

Summary	
Meeting	Council
Date	8 October 2020
Title	Preliminary Investigation Committee Report to Council
Summary	This report describes the work of the Preliminary Investigation Committee since RCVS Council's last meeting, including by reference to key stage indicators, and provides information about the nature of concerns being considered by the RCVS.
Decisions required	None
Attachments	None
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Classifications		
Document	Classification¹	Rationales²
Paper	Unclassified	n/a

¹Classifications explained

Unclassified	Papers will be published on the internet and recipients may share them and discuss them freely with anyone. This may include papers marked 'Draft'.
Confidential	Temporarily available only to Council Members, non-Council members of the relevant committee, sub-committee, working party or Board and not for dissemination outside that group unless and until the relevant committee or Council has given approval for public discussion, consultation or publication.
Private	The paper includes personal data which should not be disclosed at any time or for any reason, unless the data subject has agreed otherwise. The Chair may, however, indicate after discussion that there are general issues which can be disclosed, for example in reports to committees and Council.

²Classification rationales

Confidential	<ol style="list-style-type: none"> 1. To allow the Committee or Council to come to a view itself, before presenting to and/or consulting with others 2. To maintain the confidence of another organisation 3. To protect commercially sensitive information 4. To maintain public confidence in and/or uphold the reputation of the veterinary professions and/or the RCVS
Private	<ol style="list-style-type: none"> 5. To protect information which may contain personal data, special category data, and/or criminal offence data, as listed under the General Data Protection Regulation

Preliminary Investigation Committee

Report to Council 8 October 2020

Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee from May 2020 to September 2020 (18 September being the date of writing the report).
2. Since the last Report to Council (which gave information to 21 May), there have been seven Preliminary Investigation Committee (PIC) meetings: 3 June, 17 June, 8 July, 22 July, 12 August, 2 September and 16 September.

New cases considered by the PIC

3. The total number of new cases considered by the Committee at the seven meetings referred to above is 30. Of the 30 new cases considered:
 - 18 were concluded at first consideration by the Committee. Of these:
 - 7 cases were closed with no further action, and
 - 9 cases were closed with advice issued to the veterinary surgeon.
 - 12 were referred for further investigation, that is, further enquiries, visits and/or preliminary expert reports, and
 - 2 cases were referred to DC.
4. No cases have been referred to the RCVS Health or Performance Protocols in the reporting period.

Ongoing Investigations

5. The PI Committee is currently investigating 20 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

6. There are three veterinary surgeons either under assessment or currently on the RCVS Health Protocol.

Performance Protocol

7. There are no veterinary surgeons currently on the RCVS Performance Protocol.

Professional Conduct Department - Enquiries and concerns

8. 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.

9. In the period 22 May to 18 September,

- the number of matters registered as Enquiries was 1090, and
- the number of formal Concerns registered in the same period was 149.

10. The table below shows the categories of matters registered as Concerns between 22 May and 18 September.

Concerns registered between 22 May and 18 September

Description of Category	Number of Cases
- Advertising and publicity	0
- Certification	3
- Client confidentiality	0
- Clinical and client records	1
- Communication and consent	9
- Communication between professional colleagues	0
- Conviction/notifiable occupation notification	2
- Delegation to veterinary nurses	1
- Equine pre-purchase examinations	0
- Euthanasia of animals	1
- Giving evidence for court	0
- Health case (<i>potential</i>)	3
- Microchipping	2
- Miscellaneous	4
- Practice information, fees & animal insurance	3
- Referrals and second opinions	1
- Registration investigation	1
- Restoration application	0
- Social media and networking forums	0
- Treatment of animals by unqualified persons	0
- Use of samples, images, post-mortems and disposal	0
- Veterinary care	107
- Veterinary medicines	7
- Veterinary teams and leaders	0
- Whistle-blowing	1
- 24-hour emergency first aid and pain relief	3
- Unassigned	0
Total	149

Data source – Profcon computer system concerns data.

Referral to Disciplinary Committee

11. In the period 22 May to 18 September 2020, the Committee has referred five cases involving three veterinary surgeons to the Disciplinary Committee.

Veterinary Investigators

12. The Veterinary Investigators have carried out two visits during the reporting period, once restrictions had been lifted sufficiently to allow them to take place safely. One was a follow-up visit on a held-open case and the other was in relation to a practitioner who had failed to respond to correspondence from the Professional Conduct department.

Concerns procedure

13. At Stage 1 of the process, the aim is for the Case Examiner Group to decide 90% of cases within four months of registration of complaint (the Stage 1 KPI). For each of the months from May to August (the last complete month) the number of cases concluded and achieving the KPI is 83%, 85%, 77% and 78% respectively. While we continue to strive to meet the 90% target for compliance, circumstances have continued to pose challenges both for staff members working from home (some of whom have child care commitments in addition to work) and for practitioners endeavouring to respond to concerns either in light of their working arrangements or because some have been furloughed.
14. The Stage 2 KPI is now for the PIC to reach a decision on simple cases before it within seven months, and on complex cases within 12 months. A case is deemed to be complex where the PIC requests that witness statements and/or expert evidence be obtained.
15. In the period 22 May to 18 September, the PIC reached a decision (to close, hold open or refer to DC) within the relevant KPI:
- in 12 out of 18 simple cases (67%).
16. There were a number of factors that caused delays in concluding those cases that did not meet the target; three cases were delayed to allow practitioners the opportunity to provide their responses and one case involved allegations relating to 24 different animals.
17. Six complex cases were decided, of which four met the 12-month KPI. In accordance with normal practice, cases and KPI compliance in general have been reported and discussed in more detail at the PIC/DC Liaison Committee meeting.

Operational matters

18. The Committee continues to meet remotely and Committee members in general feel that the virtual meetings are working well. A new veterinary member started in July to replace a member who had completed two terms. Two training sessions for PIC members have been arranged to take place in November and will be conducted virtually, having been postponed from April when they were intended to be held in person. Two new Case Managers started in the Profcon department in March, and while one of these has settled in well, the other did not and has not

been kept on. Recruitment is underway to find a replacement as soon as possible in order to keep the department fully staffed and seek to ensure that cases are progressed expeditiously.

Themes and learning for the profession

19. Many of the matters that are considered by the Committee reflect similar themes to those in past years. In many cases, communication lies at the heart of the problems.

20. Several cases relating to informed consent in respect of veterinary medicines have recently been considered by the Committee. Advice has been issued on a number of occasions to reiterate the importance of ensuring that pet owners are fully informed when medications are prescribed under the Cascade, and that written consent should be obtained as necessary where possible.