

<b>Summary</b>	
Meeting	Council
Date	9 June 2022
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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<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a

**<sup>1</sup>Classifications 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.

**<sup>2</sup>Classification rationales**

Confidential	<ol style="list-style-type: none"> <li>1. To allow the Committee or Council to come to a view itself, before presenting to and/or consulting with others</li> <li>2. To maintain the confidence of another organisation</li> <li>3. To protect commercially sensitive information</li> <li>4. To maintain public confidence in and/or uphold the reputation of the veterinary professions and/or the RCVS</li> </ol>
Private	<ol style="list-style-type: none"> <li>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</li> </ol>

# Preliminary Investigation Committee

## Report to Council June 2022

### Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee in March, April and May 2022 (30 May 2022 being the date of writing the report).
2. Since the last Report to Council (which gave information to 4 March 2022), there have been six Preliminary Investigation Committee (PIC) meetings: 9 and 23 March, 13 and 27 April and 11 and 25 May.

### New cases considered by the PIC

3. The total number of new cases considered by the Committee at the six meetings referred to above is 32. Of the 32 new cases considered:
  - 15 were concluded at first consideration by the Committee. Of these:
    - 11 cases were closed with no further action, and
    - 3 cases were closed with advice issued to the veterinary surgeon.
    - 1 case was held open with advice issued to the veterinary surgeon.
  - 17 were referred for further investigation, that is, further enquiries, visits and/or preliminary expert reports.
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 46 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 two 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 5 March to 30 May 2022,

- the number of matters registered as Enquiries was 786, and
- the number of formal Concerns registered in the same period was 153.

10. The table below shows the categories of matters registered as Concerns between 5 March and 30 May 2022.

**Concerns registered between 5 March and 30 May 2022**

<b>Description of Category</b>	<b>Number of Cases</b>
- Advertising and publicity	0
- Appeal against DC decision	2
- Certification	0
- Client confidentiality	0
- Clinical and client records	1
- Clinical governance	0
- Communication and consent	5
- Communication between professional colleagues	0
- Conviction/notifiable occupation notification	8
- CPD compliance	0
- Delegation to veterinary nurses	0
- Equine pre-purchase examinations	0
- Euthanasia of animals	3
- Giving evidence for court	0
- Health case ( <i>potential</i> )	4
- Microchipping	0
- Miscellaneous	1
- Practice information, fees & animal insurance	2
- Performance case ( <i>potential</i> )	0
- Recognised veterinary practice	1
- Referrals and second opinions	0
- Registration investigation	3
- Restoration application	0
- Social media and networking forums	1
- Treatment of animals by unqualified persons	1
- Use of samples, images, post-mortems and disposal	0
- Veterinary care	113
- Veterinary medicines	4
- Veterinary teams and leaders	0

- Whistle-blowing	0
- 24-hour emergency first aid and pain relief	4
- Unassigned	0
<b>Total</b>	<b>153</b>

*Data source – Profcon computer system concerns data.*

### Referral to Disciplinary Committee

11. In the period 5 March 2022 to 30 May 2022, the Committee has referred 2 cases involving 1 veterinary surgeon to the Disciplinary Committee.

### Veterinary Investigators

12. The Chief Investigator has undertaken two visits since the last report. The first was a follow up announced visit to a Complainant and Respondent on a case to check the issues raised by a previous RCVS joint visit with the VMD. The second was a joint announced visit with the Police, VMD and DEFRA Investigation Services to a Canine Fertility premises where alleged offences under the Veterinary Surgeons Act and Veterinary Medicines Regulations were being committed. Investigations are ongoing.

### 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). In the three months since the last Report to Council the KPI has been met in 76%, 74% and 97% of cases respectively. As explained in the last report, changes have been made in the department and new members of staff recruited, and these steps are having an effect. We are delighted with this improvement and hope that this will persist, now that we have an expanded team.
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 5 March to 30 May 2022, the PIC reached a decision (to close, hold open or refer to DC) within the relevant KPI in 10 out of 15 simple cases.
16. 7 complex cases were decided, of which 2 met the 12-month KPI. In accordance with normal practice, these cases (and KPI's in general) have been reported and discussed in detail at the PIC/DC Liaison Committee meeting.

### Operational matters

17. We have made some changes within the administrative set-up of the department, now that we have expanded the team, and we are cautiously optimistic that these steps have improved our efficiency and that the improvement in KPI compliance will continue.
18. Now that restrictions have been lifted, PIC meetings are alternating between remote and face-to-face. As mentioned in previous reports, training will be held later in the year for staff members and new and existing PIC members, to introduce the changes in process.