

<b>Summary</b>	
Meeting	Council
Date	16 March 2023
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 March 2023

#### Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee in January and February 2023 (3 March 2023 being the date of writing the report).
2. Since the last Report to Council (which gave information to 6 January 2023), there have been 2 Preliminary Investigation Committee (PIC) meetings (8 February and 22 February 2023).

#### New cases considered by the PIC

3. The total number of new cases considered by the Committee at the 2 meetings referred to above is 5. Of the 5 new cases considered:
  - 3 were concluded at first consideration by the Committee. Of these:
    - 1 case was closed with no further action, and
    - 2 cases were closed with advice issued to the veterinary surgeon.
  - 2 cases 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 57 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 6 January to 3 March 2023,

- the number of matters registered as Enquiries was 488, and
- the number of formal Concerns registered in the same period was 79.

10. The table below shows the categories of matters registered as Concerns between 6 January 2023 and 3 March 2023.

\*This case relates to a potential judicial review of a PIC decision, rather than a DC decision.

**Concerns registered between 6 January and 3 March 2023**

<b>Description of Category</b>	<b>Number of Cases</b>
- Advertising and publicity	1
- Appeal against DC decision	1*
- Certification	0
- Client confidentiality	1
- Clinical and client records	2
- Clinical governance	0
- Communication and consent	0
- Communication between professional colleagues	0
- Conviction	6
- CPD compliance	0
- Delegation to veterinary nurses	0
- Equine pre-purchase examinations	0
- Euthanasia of animals	0
- Giving evidence for court	0
- Health case ( <i>potential</i> )	0
- Microchipping	1
- Miscellaneous	0
- Practice information, fees & animal insurance	0
- Performance case ( <i>potential</i> )	0
- Recognised veterinary practice	0
- Referrals and second opinions	0
- Registration investigation	0
- 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	62
- Veterinary medicines	1
- Veterinary teams and leaders	0
- Whistle-blowing	0

- 24-hour emergency first aid and pain relief	4
- Unassigned	0
<b>Total</b>	<b>79</b>

Data source – Profcon computer system concerns data.

### Referral to Disciplinary Committee

11. In the period 6 January to 3 March 2023, the Committee has referred 2 cases involving 1 veterinary surgeon to the Disciplinary Committee.

### Veterinary Investigators

12. The Chief Investigator and veterinary investigators have undertaken two visits since the last report. One was an announced visit to a veterinary surgeon to view a cross section of their clinical records, at the request of the PIC. The other was at the request of police to assist with searching the premises of an arrestee.

### Concerns procedure

13. As Council is aware, the process for the consideration of concerns changed at the beginning of October 2022. Previously, Stage 1 of the process, involved a Case Examiner Group (CEG), which aimed to decide 90% of cases within four months of registration of the complaint (the Stage 1 KPI). In January 2023, that KPI was met in 92% of the cases considered. Since October when the process changed, concerns cases have been considered by a Stage 1 PIC, which is larger than a CEG and considers matters to the realistic prospect test. We do not yet know quite how this will affect the average time taken for cases to be concluded, but are working currently to the previous KPI of four months. In February 2023, the first set of cases under the new process was considered and 81% of those cases closed within four months. We will provide a detailed report of the time taken for cases to conclude to Liaison Committee in May, in order that appropriate KPI targets can be agreed.
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 6 January 2023 to 3 March 2023, the PIC reached a decision (to close, hold open or refer to DC) within the relevant KPI in 3 out of 3 simple cases.
16. 2 linked complex cases were decided, of which neither met the 12-month KPI. In accordance with normal practice, these cases (and KPI's in general) are reported and discussed in detail at the PIC/DC Liaison Committee meeting.

### Operational matters

17. The new process commenced on 1 October 2022 and is progressing smoothly, with all participants working well and cooperating to address matters thoroughly and without delay.

18. Stage two PIC meetings continue to be held alternately in person or online, an arrangement that seems to suit participants well. Training for the impending Charter Case Committee has been planned for April and we are in the process of organising further more general training for members in the next few months.