

ROYAL COLLEGE OF VETERINARY SURGEONS
INQUIRY RE:

REBECCA DAVIES RVN

DECISION ON DISGRACEFUL CONDUCT IN A PROFESSIONAL RESPECT

Summary of Submissions by the College

1. The College submits that the conduct found proved amounts to disgraceful conduct in a professional respect and that all of the charges which have been found proved are sufficiently serious individually and certainly on a collective view, to amount to disgraceful conduct in a professional respect.
2. The College submits that the Respondent has directly breached several of the most fundamental tenets of the profession, including the following Standards of the Code of Professional Conduct for Veterinary Nurses (the Code):
 - a. the promotion of animal health and welfare (1.1);
 - b. keeping within their own area of competence (1.2);
 - c. the responsible administration of medicines (1.5);
 - d. communication with veterinary surgeons to ensure the health and welfare of animals (1.6);
 - e. working together as a team to co-ordinate the care of animals (4.1);
 - f. not doing anything that would bring profession into disrepute (6.5);

3. The College further submitted that for each individual charge the Respondent failed to follow the instructions of veterinary surgeons both in respect of the administration of medicines or administering medicines/undertaking other clinical actions without the direction and/or authorisation of veterinary surgeons.
4. Further, the College submitted that conduct in respect of each individual particular of charge is sufficiently serious in and of itself in that it engages each one of the Standards of Practice identified above. Ms Culleton submitted that each particular of charge indicated an unwillingness and inability to act according to the surgeons' instructions/directions, and an apparent desire to act unilaterally and contrary to the instructions given, or simply without seeking authorisation, despite her position within the surgical team. That, she submitted, in and of itself showed a concerning approach to working as a veterinary nurse and as part of a team, and a lack of self-awareness or insight as to her role and responsibilities and the standards she should have been working in accordance with pursuant to the Code.
5. Ms Culleton further highlighted in her written submissions those parts of the charges that were particularly serious with actual or potential consequences.
6. She also submitted the Respondent's behaviour, encompassed in the proven charges are of a nature that would be likely to bring the profession into disrepute or undermine public confidence in the profession. She submitted members of the public would be rightly appalled and concerned if they were told that a registered veterinary nurse was ignoring the direction of veterinary surgeons in relation to their animal's treatment.

The Respondent

7. The Respondent was sent the decision on Findings of Fact and invited to make submissions on Disgraceful Conduct in a Professional Respect. Ms Yusuph told the Committee that the Respondent had not responded to the Findings of Fact decision nor had she made any further written submissions.

The Committee's Decision on Disgraceful Conduct in a Professional Respect

8. The Committee noted that disgraceful conduct in a professional respect was conduct which fell far short of that which is to be expected for a veterinary nurse. It referred to the list of aggravating and mitigating factors in the Disciplinary Committee Procedure and Sanctions Guidance (updated in 2022).
9. The Committee decided that the conduct it had found proved amounted to disgraceful conduct in a professional respect both individually and cumulatively. The Committee noted that the conduct was aggravated by the fact that the Respondent had engaged in misconduct over a lengthy and sustained period of time, approximately 8 months. The Charges spanned four surgical procedures on 7 September 2022, 8 February 2023 and 19 April 2023 and 26 April 2023. It further noted that the Respondent had been asked about her conduct by Mr Turnbull on 11 May 2023 and shortly thereafter she had resigned.
10. In respect of Charges 1, 2, 3 and 4, the Committee found the following aggravating factor
 - Risk of injury to animal or human.
11. It found no mitigating factors relevant to the conduct it had found proved.
12. The Committee agreed with the submissions made by the College, that the conduct found proved indicated an unwillingness and inability to act according to the veterinary surgeons' instructions/directions. It noted that the Respondent acted on at least seven occasions contrary to the instructions given or without seeking direction or authorisation, despite her position within the surgical team.
13. The Committee also concluded that such conduct overall is of a nature that would be likely to bring the profession into disrepute or undermine public confidence in the profession. The Respondent had breached the most fundamental tenet of the profession, the promotion of animal welfare. She had by ignoring the veterinary surgeons' instructions,

risked animal welfare, which goes to the heart of the veterinary profession. In the Committee's judgment members of the public would find the Respondent's conduct deplorable and they would be rightly concerned if they were told that a veterinary nurse was acting on her own initiative both regarding the administration of medicines and in relation to surgical procedures without the authorisation or direction of a veterinary surgeon.

14. The Committee noted that the Respondent had not worked within the remit of her role. She had resorted to unacceptable unilateral working practices, which included persistently going against and ignoring the reasonable instructions of veterinary surgeons in circumstances where patients were put at risk and which eroded the trust and confidence between veterinary surgeons and veterinary nurses.

Charge 1 (b)(c) and (d)

15. The Committee referred to the Codes of Professional Conduct for Veterinary Nurses in place at the time of the misconduct. In its judgement the conduct it had found proved in respect of Charge 1(b)(c) and (d) breached the following standards of the Code:

- *1.1 - Veterinary nurses must make animal health and welfare their first consideration when attending to animals*
- *1.2 Veterinary nurses must keep within their own area of competence and refer cases responsibly*
- *1.6 Veterinary nurses must communicate with veterinary surgeons and each other to ensure the health and welfare of the animal or group of animals*
- *4.1 Veterinary nurses must work together and with others in the veterinary team and business*

- *6.5 Veterinary nurses must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession.*

16. For Charge 1(b) and 1(c), it found part 1.5 of the Code was also breached:

- *1.5 Veterinary nurses who supply and administer medicines must do so responsibly.*

17. Accordingly in one surgical procedure the Committee was satisfied for particulars 1(b)(c) and (d) that the Respondent's conduct both individually (for each particular) and cumulatively amounted to disgraceful conduct. The Committee noted that there was a significant risk of harm to Patient A in respect of the administration of the bolus(es) of MLK and in addition there was a significant risk to Patient A by the Respondent placing a feeding tube when the veterinary surgeon wanted to do it herself and when she was not certain of the skill or competence of the Respondent.

18. In respect of the conduct the Committee had found proved in relation to Charge 1(e), the Committee had found the facts of that charge proven, but it did not consider that the conduct in those circumstances amounted to disgraceful conduct in a professional respect. The Committee had carefully considered the anaesthetic chart and the wording in the statement of Ms McKenzie. It decided that the Respondent had only administered IPPV at the start of the procedure according to the anaesthetic chart and not throughout the procedure. Although Ms McKenzie said she had not authorised it, the Committee believed she had said this only after the IPPV had been administered. In the Committee's judgment it was not unprofessional for the veterinary nurse to have administered IPPV at the start of the anaesthetic procedure without direction or authorisation because this was a role that veterinary nurses could undertake at the beginning of an anaesthetic surgical procedure. It was therefore not persuaded that in those circumstances administering IPPV amounted to disgraceful conduct in a professional respect.

Charge 2

19. In respect of Charge 2(a) the Committee found the following standards of the Code were breached:

- 1.1, 1.2, 1.5, 1.6, 4.1, 6.5.

20. In respect of Charge 2(b) the Committee found the following standards of the Code were breached:

- 1.1, 1.2, 1.6, 4.1, 6.5.

21. For Charge 2(a) and 2 (b) during this surgical procedure the Committee found that the Respondent had acted on her own initiative, unprofessionally and contrary to the instruction of the veterinary surgeon who was in charge of the surgical procedure. She had done so in respect of administering propofol and in respect of the placing of a urinary catheter. Although the Respondent may well have believed she was helping during the surgical procedure, the Committee was in no doubt that such conduct amounted to misconduct and was serious because she had acted without the direction or authorisation of a veterinary surgeon. A surgical procedure required the concentration of the veterinary surgeon and it was expected that a veterinary nurse assisting with it could be relied on to act under the instruction or direction of the veterinary surgeon and not to act unilaterally.

22. Although Patient B recovered, the administration of the Propofol caused him to stop breathing.

23. In the Committee's judgement the conduct encompassed in Charge 2(a) and 2(b) therefore both individually and cumulatively amounted to disgraceful conduct in a professional respect.

Charges 3 and 4

24. In respect of Charge 3 and Charge 4 the Committee found the following standards of the Code were breached:

- 1.1, 1.2, 1.5, 1.6, 4.1, 6.5.

25. Although Charge 3 related to administering a controlled drug and Charge 4 did not, the Committee was satisfied that the administration of medicines without authorisation or direction by a veterinary surgeon amounted to disgraceful conduct in a professional respect.

26. For Charge 3, the risk of administering Methadone intravenously rather than intramuscularly was 'respiratory arrest and bradycardia' as stated by Ms Brown.

27. In Charge 4, the risk of double dosing in respect of the administering of Maropitant and administering it when it was not required, called into question the Respondent's ability to work as a team with a veterinary surgeon and her ability to ensure patient welfare whilst undergoing a surgical procedure because she did not seek the instruction or authorisation of the veterinary surgeon to give this medication.

28. For the above reasons the Committee therefore found the Respondent's conduct in respect of Charges 1-4 amounted to disgraceful conduct in a professional respect.