

Meeting	Council
Date	8 March 2018
Title	Preliminary Investigation Committee Chairman's Report to Council
Classification	Unclassified
Summary	This report sets out the work of the Preliminary Investigation Committee since RCVS Council's last meeting and the work of the Veterinary and Lay Committee members at the different stages of the concerns process. It also describes common concerns themes and potential learning points which the Committee has noted over the past twelve months.
Decisions required	None
Attachments	None
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Preliminary Investigation Committee

Chairman's Report to Council 8 March 2018

Introduction

Note: information covers the period 18 October 2017 to 15 February 2018 (the date of writing the report)

1. Since the last Report to Council (which gave information as at 17 October), there have been seven Preliminary Investigation Committee (PIC) meetings: 26 October, 8 and 23 November, 6 and 20 December 2017, and 17 January and 7 February 2018. A further PIC meeting is taking place on 21 February.

Preliminary Investigation Committee

2. The total number of new cases considered by the Committee between 18 October and 15 February is 45. Of the 45 cases considered,
 - 28 were concluded at first consideration by the Committee. Of these,
 - 17 cases were closed with no further action
 - 5 cases were closed with advice issued to the veterinary surgeon
 - 6 cases were held open
 - 17 were referred for further investigation, including
 - 13 cases which were referred for enquiries, visits, preliminary expert report
 - 3 cases which were referred to solicitors, for formal statements to be taken
 - 1 case was referred straight to a Disciplinary Committee.

No cases have been referred to the RCVS Health or Performance Protocols.

Ongoing Investigations

3. The PI Committee is investigating 26 ongoing cases where the Committee has requested statements, visits or preliminary expert reports for example. This figure does not include cases on the Health and Performance Protocols.

Health Protocol

4. There are eight veterinary surgeons either under assessment or currently on the RCVS Health Protocol.

Performance Protocol

5. There is one veterinary surgeon currently on the RCVS Performance Protocol.

Professional Conduct Department

Enquiries and concerns

6. Before registering a concern with the RCVS, potential complainants must make an Enquiry (either in writing or by telephone), so that Case Managers can consider, with the enquirer, whether they should raise a formal concern, or whether the matter would be more appropriately dealt with through the Veterinary Client Mediation Service.
7. In the period 18 October 2017 to 15 February 2018,
- the number of matters registered as written Enquiries was 396, and
 - the number of formal Concerns registered in the same period was 161¹.
8. The table below shows the categories of matters registered between 18 October 2017 and 15 February 2018.

Enquiries and concerns registered between 18 October 2017 and 15 February 2018

Category	Description of Category	Number of Cases
A	Client Confidentiality	18
B	Fees	74
C	Promoting the Practice	2
D/1	General	17
D/2	24 hour emergency cover	12
D/3	Euthanasia	8
D/4	Communication/ Consent	29
E	Running the business	6
F	Treatment of animals by non-veterinary surgeon	4
G	Certification	4
H	The use of Veterinary Medicine Products	19
I	Jurisdiction of RCVS	0
J	Negligence/Inadequate Care	330
K	Other (for example, fraudulent registration)	16
L	Convictions	17

¹ We do not have the data to determine what proportion of formal Concerns originated as written Enquiries. Formal Concerns can also originate as telephone Enquiries.

M	Health	1
N	Appeals	0
P	Performance	0
R	Restoration	0
X	Unclassified	1
	Total	557

1. *Data source – Profcon computer system concerns data.*
2. *Category 'X' is a temporary field assigned to concerns files where a final category has not been identified, either because they are potential concerns or have not yet been assessed.*

Referral to Disciplinary Committee

9. In the period 18 October 2017 to 15 February 2018, the Committee referred 8 cases to the Disciplinary Committee.

Veterinary Investigators

10. The Veterinary Investigators and the Chief Investigator carried out 7 announced visits in the reporting period and 8 unannounced visits. No health related or review visits were undertaken in the period.

Concerns procedure

11. The Case Manager team continues to work hard to achieve the stage 1 target that cases should be decided by the Case Examiner Group within 4 months of registration of complaint (the Stage 1 KPI). Since 1 October 2017, the median monthly percentage of cases achieving the Stage 1 KPI is 82%.

The Stage 2 KPI is for the PIC to reach a decision on the cases before it within the target time of 9 months. This KPI was met in 75% of cases before the PIC in the reporting period. It should be noted that where cases require more extensive investigation (for example, obtaining witness statements or preliminary expert reports), the time taken to reach a decision may exceed the 9 months, and the team are focusing on how that time can be reduced while maintain the quality and thoroughness of the investigation, so that appropriate decisions are reached.

12. The table at paragraph 8 above shows the categories of enquiries and concerns, and numbers in each category, which have been registered in the period. The types of cases coming before the Committee are similar to those discussed in the previous report to Council. The theme which runs through many of the concerns is communication:
 - dental treatments – for example, gaps between owners' expectations of how many teeth will be extracted with the number actually extracted

- consent – owners alleging that they have not given fully informed consent as for example, they say they were not provided with all treatment options
- consent- organ(s) have been removed without consent/communication with the owner
- overnight care - a gap in understanding as to what this will entail (for example, that an animal may be left alone overnight in the practice).

Training

13. The PIC, RVN PIC, Veterinary Investigators and members of the Professional Conduct team took part in two days of training in October and November 2017. Among the topics covered were refreshers on CEG/PIC roles and responsibilities, threshold tests (arguable case/realistic prospect), and relevant recent case law. Attendees also participated in case studies, and heard a presentation from Ms Katie Moore and Dr Karla Greenberg from Vet Life on their work and mental health.