

Meeting	Council
Title	Annex C: Governance Papers
Classification	Unclassified
Summary	This Annex brings together the recent Council paper on governance reform together with the minutes of the Council Panel on Governance, to provide a source of reference as to how the current proposals for the reform of RCVS governance arrangements were developed.
Documents	<p>Paper 1: Council (6 November 2014) - Governance Review</p> <p>Paper 2: Council (6 November 2014) - Governance Presentation</p> <p>Paper 3: Council (5 March 2015) – Governance Review</p> <p>Paper 4: Governance Panel (24 March 2015) – Minutes</p> <p>Paper 5: Governance Panel Defra Meeting (24 March 2015) – Minutes</p> <p>Paper 6: Governance Panel Defra Meeting (12 May 2015) – Minutes</p> <p>Paper 7: Council (5 June 2015) – Governance Review</p> <p>Paper 8: Governance Panel Defra Meeting (10 June 2015) – Minutes</p> <p>Paper 9: Governance Panel (10 June 2015) – Minutes</p> <p>Paper 10: Governance Panel (27 July 2015) – Minutes</p> <p>Paper 11: Governance Panel (29 September 2015) – RCVS Governance</p> <p>Paper 12: Governance Panel (13 October 2015) – Minutes</p> <p>Paper 13: Council (5 November 2015) – Transitional Arrangements Presentation</p> <p>Paper 14: Governance Panel (20 January 2015) – DRAFT Minutes</p>

Meeting	Council
Date	6 November 2014
Title	Governance Review
Classification	Unclassified
Summary	This paper provides an update on recent discussions in relation to the RCVS governance arrangements and provides a basis for discussion by Council.
Decisions required	To support further work on governance and to set the parameters for such reform.
Attachments	Annex A: Background to RCVS governance reform Annex B: Reasons for RCVS governance reform Annex C: Reforming the governance of professional regulators
Author	Professor Stuart Reid RCVS President president@rcvs.org.uk

Governance Review

Introduction

1. In its April and September 2014 meetings, the Operational Board gave consideration to whether it was an appropriate time to return to the review of RCVS governance arrangements that had been paused since 2009 to allow the LRO to be implemented.
2. The discussion in the April Operational Board was initiated for four key reasons:
 - i. In the November 2009 meeting of Council there was agreement that consideration of proposals, from the then Veterinary Legislation Group, to reconstitute Council should be paused until 'the new disciplinary machinery was in place and the implication of this for Council could be assessed'. In July 2015 the Preliminary Investigation Committee (PIC) and Disciplinary Committees (DC) will be fully independent and it is therefore reasonable to return to the question of the composition of Council.
 - ii. The First Rate Regulator (FRR) research in 2013 highlighted that the governance of the RCVS was significantly out-of-step with the arrangements in place at other professional regulators and Royal Colleges. Reforming RCVS Council would help to bring the RCVS in-line with best regulatory practice, which could be seen as completing the journey of the RCVS to become a First Rate Regulator.
 - iii. In the previous year the Operational Board was launched. The motivation behind the creation of the Operational Board was to address, at least in part, the issues of size and frequency of Council meetings. Although the Operational Board was working well in terms of clear and accountable decision making, some on Council were feeling too removed from decision making. If the size and structure of Council was reformed it is possible that the need for the Operational Board would diminish.
 - iv. In discussions with Defra it became apparent that there was some appetite for considering the reform of the governance arrangements in place at the RCVS. Reforming Council fits in with the deregulatory agenda of the current Government. The recent Defra interest, however, appeared to have been motivated by the realisation that a Legislative Reform Order (LRO) could be used to reform the composition of RCVS Council and there was no need for a new Veterinary Surgeons Act.
3. Annex A provides further details as to the historical context of the issue of RCVS governance reform.
4. In its April meeting, the Operational Board acknowledged the importance of developing a set of 'objectives' and 'assumptions' that could be agreed upon before discussions regarding the precise reform of governance should commence, which are outlined below. It was agreed that it was imperative that under any new governance arrangements, Council would be able to discharge its duties effectively and that an appropriate balance must be struck between those

responsibilities and authorities reserved for Council and those that would be delegated to the Operational Board or Committees of Council.

5. The following three objectives were agreed:
 - i. To increase the engagement of Council;
 - ii. To increase the accountability of Council;
 - iii. And to decrease the cost of governance.

6. The Operational Board also agreed that in reviewing governance arrangements the following assumptions should be clear:
 - i. The size of Council would be significantly reduced;
 - ii. As a self-regulating profession, elected veterinary surgeons would form the majority of Council;
 - iii. As the defender of the public interest, lay representation on Council would be increased.

7. With these objectives and assumptions in place, the Operational Board proposed that a dedicated session of Council focussing on governance issues should be held after the Council Meeting in November 2014 and this was later approved at the June 2014 meeting of Council.

8. At the September 2014 meeting of the Operational Board it was agreed that the structure of the discussion at Council should allow for all views to be heard and an open approach to how Council could be reconstituted, as opposed to outlining a series of possible models at this stage.

Ministerial Meeting

9. Defra take an interest in the change of RCVS President and on 21 July representatives of the College were invited to meet with the Parliamentary Under-Secretary of State, George Eustice MP. Mr Eustice was keen to welcome the new President and to discuss a number of issues relating to recent changes at the RCVS as well as to address concerns that had been raised with him by users of veterinary services.

10. Mr Eustice was positive about the RCVS and complimentary about the rapid progress made since the findings were published of the First Rate Regulator initiative. He was particularly interested in our governance arrangements and the impact of the last LRO, as well as welcoming our willingness to address the ADR with the trial.

11. Mr Eustice provided an interesting perspective on RCVS governance issues and provided a steer that we should look at our current arrangements. He was informed that the issue of governance was to be debated at November meeting of Council.

12. The meeting with Mr Eustice put further impetus behind the need to discuss governance.

The RCVS - a regulator with a difference?

13. If the RCVS governance structures were to be brought in line with regulatory best practice then the Council would likely be reduced to 12 people, all of whom would be appointed. Furthermore, there would likely be parity between lay and professional members. The President would be replaced by a Chairman, who may or may not be a veterinary surgeon. The position of Chairman would likely be an appointed and salaried position, and perhaps for a term of four years.
14. The RCVS, however, is a very different organisation from the other healthcare regulators as it is also a Royal College. The Royal College Scoping Study undertaken in the second phase of the FRR initiative showed that, with the exception of the Royal College of Physicians, the medical Royal Colleges in the UK have very different governance arrangements from the healthcare regulators and have elected Councils / Boards which do not include lay persons.
15. The other medical Royal Colleges, however, do not have a regulatory remit and their role is primarily focused around providing an independent, authoritative and evidence-based voice for their respective professions, lobbying government, setting and maintaining professional standards, and providing post-graduate education and training. These are functions that can effectively be discharged under a system of self-governance, and a Council comprising a significant depth and breadth of professional expertise may be considered a boon.
16. In reviewing the governance arrangements it is important to recognise that the RCVS is different from both the healthcare regulators and the Royal Colleges. Proposals for governance reform must reflect the fact that the RCVS is a “Royal College that regulates” and that the profession is self-regulating.

What might a reformed Council look like?

17. Acknowledging the unique role of the RCVS, proposals for reform of the RCVS governance arrangements would need to strike a balance between the present arrangement, recognising that we are a Royal College that regulates and ‘best-practice’.
18. In developing a new model for Council, consideration would also need to be given to:
 - i. Whether veterinary nurses should have a role on Council. This is especially important given the clear role the RCVS will have as the regulator of the veterinary nursing profession following the introduction of the new Charter;
 - ii. Ensuring an appropriate balance between the veterinary profession and lay members, and elected and appointed members;
 - iii. Looking at mechanisms that allow individuals with additional skills and experience to be brought onto Council;
 - iv. Ensuring that Council is an appropriate size to be able to meet more frequently (perhaps six times a year) and for members to attend an away weekend;

- v. Ensuring that the size of Council engenders a greater sense of collective responsibility and ownership of decisions.
19. It important to note that whatever option may be pursued it is likely that there would be a transitional period when a number of existing elected Council members may serve concurrently with newly appointed lay members for the remainder of their elected terms.

Decision required

20. Council is invited to consider the issues discussed in this paper, to support further work on governance reform and to set the parameters for such reform.

Background to RCVS governance reform

1. Issues surrounding the governance arrangements at the RCVS have been raised on a number of occasions in recent years.

Review of the Veterinary Surgeons Act 2009

2. On the back of the report by the RCVS Veterinary Legislation Group, chaired by Professor Stuart Reid, a formal consultation exercise was held in July 2009. The consultation sought the opinion of the profession, public and other stakeholders on three key proposals for reform:
 - i. to amend the Veterinary Surgeons Act (VSA) to separate Preliminary Investigation Committee (PIC) and Disciplinary Committee (DC) from RCVS Council;
 - ii. to widen jurisdiction and powers of PIC and DC;
 - iii. and to reform the composition of RCVS Council.
3. Regarding the reform of Council the key proposals were:
 - i. Council should have no more than 30 members;
 - ii. Between 30% and 50% of the members should be non-veterinarians;
 - iii. At least half of the veterinary members of Council should be elected;
 - iv. Council should include a Veterinary Nurse as an appointed member;
 - v. There should be one Council member nominated jointly by the UK universities with recognised veterinary degrees;
 - vi. Council members other than elected members and the member to be nominated jointly by the universities should be appointed by the Government of the day.
4. Following the consultation exercise the then RCVS Officers met with representatives of the Veterinary Legislation Group to make recommendations to the November 2009 meeting of Council. On the issue of governance a recommendation was made that changes to the composition of Council 'should be for consideration in the longer term, when the new disciplinary machinery was in place and the implication of this for Council could be assessed'. This recommendation was approved at the November 2009 meeting of Council.
5. In July 2015 the Preliminary Investigation Committee (PIC) and Disciplinary Committees (DC) will be fully independent. It would therefore appropriate to return to the question of the composition of Council as was agreed in the November 2009 meeting of Council.

Regulatory Best Practice – Governance

6. The First Rate Regulator (FRR) research also highlighted the fact that the governance of the RCVS was significantly out-of-step with the arrangements in place at other professional regulators. Whilst the FRR report acknowledged that there may be valid reasons for the governance structure used by the College, a key recommendation was that the RCVS should 'undertake a self-assessment of the effectiveness its governance arrangements' or to commission the Professional Standards Authority (formerly Council for Healthcare Regulatory Excellence (CHRE)) to undertake such a review. Further recommendations were also made

around reviewing the composition of Council and making changes to improve the efficiency and effectiveness of Council meetings.

7. The FRR report entitled 'Best Regulatory Practice' provided a detailed desk based research into how nine UK health and care profession regulators, two legal service regulators and four international veterinary regulators discharged their regulatory duties.
8. The report demonstrated that the professional regulators in the UK are, in the main, governed by small boards made up of an equal number of lay and professional members. These boards are appointed, as are the Chairs of these organisations. The majority had boards comprising 12 to 14 members, but the direction of travel appears to be towards boards of 8-12 members.
9. All the governing bodies of health professional regulators in the UK currently have an equal number of lay and professional members. The regulators of legal services are required to have a lay majority. The international veterinary regulators that were considered had a minority of lay members.
10. The table below highlights the significant differences between the governance of the other regulators considered in the FRR research and the RCVS.

Other regulators considered in FRR	The RCVS
Governing councils range in size from 7 to 14 members	Council of 42 members
At least parity of lay and professional members (some have a lay majority)	Seven lay members appointed by the universities and three lay members appointed by the Privy Council
All members are appointed	Members are a mixture of elected, appointed and nominated
Tend to meet in public eight to 10 times a year	Meets three times a year (four times if including RCVS Day)

11. Annex C expands upon the reasons behind the movement towards small Boards of appointed lay and professional persons for healthcare regulators.

Discussions with Defra

12. In recent discussions with Defra it has become apparent that there is some appetite for considering the reform of the governance arrangements in place at the RCVS. Reforming Council fits in with the deregulatory agenda of the current Government and the requirement for Departments to reduce 'red-tape', costs and bureaucracy. Furthermore, the governance arrangements at the RCVS are not in keeping with other professional regulators and this has the potential to undermine the public confidence in the ability of the RCVS to regulate the profession in an effective and efficient fashion. The recent Defra interest, however, appears to be motivated by the realisation that a Legislative Reform Order (LRO) could be used to reform the composition of RCVS Council, rather than primary legislation as was previously suggested.

Reasons for RCVS Governance Reform

The following section explores some of the key arguments for considering the reform of RCVS governance arrangements.

- i. Reforming RCVS Council would help to bring the RCVS closer in-line with best regulatory practice and would serve to address a number of recommendations that came from the extensive FRR research. This could be seen as completing the journey of the RCVS to become a First Rate Regulator.
- ii. A key finding of the FRR research was that complainants felt the RCVS was biased towards the profession, a Council with a more equal balance of professional and lay membership could go some way to addressing this issue and improving the public confidence in the way the RCVS regulates the profession.
- iii. The manifestos presented by potential Council members frequently demonstrate a misunderstanding of the role of the RCVS and members of Council, and suggest that potential candidates believe they have a representative role. A smaller Council may reduce the sense that any individual Council member had a role to represent a section of the profession and may serve to create a sense of collective responsibility. The dynamic of a smaller Council could serve to encourage the body to work as a team as opposed to a group of individuals. Furthermore, a smaller and restructured Council may help to depoliticise the RCVS. This could win the support of veterinary representative bodies who have expressed concerns regarding the College straying into political or representative territory.
- iv. The FRR research highlighted that whilst members of Council considered that as a body it was discharging its regulatory functions to a high standard, they nevertheless has significant concerns regarding the efficiency of Council meetings, the structure and composition of Council, the potentially long term of service of Council Members and the short term of office of the President.
- v. Currently, due to the size of Council, meetings are very expensive to hold, circa £ 24k. A smaller Council would reduce costs, and meetings could be held more frequently. Restructuring the governance of the RCVS would bring it in line with other professional regulators and could reduce costs.

Reforming the Governance of Professional Regulators

1. The FRR research also illuminated the reasons behind the movement towards small Boards of appointed lay and professional persons for healthcare regulators.
2. The process began in 2007 with the Department of Health White Paper Trust, Assurance and Safety –The Regulation of Health Professionals in the 21st Century which noted ‘In order to exercise their function effectively and command the confidence of patients, the public and the professions, they [healthcare regulators] need to be seen to be independent and impartial in their actions.’ The paper also proposed that independent appointment of Council members was required to address the public perception that Councils were biased towards the professions they regulated and that smaller Boards would address concerns surrounding efficient oversight.

Later, the Command Paper, Enabling Excellence: Autonomy and Accountability for Healthcare Workers, Social Workers and Social Care Workers (Department of Health 2011), stated:

‘By ending elected professional majorities on the health professions regulatory bodies’ governing councils, this increased the independence of the regulators from those they regulate and sign-posted a commitment to ensuring that there is greater public, professional and parliamentary confidence in the regulators and reducing perceptions that they are either acting in the interests of the professions they regulate or acting overly punitively to counteract this view.’

3. In 2011 the Department of Health requested the advice of CHRE in improving the effectiveness of health professional regulators. On the issue of governance CHRE noted:

‘It appears that smaller sized groups are able to communicate more effectively and reach decisions more quickly than larger ones. In addition, they are less likely to suffer from fragmentation and clique-formation and more likely to develop a culture of inclusiveness than their larger counterparts. Finally, since smaller boards struggle to involve themselves in issues that should be delegated to the executive, a smaller size helps them to focus their efforts on core governance issues.’

‘Small boards cannot ‘represent’ all relevant constituencies or stakeholders nor should they attempt to do so. Rather boards should demonstrate the knowledge, understanding and awareness to properly take into account relevant interests, such as those of different groups of professionals or the different health systems in the UK, but they should not attempt to ‘represent’ them.’

RCVS Governance Workshop



Why today?



- Returning to previous governance review, following the implementation of the LRO
- First Rate Regulator initiative revealed the RCVS is out-of-step with best practice
- Strong steer from the Minister and opportunity for RCVS led reform

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Why change?



- The size of Council limits its ability to govern and requires significant delegation of powers
- Greater lay representation could serve to increase public confidence
- Formal representation of VNs on Council may be desirable following the new Charter

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What are the objectives of change?



- To increase the engagement of Council
- To increase the accountability of Council
- To decrease the cost of governance.

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What principles underpin change?



- The size of Council would be significantly reduced
- As a self-regulating profession, elected veterinary surgeons would form the majority of Council
- As the defender of the public interest, lay representation on Council would be increased

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What are the options?



- No change
- Reduce Council by half and reconsider its composition (but maintain a majority of elected veterinary surgeons)
- Reduce Council to a size close to regulatory 'best practice' (7-14 members)

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Meeting	Council
Date	5 March 2015
Title	Governance Review
Classification	Unclassified
Summary	This paper provides an update on developments in relation to the RCVS Governance reform since the November 2014 meeting of Council.
Decisions required	To discuss and make appropriate improvements to the proposals for reform and to support the establishment of a Council Panel to support the Operational Board and Defra in developing the consultation with the profession.
Attachments	None
Author	Professor Stuart Reid

Purpose

1. To update the Council on progress; to provide further details in relation to the options for reform; to discuss additional reforms including the term of President and to seek formal approval for a Council Panel to support the Operational Board and Defra in developing the LRO consultation with the profession.

Progress since November Council

2. At the November 2014 meeting of Council, with very few exceptions, members embraced the need for further governance reform. Moreover Council recognised that this was a timely moment to address governance, given Defra's support and that further devolution may remove the option of an LRO in the near future.
3. Council gave approval for two options to be worked up by the Operational Board and for discussions to take place with Defra. The options were firstly a smaller Council, meeting more frequently and secondly a smaller Council working alongside a larger 'consultative' body. Council was keen that neither option should necessarily mirror the governance arrangements of other professional regulators, but rather should reflect the unique role and needs of the RCVS as a Royal College that regulates.
4. The mood of Council reflected the desire that whichever option for reform was eventually adopted there should be a majority of veterinary surgeons (elected), as well as RVN and lay representation. It was also suggested that the current formula providing for an increase in membership according to the number of vet schools should be halted and that regardless of the structure, committees should be populated by sufficient expert members from within or outwith Council.
5. In December the Operational Board reflected upon the discussions held in the November meeting of Council, developed the proposals further and began working with Defra on the mechanics of how reform might be implemented.
6. The Operational Board agreed that from their perspective, no change was really no longer an option, given we had a real opportunity to create a more effective and efficient governance structure which, most importantly, would provide future generations with a system that was fit for purpose. The following table provides a snapshot of the reasons for reform:

Existing governance	Reform
Does not represent RVNs and poor lay representation	RVN representation aligned with Charter and lay representation, with public benefit statement
Duplications and workarounds including the need for an Operational Board, to make up for Council deficiencies	A transparent system with clear lines of responsibility
Expensive (£25k each meeting)	Efficient and will meet more frequently
Meets infrequently (3x a year)	More effective at holding executive to account
Didn't work when things went wrong	Built in flexibility for future generations

Option 1: A smaller Council, meeting regularly

7. A Council of up to 20 members which would meet six times a year and be constituted by 12 veterinary surgeons, two registered veterinary nurses, one vet school and five lay members. The membership would include the three Chairs of the main committees, Veterinary Nursing Council, Standards and Education. The Council would be Chaired by the President, whilst the CEO and Registrar would be in attendance at meetings.
8. The Operational Board would be disbanded and the senior team, through the CEO, would report directly to Council.
9. Committees would report into Council via their Chairs and would be populated with expert, non-Council members.
10. Elections would be held annually with four veterinary surgeons being elected each time and maximum term limits of three lots of three years.
11. This option is the most straightforward and more closely in line with the governance arrangements at other professional and healthcare regulators, although not 'best practice' in terms of the number of Council members. Best practice would require a fully appointed Council with fewer members.
12. The following table provides a snapshot of advantages and disadvantages of this option:

Advantages	Disadvantages
A clear line of sight from electorate to elected	Committee membership will need to come from outside the RCVS 'family'
Simple and easy to understand	Less connection with the wider profession
The most cost effective of the two options	More akin to a regulator, less like a Royal College
Simple and straightforward to implement	

Option 2: A smaller Council meeting regularly, with a larger 'Caucus' meeting twice yearly and electing / appointing Council members and committee membership

13. The present Council would be reduced in size to around 11 and would remain responsible for decision-making. A Caucus of up to 50 members would be formed, which would meet twice a year providing membership to the Council and Committees. As the Caucus will be highly networked and in touch with the profession and the public, it may also provide the Council with a sounding board and wider intelligence as well as building greater awareness of decisions made at Council.
14. The composition of the Caucus would include the following: at least 24 elected veterinary surgeons, Registered Veterinary Nurses, two representatives from the Vet Schools Council, veterinary representation from Scotland, Wales and Northern Ireland, at least five lay representatives, and two student representatives.
15. Under this option the Council could comprise 11 members. Four members would come from the Presidential team (the President, the two Vice-Presidents and the Treasurer). Three members would be the Chairs of the Veterinary Nurses Council, the Education Committee and the Standards Committee. Additionally there would be four lay members.
16. The Council would be Chaired by the President, whilst the CEO and Registrar would be in attendance at meetings. Again, the Operational Board would be disbanded and the senior team, through the CEO, would report directly to Council.
17. Elections / appointments would be made annually, with term limits of three lots of three years.
18. The President would not need to stand for election while he/she served as President (see point 22).
19. Proposals were made in the December meeting of the Operational Board that a variation of Option 2 whereby Council as it is presently composed, could delegate further powers to a smaller

Board, which may or may not require an LRO. Whilst prima facie this proposal is appealing, upon further exploration it presents significant issues.

20. An LRO would be required to change the composition of Council to include lay representation and membership to RVNs, and in addition the modest reform would be unlikely to be deemed sufficiently de-regulatory for it to be considered suitable for an LRO.

21. The following table provides a snapshot of advantages and disadvantages of this option:

Advantages	Disadvantages
A wider reach into the profession	Potential for confusion about the role of the Caucus
A more dynamic and focused Council	The Caucus would break the direct link between the electorate and Council
Makes good sense of our unique Royal College and regulator role	More costly
The Caucus can provide a useful sounding Board to Council and a communications channel to the profession	Harder to argue it is deregulatory

Additional reforms

22. The Operational Board discussed the term and remuneration of the President. It was agreed that the current single-year term was too short and that the LRO presented an opportunity to address this issue. The Operational Board agreed that a two or three year term would be desirable and that in order to reflect the significant time commitment (approximately 40-50 per cent FTE) and to ensure that practising veterinary surgeons could hold the post, a salary of £60,000 should be offered.

23. The Operational Board discussed whether the Vice-Presidents were still required, should the term of the President be extended. Operational Board members were in strong agreement that the Vice-Presidents performed an important role in supporting the President and deputising at meetings and events. It was therefore decided that two Vice-President posts should be retained, but that they should be decoupled from the Presidency, i.e. there should be no expectation that the junior Vice-President would become President.

24. Other areas that require further exploration and discussion include whether membership from the vet schools should be reduced to one member nominated by the Veterinary Schools Council and whether the composition of the Council or Caucus should also include regional and country

representation, and students.

25. Defra would also like us to consider dropping the need for the CVO to be a member of Council as their relationship with the RCVS can be seen as too close, particularly when there are complaints or appeals made to the Privy Council.

Discussions with Defra and veterinary representative bodies

26. Meetings have been held with Defra to work through the two options, to discuss the process and resourcing, and the commitment of the Minister to see this process driven by Defra. Defra has advised that either option requires an LRO and that they have assigned resources to this project, so as to work up the consultation proposals. The Minister is very supportive of the reforms and has recommended that the consultation with the profession happen immediately following the General Election, giving time to get the relevant documentation in place.
27. A joint RCVS / Defra LRO project Board has been established and is meeting monthly. The members of the Board are Stuart Reid, Nick Stace and Anthony Roberts from the RCVS, and Richard Drummond, Siobhan Taylor and Gayle Foston from Defra. It is envisaged that this is the permanent team for the lifetime of the LRO project.
28. Meetings have also been held with the Presidents of the BVA, BSAVA and BVNA about the proposals for reform. Both the BVA and BSAVA are also going through governance reviews and changes, which are likely to see greater efficiencies in how they are governed. In their individual capacities, rather than consulting with their wider memberships, all three Presidents supported RCVS governance reform. They were, however, split as to the preferred option; two favoured Option 1.

Draft LRO and Council Panel

29. To ensure appropriate and detailed oversight of the draft LRO consultation document, a small Council Panel has been selected. The Council Panel will work with the Operational Board on the detail of the consultation and to ensure we meet the time-frame outlined below. Three members of Council with a history of helping the organisation go through reforms have been chosen and they are Professor Stephen May, Richard Stephenson and Andrea Jeffrey.
30. The Council Panel and the Operational Board will outline the draft LRO consultation at the next meeting of Council in June, with a view to consulting with the profession thereafter.

Proposed timetable

- | | |
|--|-----------------------|
| • Council Panel | March / April 2015 |
| • June Council and final LRO consultation paper | June 2015 |
| • LRO consultation with profession | June - September 2015 |
| • Transitional arrangements proposals | October 2015 |
| • Final report and agreement on transitional arrangements to Council | November 2015 |
| • LRO implementation | 2016 |

ROYAL COLLEGE OF VETERINARY SURGEONS

NOTES OF THE GOVERNANCE MEETING HELD ON TUESDAY 24TH MARCH AT 12 AND THEN 13.30 WITH DEFRA

Present:	Nick Stace	CEO - Chair
	Stuart Reid	President
	Richard Stephenson	Council member
	Andrea Jeffrey	Council member
	Richard Davies	Council member
In attendance	Peris Dean	PA
	Anthony Roberts	Special Advisor to the CEO

Apologies for Absence

1. Apologies were received from Stephen May

Declarations of Interests

2. As per the current list

Approval of the terms of reference

3. It was agreed to remove the words 'and the role and function of the Caucus'. Thereafter the group are happy to adopt the terms of reference.

Feedback on papers

4a. RCVS Bundle

The group reviewed background papers provided by NS/AR. The proposed governance work was started over 5 years ago and never formally stopped. At the beginning of the process Council were advised that the LRO was not the most suitable route but DEFRA have now assured us that it is. Support is now present from the profession and other veterinary organisations such as BVA, BVNA and BSAVA.

4b. RS and SM papers

The President thanked Richard and Stephen for their papers.

Richard Stephenson's paper

- The group commented that if the word Caucus replaced Council and the Council replaced Board then option 2 is almost exactly what we have now.

The body elected – 50 will believe they have been elected to make decisions. RS made it clear he is against option 2

- Presidential term should read 'up to 3 years' – the President could serve for 1 yr or others 2 yrs. A specific time period does not need to be stated in an act of Parliament nor how often meetings are needed in legislation
- It was agreed that any evidence for change should show cost savings. Cost savings would be made if the same person was re-elected for example or if elections were only bi-annual these actions could be specified in the order.

AJ queried whether cost savings needed to be defended as this is not the most important part of the work. SWJR what do we consider important - how do we make this happen

- The group agreed that flexibility for future generations needed to be built into the wording of the LRO this will allow changes to be made by ministerial order rather than an act of Parliament

Action – The first statement to Council to confirm that we are doing the LRO on advice (from DEFRA)

Stephen May's paper

- The group agreed that SM had produced a very interesting academic analysis – it appeared that SM favoured a Caucus. However the President doesn't feel that DEFRA will agree.
- NS explained that 2 workable options are vital and that an adaptation of options 1 ought to be offered too.
- The President suggested that the College could bolster the role of the AGM – this could be offered for both options in effect 36,000 vet surgeons and vet nurses *could* attend the AGM – this could be a different type of RCVS day and empower the membership. Currently the Council take note of any suggestions made at the AGM but they do not have to act.
- Consideration was made that if option 2 is chosen the cost of managing 50 people must be included and if the AGM is bolstered the College must decide whether all 36,000 members would potentially have a vote. The AGM could have an advisory role with motions

Assurance, accountability/Do you want democracy?/Independent election system

DEFRA draft consultation

4. RS emphasized the need for agreement with BVA therefore the majority of the Council must be elected vets the group discussed whether the document should read elected members of *the profession* or elected members of *the veterinary profession*

BVA are currently looking at their own governance, they have a council of 50, BVNA have a council of 20 with no caucus

The group then worked through the DEFRA paper making amendments and additions. (see attached).

ROYAL COLLEGE OF VETERINARY SURGEONS

NOTES OF THE GOVERNANCE MEETING HELD ON TUESDAY 24TH MARCH AT 12 AND THEN 13.30 WITH DEFRA

Present:	Nick Stace	CEO - Chair
	Stuart Reid	President
	Richard Stephenson	Council member
	Andrea Jeffrey	Council member
	Richard Davies	Council member
	Anthony Roberts	PSS and special advisor
DEFRA	Richard Drummond	DEFRA
	Siobhan Taylor	DEFRA
	Gayle Foston	DEFRA
In attendance	Peris Dean	PA

Outline of project and LRO process

1. ST outlined the LRO process:
 - The LRO is a legislative mechanism only used to change legislation. If there is a problem DEFRA will identify ways to solve the problems and put them to the public.
 - The Minister must agree to a Government consultation
 - The Minister will then write to the government. When DEFRA come up with a final policy they will then go back to the Government to get permission.
 - DEFRA look at ways to amend the act via Parliamentary branches – LRO or an amended act via a bill.
 - The LRO requires stringent conditions – it is deregulatory – regulating reform act and amends primary legislation.
 - One negative aspect of an LRO is that government will let it go through or not therefore it must be right. At the end there is one Parliamentary debate in the Lords. Everything follows the same process

Key Issues and Risks

2. Anything that will delay the LRO is a key issue or risk. If DEFRA do not have anything ready, if in consultation and something comes up or a local issue - all must be on plan.

We would only be able to present only one option.

Priorities for the Council Panel

3. The priorities for the Council Panel are:
 - That the LRO is the correct route

- It has been 6 years in process
- 2 papers from SM and RS

The College are concerned about Opt 2 which may look like there has been no change if Caucus - Council, Council – Board. The Council group had discussed further modifications such as the role of the enhanced AGM plays.

NS reiterated the options:

- Option 1a - Council with 21 people and enhanced AGM
- Option 1b - Council with 11 and enhanced AGM

Option 1 with an enhanced AGM assumes accountability to members

- Option 2 remains as suggested – Council 11 or 12 with a Caucus of 50 meeting twice per year, or meet only once per year to reduce cost, with specific roles around committees.

ST explained that the College could go one step further with a policy developer to break down the components then build up what is required eg what is the problem? These are the options/Here are the options...

RD agreed this would be less controversial to consult first then to build.

SWJR emphasized that this would mean particular amends to the DEFRA document particularly Chapter 4.

Action – AR will send tracked changes to Gail

The group discussed the use of the word Caucus and other alternates – DEFRA suggested that instead the paper could refer to ‘a body’. RCVS emphasized that it is critical to put Q2 at the top. QUESTION HERE and the need to write in future proofing – DEFRA explained that powers for future ministers can be written in to the LRO this can vary to meet varies by statutory legislation.

Additional key risks/questions for DEFRA

- There may be a new government/minister after the election and this will be one of their first decisions
- If there are further moves by Scotland towards devolution – currently the LRO is reserved to Westminster
- If the RCVS Council are not supporting going beyond this change or reduces opposition then any risk moves to the final proposal

NS queried whether there was adequate funding in place – DEFRA confirmed that yes at the moment there is but this could be an underlying risk if for some reason this was cut. NS confirmed that the College could pay costs if there was a problem.

Next steps

- Gail and AR will draft comments/paper
- Minutes – PD
- DEFRA will continue to write consultation
- ST has allowed 4 weeks for the process and 3 weeks for a possible new Minister
- DEFRA will email AR re the next meeting date

ROYAL COLLEGE OF VETERINARY SURGEONS

NOTES OF THE GOVERNANCE MEETING HELD ON 12TH MAY 2015

Present:	Nick Stace	CEO - Chair
	Stuart Reid	President
	Richard Stephenson	Council member
	Andrea Jeffrey	Council member
	Richard Davies	Council member

DEFRA	Siobhan Taylor	DEFRA
	Gayle Foston	DEFRA

In attendance	Peris Dean	PA
	Anthony Roberts	Special advisor
	Bradley Viner	Vice President

Minutes of previous meeting

1. The minutes of the previous meeting were accepted as an accurate record.

Review of the LRO documentation

2. SWJR opened the meeting by taking soundings from the rest of the group.
3. ST explained that the Minister; George Eustice and the new undersecretary Rory Stewart are awaiting their new portfolios and DEFRA are proceeding on the basis that nothing has changed and there is no indication that anything will change. All papers have been sent.
4. AR handed out the consultation table for consideration by the group. ST explained that the best description of the document is a jigsaw – there are 5 or 6 issues that people can feedback on such as size, constitution. If questions are too leading we will be told but the preference of the RCVS can be stated.
5. SM felt that the size of the group was the most important point and as this was a '50 year charter change' it needed to be something all could feel good about.
6. BV asked where any problems would be stated. ST explained that the group started with a consultation document that had now been transferred to a table for ease of use. When the questions were agreed they would be written up as prose in the LRO document.

7. SWJR proposed that the group move forward by checking the table and stating when the group is happy with each section. Members of the panel were concerned about different options.
8. ST re-iterated that the idea was to consult without looking at specific options but look at what need to be done and what needed to be put in front of Parliament. To consider the vires of the LRO and ensure that the document proved the 5 principles.
9. SWJR suggested that the group review the paper in reverse order:
10. **Consultation consideration 6 – Other** all were in agreement with the given proposal.
11. **Consultation consideration 5 – Tenure/terms and conditions of office** – the group debated whether this element was an issue and whether terms of 3 or 4 years would be appropriate. It was agreed that a fixed term of office was required with terms of 3 or 4 years. NS explained that the terms would depend on the number of elected members, greater flexibility would reduce continuity needed to achieve aims.

Action: The panel decide to consult on the number of terms

It was further agreed that Officers would be removed from voting to ensure they would see out their term of office.

Action Take out Sch 1 Para 1 (2) on p13

12. **Sch 1 Para 8 Tenure – re-election /re-appointment** – SWJR asked whether the College should consult on this item? It was agreed that a restriction on the number of terms a President could serve was needed and the panel supported this.

Action: the word consecutive to be added

ST explained that when elected or appointed all should follow the general rules of the code of public appointments and the same rules for removing a member would be followed under the code of conduct and fitness to serve.

13. **Consultation consideration 4 – the top tier of the council**

The group debated the different options relating to the way in which the President and two Vice Presidents are currently elected from among themselves by members of the Council. It was agreed to address the terms of office of the President and Vice Presidents.

It was agreed that there were two requirements

A President appointed by members of the Council or externally
A President should be a vet surgeon, nurse or lay person (member)

14. Consultation consideration 3 – How should different categories /individuals be given their place on Council?

There are 4 categories of Council members

- Vets and Vet Nurses should be elected by their own members
- Associates – do not specify
- Privy Council – public appointment
- Vet Schools – appointed by own members

AR explained to the group that we must state how each group get onto Council. SM explained that the creation of Council with appropriate people to be elected was important.

There were detailed discussions on how members should be nominated but the panel did not reach a conclusion on how each group would be given their place on Council.

There was an extensive discussion on the pros and cons of a Caucus with a pool of expertise of those who could be brought on board. NS explained that the main driver to this consideration should be VN representation, lay representation and the university representation.

NS checked whether the panel were happy to consult and find out what the public/members want? RD was concerned that if unless the College were given the Ministers support we might not get this. RS suggested that the panel would need to consult the Council to obtain permission for the consultation.

15. Consultation consideration 2 – composition/proportions/categories of council members

ST explained that the consultation document needed to ask about the composition of the Council and what proportions of each group should be. The reasons for these proportions should also be stated:

- Vet 50%
- VN 25%
- Lay 25%
- All Vet Schools 1 per school
- Privy Council – to go

The panel discussed whether the CVO should still be a member of Council – it was agreed that the CVO should not.

However the College should be clear about the relationship between the CVO and the Council.

16. Consultation consideration 1 – size – see above

Actions

17. In addition to the actions above the panel approved Gayle Foston and Anthony Roberts to liaise regarding the creation of a list of questions and justifications to be put to members for the consultation. This list would be sent to panel members for feedback.

18. Date of next meeting?

DRAFT

Meeting	Council
Date	5 June 2015
Title	Governance Review
Classification	Unclassified
Summary	This paper provides an update on developments in relation to the reform of RCVS Governance arrangements and work with Defra to draft an LRO Consultation package.
Decisions required	<ol style="list-style-type: none"> 1. Council is invited to approve the process to date and to delegate the fine tuning of the consultation paper to the Panel. 2. Council is invited to formally approve the recommendation to Defra that a public consultation is conducted.
Attachments	Annex A: CONFIDENTIAL Draft Consultation Package Annex B: Background reading
Authors	<p>Nick Stace CEO n.stace@rcvs.org.uk</p> <p>Anthony Roberts PSS Senior Manager/Special Advisor to CEO a.roberts@rcvs.org.uk</p>

Purpose

1. To update the Council on the work of the Council Panel on Governance; to provide further details on the proposed consultation process and to seek formal approval to support a Government led consultation.

Background and recent governance reviews

2. The RCVS is currently presented with an historic opportunity to develop a more effective and efficient system of governance that reflects the unique role of the RCVS as a 'Royal College that Regulates'. Moreover we are in a position to shape our own future, an option that was not afforded to the human healthcare regulators, upon whom reform was imposed by Government.
3. Whilst the present opportunity is unique, this is not the first time that the RCVS governance arrangements have been discussed and the issue is one that has raised on number of occasions in recent years, including:

Review of the Veterinary Surgeons Act 2009

4. On the back of the report by the RCVS Veterinary Legislation Group, chaired by Professor Stuart Reid, a formal consultation exercise was held in 2009. The consultation sought comment on three key proposals for reform: to amend the Veterinary Surgeons Act (VSA) to separate Preliminary Investigation Committee (PIC) and Disciplinary Committee (DC) from RCVS Council; to widen jurisdiction and powers of PIC and DC; and to reform the composition of RCVS Council.
5. On the issue of governance a recommendation was made that changes to the composition of Council 'should be for consideration in the longer term, when the new disciplinary machinery was in place and the implication of this for Council could be assessed'. This recommendation was approved at the November 2009 meeting of Council. In July 2015 the Preliminary Investigation Committee (PIC) and Disciplinary Committees (DC) will be fully independent and it is therefore appropriate to return to the question of the composition of Council.

First Rate Regulator

6. More recently the First Rate Regulator (FRR) research highlighted the fact that the governance of the RCVS was significantly out-of-step with the arrangements in place at other professional regulators. Whilst the FRR report acknowledged that there may be valid reasons for the governance structure used by the College, a key recommendation was that the RCVS should 'undertake a self-assessment of the effectiveness its governance arrangements' or to commission the Professional Standards Authority (formerly Council for Healthcare Regulatory Excellence (CHRE)) to undertake such a review. Further recommendations were also made around reviewing the composition of Council and making changes to improve the efficiency and effectiveness of Council meetings.
7. Annex A brings together a selection of important papers which outline the background to and reasons for reform of governance at the RCVS.

The case for reform

8. The arguments for the reform of governance structures at the RCVS are well rehearsed and we do not seek to provide a detailed account of them in this paper. Key arguments for the reform of the size and composition of Council, however, can be summarised as follows:
 - i. The new Charter squarely sets the RCVS as the regulator of Veterinary Nurses, but currently Veterinary Nurses do not have a formal seat at the Council table;
 - ii. Lay representation is a critical part of being a regulator and permanent lay representation is needed on Council to increase public confidence in the work of the RCVS;
 - iii. The ratchet effect of new veterinary schools needs to be addressed or Council will continue to grow;
 - iv. Term limits are an important aspect of good governance;
 - v. Large governing bodies are not conducive to effective decision making, hence the need for workarounds such as the Operational Board. It has been shown that smaller sized groups are able to communicate more effectively and reach decisions more quickly than larger ones;
 - vi. The dynamic of a smaller Council should serve to encourage the body to work as a team as opposed to a group of individuals.

Progress since March Council

9. In its March 2015 meeting, Council discussed two options for governance reform at the RCVS. These options were developed by Operational Board following the discussion in the dedicated Council workshop on Governance (6 November 2014).

Option 1: A Council of up to 20 members which would meet six times a year.

Option 2: A Council of 11, meeting six times per year; supported by a Caucus of 50 meeting twice per year

10. Council endorsed the direction of travel and the accepted the need for reform, whilst highlighting the need to ensure that the role of practitioners on Council and Committees was not diminished and that reforms did not have unintended consequences in relation to the Royal College role of the RCVS. Council also stressed the need to review the proposals carefully and to engage with the profession.
11. In order to ensure appropriate and detailed oversight of the development of the proposals for reform and the draft consultation document, the formation of a Council Panel was approved. The Council Panel would work with the Operational Board to develop proposals and would make recommendations to the June 2015 meeting of Council regarding the consultation with the profession.
12. The approved Panel would be chaired by the President and would comprise Professor Stephen May, Richard Stephenson, Andrea Jeffrey and Richard Davis. The membership provided a cross section of both elected and appointed members, includes a practitioner, an academic, a veterinary nurse and a lay person.

Council Panel on Governance: Meeting of 24 March

13. The first meeting of the Panel was held on 24 March and was divided into two sections. In the first section the Panel met alone. This provided an opportunity for the Panel to consider the proposals for reform further and to review the first draft of the Defra consultation document.
14. In addition, the Panel discussed two papers that were spontaneously submitted by Richard Stephenson and Stephen May respectively. Mr Stephenson's paper supported Option 1: A smaller Council, meeting regularly, whilst Professor Stephen May lent its support to Option 2: A smaller Council meeting regularly, with a larger 'Caucus'. The papers are available at Annexes B and C.
15. In discussion the Panel highlighted concerns in relation to the role and function of the Caucus. Members of the Panel considered that the role of the Caucus could be confusing to the profession and public and it would be unclear as to what powers the body had; that it would be difficult to engage people in a body that only met twice a year; that the Caucus could be perceived as further separating the profession from the Council; and that there were pragmatic issues relating to how the Caucus would elect or appoint members of the Council.
16. In discussion it became apparent that a primary function of the Caucus: to provide oversight and to hold the Council accountable to the profession and the public, could be achieved by strengthening the role of the AGM, normally held on RCVS Day. A strengthened AGM would provide an opportunity to hold the Council and College to account without the need to create a new body. Moreover, under such a model the profession would be electing Council members directly, as opposed to through a Caucus.
17. The Panel agreed that it was important to present a variation of the two options that included a strengthened AGM with a renewed focus on holding the Council and College to account.
18. In the second part of the meeting the Panel was joined by the senior Defra officials who would be responsible for the consultation and Legislative Reform Order (LRO) process. The officials reiterated their support for the project to reform governance, subject to support from a new Minister or Government, and noted that they currently had the resources in place to deliver the consultation and LRO.
19. In discussion Defra noted that the consultation was not in keeping with best practice for policy making and that by presenting two preset options, feedback would be restricted and this could result in a sub-optimal policy being adopted. Defra therefore proposed that the consultation should adopt a principle based approach. Instead of presenting options for reform the consultation would seek feedback on the principles upon which the proposed reform were based and would seek feedback on each element in turn. Thus the consultation would ask for comments on what size Council should be, its composition, the need for a Caucus etcetera. This would ensure that consultees had a genuine opportunity to input into the policy making process and the best possible policy could be developed from respondents' feedback.
20. The Panel strongly supported the consultation approach proposed by Defra on the grounds that it would provide a genuine gauge of the profession's opinion and would allow comments on all

aspects of the proposals.

21. The minutes of the meeting of the Council Panel's meeting of 24 March, which include its Terms of Reference, are available at Annex D.

Council Panel on Governance: Meeting of 12 May

22. The Panel met again on 12 May and held a lengthy discussion with Defra to fully understand the LRO process and to consider some of the details around the consultation. The main focus was upon whether the likely options for reform were fully captured in the questions being asked of the profession and the public.
23. It was agreed that as far as possible the questions should be made neutral so as not to unduly influence responses to any questions or future proposals. This would not, however, prevent the consultation document from presenting the issues the RCVS sought to address.
24. The Panel approved that the executive should work closely with Defra to approve a draft set of consultation questions in time for June Council. Subsequently the draft consultation has benefited from the Panel's reflections.

Recommendations of the Council Panel on Governance and decisions required

25. The Panel invites Council to approve the process to date and to delegate the fine tuning of the consultation paper to the Panel.
26. Council is invited to formally approve the recommendation to Defra that a public consultation is conducted.
27. Council will receive further updates and involvement in September and November and will have the opportunity to turn the feedback from the consultation into a recommendation for reform. This will include any transitional arrangements to a new structure.

Notes from Defra Governance Meeting, 10th June 2015

Attendance and apologies

Present:	Gayle Foston	Defra
	Stuart Reid	President – Chair
	Anthony Roberts	Special Adviser to the CEO
	Nick Stace	CEO
	Siobhan Taylor	Defra
	Bradley Viner	Vice-President

Feedback from Council

1. The President welcomed the representatives from Defra and provided summary of discussions in the recent Council meeting (5 June 2015), noting that Council had engaged constructively with the document and, subject to a series of amendments, had supported the consultation exercise.

Consultation document

2. Gayle Foston noted that the document was still in draft form and that significant amendments would need to be made before it could be circulated more widely.
3. The CEO went through the document highlighting the changes proposed by Council and approved by the Governance Panel (See notes from the Governance Panel – 10 June 2015).
4. The Defra representatives stated that in principle they had no issue with the amendments, but they noted it was critical that consultation continued to highlighted the need for change.
5. In response to concerns regarding the length of the consultation Siobhan Taylor noted that the online system (Citizen Space) would only present consultees with the questions and the relevant preamble. Nevertheless Defra was considering how the document could be made more focused and concise.
6. It was agreed that Anthony Roberts would send the amendments and introduction to Gayle Foston and would liaise as necessary to develop a final draft. It was expected that this would be ready for review by the Panel in the week commencing 15 June.

Outstanding issues

7. Siobhan Taylor noted that the RCVS and Defra still needed to develop a table that outlined the ills that the LRO sought to address, the proposals for addressing these, and whether such proposals were in vires for LROs.

Timing

8. The CEO noted that it was hoped the consultation responses would be available in time for the special meeting of Council on 29 September.

9. Defra representatives responded noting that the timescales were tight, but that they were achievable. (Following the meeting Defra reported that if the consultation launched before 21 July then it would be possible to have the responses and initial analyses ready by 22 September).

Future meetings

10. It was envisaged that meetings of the Governance Panel would be needed in July, August and September, to consider various outstanding issues such as transitional arrangements. A further meeting of Project Board would also be required before the launch of the consultation.

Close

11. The President closed the meeting, thanking the Defra representatives for their hard work and collaborative approach to the project.

Notes from Governance Panel, 10th June 2015

Attendance and apologies

Present:	Richard Davies	Council member (<i>via telephone</i>)
	Stephen May	Council member (<i>via telephone</i>)
	Stuart Reid	President
	Nick Stace	CEO - Chair
	Richard Stephenson	Council member (<i>via telephone</i>)
	Bradley Viner	Vice-President
In attendance:	Anthony Roberts	Special Adviser to the CEO
Apologies:	Andrea Jeffrey	Council member

Draft Consultation Document

1. The Panel considered the latest draft of the complete consultation package, which had been supplied by Defra.
2. The Panel was asked to send any amendments or comments in relation to the document to Anthony Roberts by Friday 12 June.
3. There was agreement that the introduction to the consultation and the need for change drafted by Richard Stephenson, and amended by Stephen May, should be included in page five of the consultation.
4. It was noted that the document was lengthy and included considerable detail in relation to the purpose of LROs and when their use was appropriate. The Panel considered that this might result in consultees losing interest before they reached the questions. It was agreed Defra should be asked if it was possible to make the consultation more concise.

Feedback from Council

5. The Panel consider those areas of the consultation document that would need to be updated in the light of the feedback from Council. In discussion the following points were made:
 - a. The veterinary schools had not agreed that they were happy to go down to one member on Council, thus this section of the consultation would need to be amended;
 - b. It was agreed that the section of the consultation relating to the Presidency should be removed from the consultation. The RCVS had significant flexibility without the need for legislative reform and Council had expressed concerns in relation to extending the President's term of office;

- c. The proportions of veterinary surgeons, veterinary nurses and lay members on Council were considered to be leading. It was agreed that instead the consultation should state that it was proposed elected veterinary surgeons would form the majority, but beyond this all the proportions should be removed from the document;
 - d. In regard to the size of Council, it was agreed that the maximum proposed size should be increased to 30 and that the consultation should specify no minimum size;
 - e. The panel proposed a number of minor amendments to the wording of the consultation so as to remove any perceived bias.
6. The CEO concluded the meeting and assured the Panel that its comments would be fed back to Defra.

Notes from Governance Panel, 27 July 2015

Attendance and apologies

Present:	Richard Davies	Council member
	Andrea Jeffrey	Council member
	Stephen May	Council member
	Stuart Reid	Vice-President / Chair
	Nick Stace	CEO
	Richard Stephenson	Council member
	Bradley Viner	President
In attendance:	Anthony Roberts	Special Adviser to the CEO

Opening and approval of minutes

1. The Chair opened the meeting noting that the minutes from the last meeting and correspondence with the Defra Minister of State had been tabled.
2. The minutes of the meeting of 10 June were approved as a true and accurate record.

Update on discussions with Defra

3. The Panel was informed that Defra had notified the RCVS that due to recess and the need for further Cabinet Office clearance the consultation would no longer be launched before the special September meeting of Council (29 September). The consultation package was with the Minister, however, and he had indicated that he was minded to support it.
4. The Panel discussed the need to liaise with BVA and other stakeholder organisations to ensure that they were kept up-to-date and informed as to when the consultation package would be launched.

ACTION: President to inform BVA

Proposal for the Reform

5. The Panel discussed the paper 'Options for the size and composition of Council' which presented two potential options for the reform of Council based discussions in the Panel, Council and the Operational Board.
6. It was noted that as a starting point the Panel needed to agree whether the RCVS committees should be populated entirely by Council members or whether outside expertise could be recruited.

7. The Panel was in agreement that whilst Council members should form the majority of committee membership, there was benefit in being able to recruit external expertise. An example being the ability to bring those with educational expertise, from the UK vet schools, onto the Education Committee.
8. The Panel noted that a Council of either 21 or 30 (the two options presented in the paper) would allow the Committees to be fully populated by Council members.
9. The Panel discussed the size and composition of Council that would be practical and workable, and would meet the criteria for reform agreed by RCVS Council. The Panel agreed upon a 25 strong Council comprising:
 - 13 elected veterinary surgeons;
 - 4 associates (including two veterinary nurses);
 - 2 members appointed on behalf of the UK veterinary schools;
 - 6 appointed lay persons.
10. The Panel considered that under this model the need for the Operational Board would be removed as it would be practical for a Council of 25 to meet up to six times per year. This would ensure greater transparency and that Council had a clear and accountable decision making role.
11. The Panel noted that there would no longer be a need for an Operational Board, but there would potentially be a need for a 'Presidential Team', whose role would be to provide oversight of the implementation of Council's decisions between meetings, set the agenda for Council meetings and support the development of Council papers.
12. In order to ensure the continued involvement of the Chair of VN Council in operational decisions it was agreed that the Chair of VN Council should sit on any such Presidential team.
13. The Panel discussed whether there was a need for VN Council if veterinary nurses had formal positions on RCVS Council. There was unanimous agreement that VN Council served a valuable role and that its disbandment would be a retrograde step.

Next steps

14. The Panel agreed that further work was required to consider the details of any new governance structures and to develop potential models for transitioning to new arrangements.
15. The proposal developed by the panel would be developed into a paper for the Operational Board which, subject to the Board's approval, would form the basis for the paper at the September Council meeting.

Meeting	Council
Date	29 September 2015
Title	RCVS Governance
Classification	Unclassified
Summary	This paper presents for discussion a potential option for the reform of the RCVS governance arrangements.
Decisions required	Council is invited to consider the proposed option for the reform of governance and to decide if it would meet the needs of the RCVS.
Attachments	Annex A: Criteria for reform
Authors	<p>Nick Stace Chief Executive and Secretary n.stace@rcvs.org.uk</p> <p>Anthony Roberts Special Adviser to the Chief Executive a.roberts@rcvs.org.uk</p>

Background

1. The RCVS has been considering changes to the size and composition of its Council since 2009. Following a formal consultation in July 2009, the then Veterinary Legislation Group made its final recommendations to the November 2009 meeting of Council. On the issue of governance a recommendation was made that changes to the composition of Council 'should be for consideration in the longer term, when the new disciplinary machinery was in place and the implication of this for Council could be assessed'. Council approved this recommendation. In July 2015 the Preliminary Investigation Committee (PIC) and Disciplinary Committees (DC) completed the transition to full independence from Council and therefore the RCVS returned to the question of the composition of Council
2. Consequently, over the last two years Council has given considerable attention to the issue of governance and the September 2015 meeting represents the fifth occasion upon which governance has been a key item on the Council's agenda.
3. At its March 2015 meeting Council approved the setting up of the Council Panel on Governance, to work with the Operational Board to develop proposals for reform and to support Defra in developing a formal consultation.
4. The Panel's membership comprises Richard Davis, Andrea Jeffery, Stephen May, Richard Stephenson, Bradley Viner and it is chaired by Stuart Reid. Its terms of reference are:
 - To support the Operational Board in developing the details of the proposed options for reform including, but not limited to, transition arrangements, appointment and election processes;
 - to future-proof the reforms and to ensure that governance structures can be amended to address changing requirements;
 - to provide oversight of the development of the LRO consultation document and to ensure that the relevant deadlines are met.
5. Since its inception the Council Panel on Governance has taken an active role in developing potential proposals for reform and supporting the process of developing a formal consultation on the reform of RCVS governance with the profession, which Defra is expected to launch in the coming weeks.
6. The consultation will seek views on the size, structure and composition of RCVS Council. The consultation will be open for eight weeks after which the RCVS will work closely with Defra officials to analyse the feedback and to develop the optimum model for reform. It is proposed that any reforms to RCVS governance that come on the back of the consultation exercise will be implemented using a Legislative Reform Order (LRO). This is the same legislative mechanism that was used to formally separate the Preliminary Investigation Committee (PIC) and the Disciplinary Committee (DC) from RCVS Council.

7. The September 2015 meeting provides another opportunity for Council to discuss what reformed governance arrangements might look like and to identify issues that may arise and need to be addressed. This will place the RCVS in a stronger position when analysing the consultation feedback and developing a model for reform.

Purpose of the paper

8. The Defra consultation on RCVS governance follows current best practice and adopts a principle based approach, as opposed to consulting on pre-defined options. As this approach does not seek views on specific proposals, following the consultation it will be necessary to piece together a model for the reform of RCVS governance that both meets the needs of the College and addresses the feedback from the consultation. For this reason, in addition to assisting in the development and oversight of the consultation process, the Council Panel on Governance was also charged with working up a viable option for the reform of RCVS governance arrangements which could provide the starting point for such a process.
9. This paper presents a potential model for the reform of RCVS governance which was developed by the Council Panel on Governance and further refined by the Operational Board. This proposal should not be seen as an attempt to predetermine the outcome of the consultation, rather it is presented in order to promote discussion and to bring to the fore issues that need to be tackled. By going through this process the RCVS will be in a better position to develop a workable model for the governance of the College on the basis of the feedback from the consultation process.
10. The model for reform presented in this paper presupposes that Council will comprise directly elected or appointed persons. It is important to note that the Defra consultation leaves open the possibility of an alternative system whereby an additional body (or caucus) of elected veterinary surgeons and veterinary nurses, together with appointed lay persons, could appoint Council members from amongst their number.

Potential model for the reform of RCVS Governance arrangements

11. At its meeting of 27 July the Council Panel on Governance considered two options for the reform of RCVS Council based on the previous discussions in Council. From these the Panel sought to develop a model that would be practical and workable, and would meet the criteria for reform agreed by RCVS Council and which are presented in the consultation document (see Annex A).
12. This proposal was also designed to address the key issues that were highlighted in relation to the current governance arrangements, including: securing positions for veterinary nurses and lay persons on Council; addressing the ratchet effect of the creation of new veterinary schools further increasing the size of Council, whilst ensuring that Council continues to benefit from the expertise of the UK Universities with accredited Veterinary degrees; and reducing the size of Council so as to improve efficiency and ensure a greater sense of collective responsibility and ownership of decisions.
13. The proposal should both meet the demands of the RCVS's unique role as a 'Royal College that

regulates' and be intra vires for the use of a Legislative Reform Order (LRO) to implement the necessary amendments to the Veterinary Surgeons Act.

14. In general terms an LRO can only be used to remove or reduce legislative burdens (financial, administrative or other obstacles to efficiency) or to promote the principles of Better Regulation (being Proportionate, Consistent, Accountable, Transparent and Targeted).
15. The power to make an LROs is granted by the Legislative and Regulatory Reform Act (LRA) 2006. The LRA can be accessed at the following link and Sections 1 – 4 outline the conditions relevant to any LRO used by Defra to reform RCVS governance arrangements.

<http://bit.ly/RCVSLRA>

16. The details of proposal for the reform of RCVS governance developed by the Council Panel, and further refined by the Operational Board at its September 2015 meeting, is outlined below:

Size and composition of Council

17. The proposed size and composition of Council are:

A 24 / 25 strong Council comprising:

- 12 / 13 elected veterinary surgeons;
- 4 associates (including two veterinary nurses);
- 2 members appointed on behalf of the UK veterinary schools;
- 6 appointed lay persons.

18. A key consideration for the Panel when developing this proposal was to ensure that it provided adequate persons to populate the RCVS committees, the Presidential team and the post of Treasurer. A Council of 24 / 25 persons with the above composition would provide a sufficiently large pool from which to draw the President, Vice-Presidents and Treasurer. Moreover, it would allow Committees to be populated entirely by Council members. Going forward, however, it is envisaged that additional members may be appointed to the Committees from outwith Council, on the basis of their skills and experience.
19. A Council comprising 12 elected veterinary surgeons has the advantage that the same number of places would be open for election each year. The disadvantages, however, are that elected veterinary surgeons would not form the majority of Council (one of the criteria for reform, see Annex A) and that it would reduce the total number of Council member to an even number (24), thus potentially creating an impasse when voting.

Council meetings, Operational Board and Senior Team

20. Under the proposed model the need for the Operational Board would be removed as it is it would be practical for a Council of 25 to meet up to six times per year. This would ensure greater transparency and that Council had a clear and accountable decision making role. Furthermore, at least one of the six meeting would be held in a workshop format, which would provide the

opportunity for Council to have in-depth discussions on key issues and future strategy.

21. Under this proposal the RCVS Senior Team, through the CEO would report directly to Council. This would provide greater transparency and accountability. The responsibility of the Senior Team would also be enhanced as it would have a greater role in providing oversight of the implementation of Council's decisions between meetings.

Veterinary Nurses Council and the appointment of veterinary nurses to RCVS Council

22. The Council Panel on Governance discussed whether there was a need for VN Council if veterinary nurses had formal positions on RCVS Council. The Panel was unanimous that VN Council served a valuable role and that its disbandment would be a retrograde step. It is important therefore that a system for electing or appointing veterinary nurses to RCVS Council is developed that would not necessitate two set of elections (one for veterinary nurse positions on RCVS Council and one for positions on VN Council) and would ensure a close working relationship between RCVS Council and VN Council.
23. One approach would be for the two veterinary nurses positions on RCVS Council to be reserved for the Chair and Vice-Chair of Veterinary Nurses Council. Thus VN Council would effectively nominate its appointments to RCVS Council from within its own elected membership.
24. Such an approach avoids the need for multiple elections and ensures close collaboration between VN Council and RCVS Council. Moreover, the approach could be mirrored and a body similar to VN Council be set up, should the Council decided to grant associate status to other allied professions.
25. A disadvantage of this approach, however, is that veterinary nurses would not be granted the opportunity to participate directly in elections to RCVS Council. In earlier discussions it had been suggested the veterinary surgeons and veterinary nurses would vote in a single election where veterinary surgeons could cast votes for those standing for veterinary nurse positions and veterinary nurses could cast votes for those standing for veterinary surgeon positions.

Veterinary nurses and associates

26. Under earlier proposals for the reform of Council if the RCVS were to become the regulator of any allied professions, legislative reform would be required if it were deemed necessary to offer such a group a seat at the Council table.
27. The RCVS has sought to build flexibility into the proposals so that future legislative reform, such as that which would be required to add new categories of persons to Council, would not be an onerous process and could be achieved by Ministerial Order. There is no guarantee, however, that such flexibility will be granted and, from a Parliamentary perspective, it is arguably the most controversial of the reforms proposed.
28. In the aforementioned proposal, however, four Council positions would be reserved for associates of the College. Two of these positions would be formally reserved for veterinary nurses, whilst the other two positions could, in future, be appointed from a Veterinary Services Council. Such a body

could be set up to regulate any groups of allied professionals or technicians that RCVS Council deemed appropriate. Thus the arrangements for the future regulation of allied professionals and technicians could mirror those currently set up for the regulation of veterinary nurses.

Decisions required

29. Council is invited to consider the proposed option for the reform of governance arrangements and to decide if it would meet the needs of the RCVS.

Criteria for reform

The following criteria for reform were agreed by Council and are presented in the Defra consultation to provide a broad framework as to what a reformed Council should look like.

- In order to respond more quickly and increase efficiency, and to ensure a greater sense of collective responsibility and ownership of decisions, the size of Council should be significantly reduced.
- As a self-regulating profession, elected veterinary surgeons should continue to form the majority of Council.
- Given the clear role the RCVS will have in the future as the regulator of the veterinary nursing profession following the introduction of the new Charter (17 February 2015), the inclusion of veterinary nurses on the Council is essential.
- As the defender of the public interest, formal lay representation on Council should be increased.
- As the body responsible for setting standards for veterinary education, to ensure that Council continues to benefit from the expertise of the UK Universities with accredited Veterinary degrees collective representation of these institutions is required on Council.
- In order to ensure Council is fit to represent and serve the College, there must be transparent mechanisms to bring individuals with appropriate skills and experience onto Council or Committees.

Notes from Governance Panel, 13 October 2015

Attendance and apologies

Present:	Richard Davis	Council member
	Stuart Reid	Vice-President / Chair
	Nick Stace	CEO
	Richard Stephenson	Council member
In attendance:	Anthony Roberts	Special Adviser to the CEO
Apologies:	Andrea Jeffrey	Council member
	Stephen May	Council member
	Bradley Viner	President

Opening and approval of minutes

1. The minutes of the meeting of 27 July were approved as a true and accurate record.

Feedback from Council

2. The Panel discussed the special Council meeting of 29 September. It was agreed that the meeting was positive, and Council accepted the need for reform and the direction of travel. It was noted that there was still work to be done in relation to the detail of the reforms and in particular the number of Vet School appointed positions and the role of the Schools on the Education Committee. Further discussion would also be required regarding any changes to the Presidential term.

Project plan

3. The Panel discussed the draft timetable for reform provided by Defra. It was noted that there was little slack in the project plan and that a small delay at any of the clearance stages had the potential to delay the reform process. The Panel noted that there was a high risk that the reforms would not be completed before the deadline for nominations for the 2017 Council elections. Communications surrounding the election may be required to ensure that Members standing for election are made aware that the number of positions available might be liable to be reduced.

Transitional arrangements

4. The Panel discussed two draft models for the transition to new governance arrangements (Annex A).
5. The panel noted the prima facie appeal of Model 1 as it provided a rapid and transparent system to move to new governance arrangements, but concerns were raised regarding the potential to lose the entire Presidential Team in the transition process.

6. A variant of Model 1 was proposed whereby Council members themselves would vote to decide which members stayed on Council and their terms of office. It was agreed that this option, together with those outlined at Annex A, should be presented to Council.
7. The Panel proposed that under Model 2 the Operational Board should remain in place for the first two years in order to help manage the transition process.

Presidential Term

8. The Panel discussed the Presidential term, an issue upon which the consultation remained silent. It was noted that whilst the VSA specified the President's term of office is one year there was no restriction on the number of terms a President may serve.
9. The Panel agreed that Council should be provided with further information regarding the Presidential term and informed that if following the transition to the new arrangement Council wished to increase the term of the Presidency it could break the current convention and allow a President to stand for re-election by Council.

Committees

10. The Panel discussed the composition of Committees under any new governance arrangements. It was noted that the Consultation did not directly address the issue of the composition of the non-statutory Committees and that Council, through the Scheme of delegation was free to decide how the non-statutory Committees were constituted.
11. There was agreement that there was a significant benefit in being able to recruit external expertise onto Committee and the Panel stressed the importance of being able to bring educational expertise such as the Heads of Schools onto the Education Committee.
12. The Panel supported the principle that under normal circumstances Council members would form majority on non-statutory committees, but in some circumstances (e.g. Education Committee) up to half may be co-opted external members.

Veterinary Schools Council

13. The importance of ensuring the Veterinary Schools were on-board with the reforms was stressed.
14. The Panel discussed a proposal that the Veterinary Schools should be granted three places on any new Council and not two as was initially agreed. Whilst it was acknowledged that the Veterinary Schools were subject to the most dramatic reduction of the groups on Council, the Panel determined that the number of places for the Schools should not be increased. A key factor behind this decision was that if elected veterinary surgeons were to remain in the majority (one of the criteria for reform) an increase in the Veterinary School places would demand the reduction in the number of lay persons or positions available for Associates, or an increase in elected members.
15. A variant of Model 2 was proposed in which the number of veterinary school positions on Council would initially half to seven and then in year two they reduce again to the final number of two.
16. It was agreed that Bradley Viner and Anthony Roberts would attend the next meeting of the Veterinary Schools Council (27 October) to present on the proposals for reform.

Any other business

17. A proposal was made that the Governance Panel should continue to meet and to guide process of reform until such time as it is disbanded by the Operational Board.

Model 1: Immediate transition



- All current positions on Council are terminated.
- An election is held for the 13 elected Council positions.
- In order to ensure the new election cycle is set in motion the terms of office of the newly elected Council members are set in accordance with the number of votes received.

Position in Election	Term of Office
1-3	4 years
4-6	3 years
7-9	2 years
10-13	1 year

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Model 1: Immediate transition



- The Privy Council appointees are replaced by lay persons appointed under the new appointment scheme.
- The positions for the individual Veterinary Schools are immediately replaced by three representatives appointed collectively by the UK Veterinary School.
- The positions for Veterinary Nurses are appointed by VN Council.

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Model 1: Advantages / Disadvantages



Advantages

- Clean break and transparent system.
- New election cycle is set in motion and normal elections begin after one year.
- Straightforward from a legislative perspective

Disadvantages

- Disruptive
- Undignified for existing members not re-elected
- Unusual election process resulting in four tiers of members (with different terms of office)

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Model 2: Three year transition



- Vet School, Privy Council and VN positions are treated in the same way as Model 1.
- Elected members are allowed to see out their terms, but a new election scheme introduced immediately.
- Each year when six Council members reach the end of their terms, elections are held for only three or four of these positions. Thus Council gradually reduces to its new size.

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Model 2: Three year transition

Year 0 (2017)	Year 1	Year 2	Year 3	
21	18	15	13	Elected
6	6	6	6	Lay
3	3	3	3	Vet School
2	2	2	2	VN
-	-	-	-	Associate
32	29	26	24	Total

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Model 2: Advantage / Disadvantages

Advantages

- Elected members see out their terms of office
- Provides continuity and avoids disruption
- The new election system begins immediately

Disadvantages

- Slow process of transition to new arrangements
- Initial imbalance with high proportion of elected veterinary surgeons
- Size and composition of Council may be confusing to membership

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RCVS Governance Reform

Transitional arrangements and matters for discussion

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Contents

Matters for Decision:

- Council statement on the Consultation
- Transitional arrangements

Matters for Discussion:

- Presidential term
- Committee membership

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Matters for Decision

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Response to consultation

- As the consultation on RCVS Governance goes out in the name of the Minister, a response from the RCVS will be required.
- Council is invited to approve the following statement in relation to the consultation exercise:

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Statement from Council



- 'RCVS Council welcomes the decision of the Defra Minister of State to consult on a range of issues relating governance at the RCVS. This consultation is an opportunity to hear the voice of profession and the public about an appropriate structure for oversight of the RCVS, reflecting the uniqueness of being a Royal College that regulates. Consulting on this important issue is in keeping with our desire to become first rate in what we do, building on other measures to modernise and improve the workings of the College.
- Representatives of Council have worked closely with Defra to develop the consultation document, and Council looks forward to further collaboration to ensure that proposals for reform address the issues raised by consultees and provide a workable solution for the effective governance of the RCVS.'

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Transitional Arrangements

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Model 1a: Immediate transition via election



- All current positions on Council are terminated.
- An election is held for the 12 elected Council positions.
- In order to ensure the new election cycle is set in motion the terms of office of the newly elected Council members are set in accordance with the number of votes received.

Position in Election	Term of Office
1-3	4 years
4-6	3 years
7-9	2 years
10-12	1 year

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Model 1a: Immediate transition via election



- The Privy Council appointees are replaced by lay persons appointed under the new appointment scheme.
- The positions for the individual Veterinary Schools are immediately replaced by two representatives appointed collectively by the UK Veterinary Schools.
- The positions for Veterinary Nurses are appointed by VN Council.

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Model 1a: Advantages / Disadvantages



Advantages

- Clean break and transparent system.
- New election cycle is set in motion and normal elections begin after one year.
- Straightforward from a legislative perspective

Disadvantages

- Disruptive
- Undignified for existing members not re-elected
- Unusual election process resulting in four tiers of members (with different terms of office)

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Model 1b: Immediate transition internal election



- Model 1b follows the same formula as Model 1a. The key difference, however, is that instead of an external election for the 12 elected positions, elected Council members would vote to decide which members stayed on Council and their terms of office.

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Model 1b: Advantages / Disadvantages



Advantages

- Rapid transition to new structure
- Continuity maintained as new Council formed from existing members
- Relatively straightforward from a legislative perspective

Disadvantages

- Less transparent
- May be perceived as less democratic (electorate do not decide who stays and there is a year with no elections)
- Disruptive

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Model 2a: Three year transition



- Vet School, Privy Council and VN positions are treated in the same way as Model 1.
- Elected members are allowed to see out their terms, but a new election scheme is introduced immediately.
- Each year when six Council members reach the end of their terms, elections are held for only three these positions. Thus Council gradually reduces to its new size.

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Model 2a: Three year transition

Year 0 (2017)	Year 1	Year 2	Year 3	
21	18	15	12	Elected
6	6	6	6	Lay
2	2	2	2	Vet School
2	2	2	2	VN
-	-	-	-	Associate
31	28	25	22	Total

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Model 2a: Advantages / Disadvantages

Advantages

- Elected members see out their terms of office
- Provides continuity and avoids disruption
- The new election system begins immediately

Disadvantages

- Slow process of transition to new arrangements
- Initial imbalance with high proportion of elected veterinary surgeons in early years
- Size and composition of Council may be confusing to membership

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Model 2b: Modified three year transition



- Model 2b is a hybrid of Model 2a. The transition takes place over the same period, but the Vet School places are reduced more gradually.

Year 0 (2017)	Year 1	Year 2	Year 3	
21	18	15	12	Elected
6	6	6	6	Lay
7	7	2	2	Vet School
2	2	2	2	VN
-	-	-	-	Associate
36	33	25	22	Total

Model 2b: Advantages / Disadvantages



Advantages

- Elected members see out their terms of office, whilst the new elections begin immediately.
- Provides continuity and avoids disruption.
- Better balance maintained between elected and non-elected members during transition.

Disadvantages

- Slow process of transition to new arrangements
- Size and composition of Council may be confusing to membership
- More complicated from a legislative perspective

Operational Board



- Under models 2a and 2b the Council Panel recommends that the Operational Board remains in place for the first two years, so as to manage the process of transition to the new arrangements.

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Matters for Discussion

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Presidential Term



- The VSA states:

'The term of office of the President or a Vice-President of the College shall be, as near as may be, one year, and he shall retire at the next meeting of the Council after the annual general meeting'

- The VSA does not, however, place a restriction on the number of terms that someone could stand for President.

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Presidential Term



- Following the decision of the June meeting of Council, the consultation remains silent on the issue of the term of the President.
- If, however, following the transition to the new Scheme Council wished to increase the term of the Presidency it could break the current convention and allow a President to stand for reelection by Council.

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Committee Membership



- The Consultation does not directly address the issue of the composition of the non-statutory Committees.
- Council, through the bye-laws and Scheme of delegation is free to decide how the non-statutory Committees are constituted.

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Committee Membership



- The Council Panel on Governance considered that there was benefit in being able to recruit external expertise onto Committees. An example being the ability to bring those with educational expertise such as the Heads of Schools onto the Education Committee.

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Committee Membership



- Council is invited to consider supporting the principle that following the transition to new governance arrangements:
 - Under normal circumstances Council members will form majority on non-statutory committees, but in some circumstances (e.g. Education Committee) up to half may be co-opted external members.

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Notes from the Council Panel on Governance, 20 January 2016

Attendance and apologies

Present:	Stephen May	Council member
	Stuart Reid	Vice-President / Chair
	Nick Stace	CEO
	Richard Stephenson	Council member
	Bradley Viner	President
In attendance:	Gayle Foston	Defra
	Anthony Roberts	Special Adviser to the CEO
Apologies:	Richard Davis	Council member
	Andrea Jeffrey	Council member

Opening and approval of minutes

1. The minutes of the meeting of 13 October were approved as a true and accurate record.

Summary of Consultation responses (Defra)

2. Gayle Foston presented on the feedback to the Defra consultation, noting it was supportive and there was nothing unexpected. Two areas where views were divided, however, were in relation to whether vets could vote for both veterinary surgeon and veterinary nurses positions and vice versa, and the proposed caucus for appointing/electing Council.
3. It was noted the formal government response to the consultation would be published once proposals for reform had been developed, and approved by RCVS Council.
4. In discussion it was noted that respondents may have required further clarity regarding the proposal for the introduction of a caucus, evidenced by the fact that responses seemed to contradict responses to an earlier question which showed overwhelming support for directly elected veterinary surgeons forming the majority of Council.
5. The Panel reflected that there had been relatively few responses, especially from organisations, given how much attention proposals to reform Council had created in the past. Moreover, there was almost unanimous support for reform. It was suggested the separation of the disciplinary committees from Council may have made reform a less contentious issue.

Proposals for reform

6. The Panel discussed whether the consultation supported the model for reform agreed at the September 2015 meeting of Council. The Panel agreed that on all the major issues the consultation supported the Council's proposed direction of travel.

Veterinary Schools

7. There was a discussion regarding communications with the Vet Schools Council (VSC) and the number of vet school positions there might be on a reformed Council.
8. The Panel noted the need to ensure the ongoing confidence of the veterinary schools in the ability of the RCVS to discharge its duties in relation to the regulation of veterinary education. It was agreed that that Panel should recommend supporting the VSC proposal and providing the veterinary schools with three positions on Council.
9. The Panel discussed the impact that three vet school places would have on the overall numbers on Council. In order to ensure elected veterinary surgeons maintained the majority (as per the criteria for reform) and to ensure that the overall size of Council did not increase, the Panel agreed that it would be necessary to reduce the number of places for lay members or associates.
10. The Panel agreed that the positions for lay persons should not be reduced and that the associate positions (which would not be filled until such time as the College regulated any allied-professions) should be reduced to one place.

Size and composition of Council

11. On the basis of the discussions the Panel noted its support for the following size and composition of Council:

A 25 strong Council comprising:

- 13 elected veterinary surgeons;
- 6 appointed lay persons.
- 3 members appointed on behalf of the UK veterinary schools;
- 2 veterinary nurses
- 1 associate

12. The Panel agreed that VN Council should determine how the VN places were elected or appointed.
13. The Panel suggested that a three consecutive term limit would be appropriate as this would provide adequate opportunity for Council members to stand for election as President. A break of two years was proposed before individuals could stand for Council again.

Transitional arrangements

14. The Panel discussed the transitional arrangements and the preferred model identified at the November meeting of Council. It was agreed that this represented a clean and transparent means to move to new arrangements.

15. The Panel agreed that the Chair should discuss the model with the Chair of the VSC in order to agree the details of the transition for the University appointees and ensure an appropriate balance of university and elected members during the transition process.

Paper for Council

16. The Panel agreed that Council should be presented with a short paper outlining the recommendations of the Panel. The paper should be accompanied by a series of annexes which would provide the full background to the work on governance reform.

17. It was agreed that the paper needed to include a means to reassure the veterinary schools that the Education Committee would continue to benefit from those with Educational expertise and that the Heads of Vet Schools could be co-opted onto the Committee.

18. It was agreed that Council should be reminded that the President could re-stand for election without the need for legislative reform.

19. The members of the Panel noted a desire to speak at the meeting and to have the opportunity to explain how the Panel came to its recommendations.

Any other business

20. The Panel reviewed its recommendations noting it supported a Council of 25, comprising: 13 elected veterinary surgeons; 6 appointed lay persons; 3 members appointed, behalf of the UK veterinary schools; 2 veterinary nurses; and 1 associate.

21. VN Council would elected or appoint VNs to Council, lay persons would be appointed by an independent panel working in line with the Nolan principles, and the vet school positions would be appointed by a body recognised by the RCVS as representing vet schools.

22. A maximum limit of three consecutive four year terms was recommended, with a two year break before individuals could stand for Council again.

23. A mechanism should be introduced to remove Council members for poor behaviour.

24. Flexibility should be built into the Act to allow the Minister, following appropriate consultation, to make future amendments to the size and structure of Council.

25. It was agreed that the draft recommendations would be sent to Defra so that Minister could review them prior to their presentation to Council.

26. The Chair thanked members for their attendance and closed the meeting.