decided by the Veterinary Nurses Council and may change over time. The current thinking is around 15 hours a year (or six days over three years).

16. Will I have to work a certain amount of hours in practice every year to keep on the VN Register?

Probably. The current thinking is a minimum of 100 hours in five years. "Practice" includes any work done by virtue of the VN qualification.

17. What happens if I want to take a career break and then wish to register again? Would I be able to re-register like I can do now with the VN list?

Some form of re-training will almost certainly be required, but the amount will be determined by the Veterinary Nurses Council from time to time. The current thinking is that "returners" will be required to work under direct supervision for a short time in the way student VNs are supervised.

CONDUCT AND COMPETENCE

18. If a colleague or client makes a complaint against me, how will the complaint process work and who would investigate my case?

The consultation document proposes a new body, the "board", to consider all complaints against veterinary surgeons, VNs and any other profession regulated under the new arrangements. An investigating panel consisting of veterinary nurses, lay people and probably one member of one of the other professions will assess the complaint. If the panel considers that there is a case to answer it will refer the complaint to the Conduct

and Competence Committee. This will hear all the evidence, question witnesses and decide whether the allegation is well founded. If so it may impose a sanction, which could be a warning as to future conduct, conditions or restrictions on future practice (for instance requiring some retraining), or removal or suspension from the Register in more serious cases. The Conduct and Competence Committee will work through panels, and a panel convened to consider a case involving a VN might consist of two VNs, two lay persons and one member of one of the other professions.

19. If vets and VNs are to be regulated by a common body, how can I be certain that it will not automatically find in favour of my vet if a complaint is made against both of us?

A Conduct and Competence Committee panel will be made up of veterinary nurses, veterinary surgeons and lay persons, and a legally qualified person will either chair the proceedings or act as the legal assessor and ensure that the panel observes similar standards of impartiality to a court of law. The Conduct and Competence Committee will be independent and not under the control of the board, the RCVS Council or the Veterinary Nurses Council.

20. If regulated I will presumably have a duty to report issues that concern me, eg if a lay person in my practice is carrying out a Schedule 3 procedure?

Yes. Guidance will be available in the Guide and from the Veterinary Nurses Council.

21. What would be the correct way of tackling this, without being branded a whistle-blower, losing the confidence of members of my practice or worse still losing my job and finding it difficult to get another job?

Difficult to answer as it will depend on the individual circumstances. However there will be guidance on how to proceed in such circumstances and you can be assured you will be able to seek advice from the Veterinary Nurses Council on a confidential basis which will help you.

22. If I had cause to report a colleague to my regulatory body, where the situation was not satisfactorily resolved with my vet / employer, is there any way I can report the incident anonymously but still have the assurance that my body would follow the complaint up?

Difficult to answer as this will depend on the seriousness of the complaint. However evidence will be required if any action is to be taken against a professional person and the allegation followed up. This always requires witnesses to come forward and give the evidence under oath. The witnesses could be persons other than you. However it is inevitable that your colleague would learn at some time that you were responsible. Whistle-blowing is an inevitable requirement of being a responsible professional.