

ROYAL COLLEGE OF VETERINARY SURGEONS

PRELIMINARY INVESTIGATION COMMITTEE

LAY OBSERVERS' REPORT JUNE 2003

- 1) This is the fourth annual report of the Lay Observers.
- 2) Since last year's report, two new Lay Observers have been appointed which, after the resignation of Paul Marland, leaves the Preliminary Investigation Committee with three Lay Observers. We believe that the influx of new observers continues to ensure that the Lay Observers view the work of the committee in a critical and dispassionate way.
- 3) Comment was made in last year's report about the time taken to respond to complainants. We are concerned that delays in the handling of complaints are unsatisfactory for both the vet complained against as well as the complainant. This may cause such frustration that it aggravates the original complaint. During the course of the year, we have observed an improvement in the timeliness of the College's responses, which we welcome and hope will be maintained and improved.
- 4) The discussions at the Preliminary Investigation Committee about complaints received have, in our view, been full, frank and open and we have all felt able to offer our 'lay' perspective in the course of the Committee's debates.
- 5) This year, there have continued to be a large number of complaints concerning what is perceived to be high prices charged by certain practices and the issue of informed consent for certain procedures has also been a recurring theme. Whilst the pricing issues which have been raised have not, in the Committee's view, amounted to professional misconduct, the complainants appear dissatisfied that this is not an area over which the College exercises any significant control. We believe that some further guidance in this area would be helpful.
- 6) There have been a significant number of complaints about the extent of out of hours cover. On occasions it appears that communication between the parties has failed so that either the nature of the problem or the appropriateness of a home visit has not been fully explored. On other occasions we have formed the view that whilst, notionally, an out of hours service is available, it has not been provided. We look forward to clear guidance from the College on both an out of hours and a home visit policy.
- 7) Council will rightly expect us to briefly mention the continuing consideration of complaints relating to the Foot and Mouth epidemic. This has occupied a considerable amount of the Committee's time and we can confirm that all cases have been fully debated in an even-handed, frank and open manner.
- 8) We have been aware of a dissatisfaction by complainants of their not being asked to comment on replies by those vets against whom they have lodged a complaint, before, possibly, a file is closed by the Committee. It is regrettable that in some instances the vet complained against requests that his reply is not shown to the complainant. Unfortunately in such cases, it is not surprising if the complainant is dissatisfied with the response it receives from the College.
- 9) In a number of cases considered by the Committee, the members have felt that whilst the matter complained about does not amount to professional misconduct, there is evidence of negligence on the part of the vet. Hitherto, it has not been felt appropriate by the Committee to comment on negligence in its replies but we would urge the College to reconsider this position. Not only would

it offer constructive support to complainants but it would also demonstrate the College performing its duty to protect present and future patients and clarify standards expected of the profession.

- 10) Many vets have been invited to the College for informal interviews, often accompanied by a VDS representative and on occasions a Lay Observer has been present to ensure the fairness of these interviews, which have helped determine the action taken by the Committee in respect of the complaint. We hope that during the next year the timing of these interviews can be arranged in such a way so as to ensure that one of the Lay Observers can attend on a regular basis.
- 11) Over the year, we have been impressed by the time given by members of the Committee to visit veterinary premises, which has often resulted in constructive support and advice to practices experiencing difficulties. Not all such visits have been welcomed or accepted so it has been difficult to explore fully some of the concerns raised by complainants. We believe it would be beneficial to all concerned if the Committee had the ability to insist on such visits being made.
- 12) During the last year the Lay Observers have been asked to review files where a complainant did not feel it had been appropriately closed by the Committee. Following these reviews, the Lay Observers asked that in future fuller minutes of Committee meetings be produced. Whilst we acknowledge that this increases the already heavy workload of the department, we believe it is essential if the reasoning behind the Committee's decisions is to be fully understood.
- 13) Finally, we would like to thank the members of the Committee and the Professional Conduct Department for their willingness to consider the views which we have expressed throughout the year and for their helpfulness in explaining often complex technical matters.

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May 2003