

Meeting	Council
Date	13 June 2019
Title	Preliminary Investigation Committee Chair's Report to Council
Classification	Unclassified
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 PIC.
Decisions required	None
Attachments	None
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Preliminary Investigation Committee

Chair's Report to Council 13 June 2019

Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee from March to May 2019.

Since the last Report to Council (which gave information to the end of February 2019), there have been six Preliminary Investigation Committee (PIC) meetings: 6 and 20 March, 10 and 24 April, and 8 and 22 May 2019.

New cases considered by the PIC

2. The total number of new cases considered by the Committee at the seven meetings referred to above is 44. Of the 44 new cases considered:
 - 26 were concluded at first consideration by the Committee. Of these,
 - 18 cases were closed with no further action, and
 - 8 cases were closed with advice issued to the veterinary surgeon.
 - 17 were referred for further investigation, that is, further enquiries, visits and/or preliminary expert reports, and
 - 1 was referred to DC.

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

Ongoing Investigations

3. The PI Committee is currently investigating 24 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 three 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 1 March 2019 to 31 May 2019,
- the number of matters registered as Enquiries was 841, and
 - the number of formal Concerns registered in the same period was 149.
8. The table below shows the categories of matters registered as Concerns between 1 March and 31 May 2019.

Concerns registered between 1 March and 31 May 2019

Description of Category	Number of Cases
- Certification	2
- Client confidentiality	2
- Clinical and client records	4
- Communication and consent	7
- Communication between professional colleagues	3
- Conviction/notifiable occupation notification	8
- CPD Compliance	3
- Equine pre-purchase examinations	1
- Euthanasia of animals	4
- Miscellaneous	6
- Practice information, fees & animal insurance	2
- Referrals and second opinions	2
- Use of samples, images, post-mortems and disposal	2
- Veterinary care	92
- Veterinary medicines	6
- 24-hour emergency first aid and pain relief	5
Total	149

Data source – Profcon computer system concerns data.

Referral to Disciplinary Committee

9. In the period March to May 2019, the Committee referred three cases to the Disciplinary Committee; these cases referred arose from concerns around clinical matters, dishonesty in the context of certification, and animal health and welfare.

Veterinary Investigators

10. The Veterinary Investigators and the Chief Investigator carried out 1 unannounced visit and 2 announced visits in the period March 2019 to May 2019, and are currently assisting two enforcement agencies in the investigation of alleged breaches of the Veterinary Surgeons Act 1966. These investigations are ongoing and at various stages. No health related or performance related or review visits were undertaken in the period.

Concerns procedure

11. At Stage 1 of the process, the aim is for the Case Examiner Group to decide 90% of cases within 4 months of registration of complaint (the Stage 1 KPI). For each of the months from March to May 2019, the monthly percentage of cases achieving the KPI is 71%, 67% and 85% respectively.
12. The Stage 2 KPI was reviewed at the PIC DC Liaison Committee meeting in July 2018, and is now for the PIC to reach a decision on simple cases before it within 7 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.

In the period March to May 2019, the PIC reached a decision (to close, hold open or refer to DC):

- in 100% of simple cases,
- in 43% of complex cases.

There were seven complex cases: of these seven four did not meet the KPI. In two of the cases, the respondents requested and were granted extensions of time to submit comments and additionally in one of those cases a short delay at stage 1 of the process impacted the KPI at stage 2. The other two cases concerned the same respondent, with several adjournments given, and visits undertaken, to facilitate an improvement by the vet in her performance.

Performance against the KPIs continues to be reported and discussed in detail at the PIC/DC Liaison Committee meetings.

Operational matters

13. Training for PIC members, RVN PIC members and veterinary investigators (with RCVS staff in attendance) took place in May 2019. Attendees were briefed on updates particularly relevant to the professional conduct department (for example relating to the PIC manual, and the review of PIC cases carried out by an external reviewer); received training on thresholds and evidential matters as well as legal regulatory updates from the College's external solicitors and participated in case studies about how far the conduct of vets or RVNs in their private life should be of interest to the regulator.
14. The new professional conduct case management system went live in November 2018 and after a bedding in period has largely stabilised, with growing familiarity also among system users.

Conclusion

15. The Committee has considered a large number of new cases in the reporting period: a reflection of an increased number of case managers, handling more work.
16. The Committee also continues to consider concerns on a wide variety of topics, with veterinary care continuing to form the largest single category of complaint. The Committee has also dealt with concerns brought by the College itself about compliance with CPD requirements and notes the apparent reluctance by a minority of vets to keep their professional knowledge up to date by undertaking such professional development.