

## Council Meeting

Thursday, 5 November 2020 at 10:00 am to be held remotely by Microsoft Teams/Zoom

Agenda	Classification <sup>1</sup>	Rationale <sup>2</sup>
1. <b>President's introduction</b>	Oral report Unclassified	n/a
2. <b>Apologies for absence</b>	Oral report Unclassified	n/a
3. <b>Declaration of interests</b>	Oral report Unclassified	n/a
4. <b>Minutes</b>		
a. Meeting held on 8 October 2020:		
i. Unclassified minutes	Unclassified	n/a
ii. Classified appendix	<b>Confidential</b>	<b>1, 2, 3</b>
5. <b>Matters arising</b>		
a. Obituaries	Oral report Unclassified	n/a
b. Council correspondence	Oral report Unclassified	n/a
c. CEO update	Oral report Unclassified	n/a
6. <b>Matters for decision by Council and for report (unclassified items)</b>		
a. Covid-19 Taskforce	Oral report Unclassified	n/a
b. Council culture – draft action plan	Unclassified	n/a
7. <b>Notices of motion</b>	Oral report Unclassified	n/a
8. <b>Questions</b>	Oral report Unclassified	n/a

9. <b>Any other College business</b>	Oral report Unclassified	n/a
10. <b>Risk Register, equality and diversity</b>	Oral report Unclassified	n/a
11. <b>Date of next meeting</b> Thursday, 21 January 2021 at 10:00 am (reconvening in the afternoon)	Oral report Unclassified	n/a
12. <b>Matters for decision by Council and for report (confidential items)</b>		
a. Estates Strategy - update	Oral report <b>Confidential</b>	<b>1, 2, 3</b>
b. University of Edinburgh – discussion	<b>Private</b>	<b>1, 2, 5</b>
13. <b>Any other College business (confidential)</b>	Oral report <b>Confidential</b>	<b># TBC</b>
14. <b>Risk Register, equality and diversity (confidential)</b>	Oral report <b>Confidential</b>	<b>1, 2, 3, 4, 5</b>
15. <b>Risk Workshop</b>	<b>Confidential</b>	<b>1, 2, 3</b>
<p>Dawn Wiggins Secretary, RCVS Council 020 7202 0737 / <a href="mailto:d.wiggins@rcvs.org.uk">d.wiggins@rcvs.org.uk</a></p>		

**<sup>1</sup>Classifications explained**

Unclassified	Papers will be published on the internet and recipients may share them and discuss them freely with anyone. This may include papers marked 'Draft'.
Confidential	Temporarily available only to Council Members, non-Council members of the relevant committee, sub-committee, working party or Board and not for dissemination outside that group unless and until the relevant committee or Council has given approval for public discussion, consultation or publication.
Private	The paper includes personal data which should not be disclosed at any time or for any reason, unless the data subject has agreed otherwise. The Chair may, however, indicate after discussion that there are general issues which can be disclosed, for example in reports to committees and Council.

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

Confidential	<ol style="list-style-type: none"> <li>1. To allow the Committee or Council to come to a view itself, before presenting to and/or consulting with others</li> <li>2. To maintain the confidence of another organisation</li> <li>3. To protect commercially sensitive information</li> <li>4. To maintain public confidence in and/or uphold the reputation of the veterinary professions and/or the RCVS</li> </ol>
Private	<ol style="list-style-type: none"> <li>5. To protect information which may contain personal data, special category data, and/or criminal offence data, as listed under the General Data Protection Regulation</li> </ol>

<b>Summary</b>	
Meeting	Council
Date	8 October 2020
Title	October 2020 Council minutes
Summary	Minutes of the meeting held on Thursday, 8 October 2020
Decisions required	To approve the minutes and classified appendix
Attachments	Classified appendix
Author	Dawn Wiggins Secretary, Council <a href="mailto:d.wiggins@rcvs.org.uk">d.wiggins@rcvs.org.uk</a> / 020 7202 0737

<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a
Classified appendix	<b>Confidential</b>	<b>1, 2, 3</b>

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## Council Meeting

Minutes of the meeting held remotely via Microsoft Teams on Thursday, 8 October 2020

### Members:

Dr M O Greene (President in the Chair)	
Dr C J Allen*	Mrs C-L McLaughlan
Mrs B S Andrews-Jones	Dr S Paterson
Professor D J Argyle	Mr M L Peaty
Miss L Belton	Mr M E Rendle
Professor D Bray	Dr K A Richards
Mr J M Castle	Dr C L Scudamore
Dr D S Chambers	Dr N C Smith
Dr N T Connell	Dr R S Stephenson
Professor S Dawson	Dr C W Tufnell
Dr M A Donald	Mr T J Walker
Dr J M Dyer	Professor J L N Wood
Ms L Ford	Ms J S M Worthington
Mr D J Leicester	

\*Absent

### In attendance:

Ms E C Ferguson	Registrar
Ms L Lockett	CEO
Ms C McCann	Assistant Registrar / Director of Operations (DoO)
Miss C H Middlemiss	(UK) Chief Veterinary Officer (CVO) (Observer)

### Guests:

Ms E Butler	Chair, Audit and Risk Committee (ARC)
Ms R Buzzel	<i>Veterinary Times</i> (open session only)
Mr R C Dawson MRCVS	Director, Jiii/Vet-ai (open session only)
Ms A Findon	Head of Policy and Governance, British Veterinary Association (BVA) (open session only)
Mr P Imrie	<i>Veterinary Times</i> (open session only)
Mr J Loeb	<i>Veterinary Record</i> (open session only)
Ms N Lau	Extra-Mural Studies (EMS) student with the <i>Veterinary Record</i> (open session only)
Dr A M Ridge MRCVS	Animal and Plant Health Agency (APHA) (agenda item 14a only)
Mr J S Russell MRCVS	President, (BVA) (open session only)
Mr J Westgate	<i>Veterinary Times</i> (open session only)

## President's introduction

1. The President extended a warm welcome to guests and outlined the order of the meeting.
2. Mr Russell was congratulated on his appointment as President of the BVA.

## Apologies for absence

3. Apologies for absence were received from:

- Dr C J Allen

## Declarations of interest

4. New declarations of interest were received from:

- Dr Connell: invited to be part of a grant evaluation working group for the Veterinary Council of Ireland's Committee of Education and Training;
- Mr Leicester: role as Vets-Now Video Lead had been extended to cover the whole of telehealth;
- Dr Paterson: appointed as a Trustee, Battersea Dogs and Cats Home;
- Dr Smith: no longer the Chief Veterinary and Remount Officer for the armed forces; wife was an RCVS recognised specialist.

## Minutes

### Minutes and classified appendix of the meeting held on 3 September 2020

5. Council had the opportunity to comment on the minutes and classified appendix electronically.
6. A vote was taken to approve the minutes and classified appendix:

For:	22
Against:	0
Abstentions:	0
Did not vote:	3

(Dr Paterson registered an oral vote as she experienced technical issues. This was included in the figures.)

7. The minutes and classified appendix were accepted as a true record of the meeting by a majority vote.

### Classified appendix of 21 September 2020

8. Council had the opportunity to comment on the classified appendix electronically. It was noted that paragraphs 13 – 20 of these minutes had been declassified.
9. A vote was taken to approve the classified appendix:

For:	22
Against:	0
Abstentions:	2
Did not vote:	1

(Mr Rendle registered an oral vote as he experienced technical issues. This was included in the figures.)

10. The classified appendix was accepted as a true record of the meeting by a majority vote.

### Matters arising

#### Obituaries

11. No written obituaries had been received. Council was encouraged to have a moment of quiet reflection following the meeting for all members who had passed since the last meeting, and for the on-going difficulties resulting from the current pandemic.

#### Council correspondence

12. The President reported:

#### Continuing Professional Development (CPD) Referral Group

13. Council was reminded that the deadline for veterinary surgeon applications to become a member of the College's CPD Referral Group was Friday, 16 October 2020. Applications should be sent to: [j.soreshog-turp@rcvs.org.uk](mailto:j.soreshog-turp@rcvs.org.uk) in the Education Department.

#### CEO update

14. The CEO updated Council on the following items:
- Belgravia House was now accessible for between five and 25 staff on a Tuesday and Wednesday each week, this would remain under review;
  - furloughed staff had now returned to work, inclusive of Practice Standards Scheme (PSS) Assessors who were starting to work on virtual assessments;
  - the new Registration Committee (RC) as agreed at the meeting held on 3 September 2020 had been set up. Membership included all of the members previously on the Register and Registration Sub-Committee (RRSC) and new lay members; it meant that there was currently one veterinary surgeon surplus to agreed Terms of Reference, but that would be resolved at Royal College Day in July 2021. Proposals for a new time-limited Working Group would be



discussed at the first meeting of the Committee, to consider the Vet Tech role. If the Registration Committee approved the proposals, the resourcing aspects would be considered at the November meeting of the Finance and Resources Committee (FRC) per FRC's Terms of Reference, and the Working Group would hopefully be in place before Christmas;

- results of the fourth survey on the economic impact of Covid-19 on veterinary practice, using data from the beginning of September 2020, had been published and it was noted that practices were generally showing some recovery and fewer were using remote consulting;
- part one of a joint roundtable meeting with the RCVS Diversity and Inclusion Group (DIG) and the Veterinary Schools Council (VSC), to consider support for Black, Asian and Minority Ethnic (BAME) students had taken place; part two was to happen on Monday, 12 October 2020;
- RCVS Honours and Awards, and Fellowship Awards, evenings had taken place virtually, with more people joining than when these events were held in person and excellent feedback from attendees;
- thanks were given to Council and committee members for their hard work in supporting the large number of meetings that had been held recently.

15. There were no comments or questions, and the update was noted.

## Matters for decision by Council and for report (unclassified items)

### Under care / out of hours – update

16. The Chair, Standards Committee (SC), updated Council. At the last SC meeting, and in view of the ongoing situation making the holding of face-to-face groups problematic, it was agreed that virtual focus groups would go ahead shortly. A brief video of how the focus groups would work had been produced, for those taking part and Rand would also invite key stakeholders to give their views to them directly. The overall time envisaged for this work was the same as before except that it had been delayed by seven months as a result of the pandemic.

17. It was confirmed that in addition it was anticipated that there would shortly be a stakeholders meeting – part of the regular stakeholder meetings between College Officers and external groups – which would inform stakeholders about the process for the ongoing under care review but would not actually form part of the consultation itself (and would also likely cover the process for the consultation on the report of the Legislation Working Party (LWP) and a roundtable discussion re: EU-Exit).

18. The update was noted.

## Remote prescribing

**Mr Leicester declared an interest (see paragraph 4)**

**Dr Paterson declared an interest as a telemedicine provider**

19. The Chair, SC, introduced the paper and stated that at the March 2020 meeting, Council had agreed temporary guidance on remote prescribing permissible without seeing the animal. At the recent short-notice meeting held on 21 September 2020, it was agreed to bring this matter back to Council for discussion in open session; all papers that had been before the Covid-19 Taskforce had been included in the bundle of papers before Council.
20. One comment had been received on the paper prior to the meeting from Dr Allen, who had submitted apologies for the meeting:

*“I have not been a supporter of this concept in general and those concerns have not gone away. However, I am concerned that the members of Council who are not as close to the ‘frontline’ may be unaware of the current challenges in first opinion practice and think things are getting back to normal. This is far from the case. I was quite surprised about the BVA being so confident that new clients would be able to access vet care as I am aware of a number of practices with closed books, long wait lists for appointments and surgery, and staff struggling with a very high workload. Burnout is a real worry.”*

21. There was a Notice of Motion that had been received with respect to this agenda item:

**Proposer:** Dr J M Dyer  
**Seconder:** Dr N C Smith (primary)  
 Dr D S Chambers, Mr M L Peaty and Dr R S Stephenson (additional)

*“Council congratulates and thanks the Covid 19 task-force for making quick decisions in a rapidly-changing situation. They have made an invaluable contribution. Emergency measures have allowed vets to prescribe prescription-only medications remotely, both to animals already under their care, and to new clients/animals where circumstances dictate. Council believes that it is vital not to undermine or pre-empt the review of Under Care and out of hours emergency cover.*

*“The PDSA report and the IES survey show that remote prescribing can be a pragmatic solution to the problem of clients and vets having to shield or living in lockdown areas, in order to minimise face-to-face interaction. However, both reports refer to telemedicine and remote prescribing within the context of veterinary practices where a physical examination and further investigation can be carried out if necessary, i.e. it is being used as a way of minimising physical contact, not eliminating it. This makes sense because animal welfare requires that physical examination will always be necessary in a percentage of consultations in order to make an accurate diagnosis and for the animal to be under the care of the veterinary surgeon or the practice. Not providing this follow-up care when necessary, or arranging for it to be provided, represents an abdication of the responsibility and accountability expected and required by RCVS of its members and the animal owning public.*

**“Council resolves** to enhance the protection of animal welfare by amending the wording of FAQ4, effective from the 1st Nov 2020, to:

*“Remote prescribing of prescription-only medications (POM-Vs) should only be carried out by veterinary surgeons who can provide a 24/7 follow-up service involving physical examination, plus or minus further investigation, if required; e.g. in the case where the animal does not improve, or suffers an adverse reaction, or deteriorates, subsequent to the prescription of said medicines. This follow-up service can be provided personally by the veterinary surgeon or practice, or by written agreement with a veterinary services provider which is local to the client (as with the current situation for 24 / 7 care provision).”*

**“Council further resolves that:**

*“This derogation from the requirement to conduct a physical examination before an animal is regarded as ‘Under Care’ to be reviewed as a standing agenda item of each Council meeting until the provisions of RCVS Guidance Section 4 “Veterinary Medicines” have been fully restored.”*

22. Comments and questions on the paper, and first resolution of the motion, included but were not limited to:

- the issue of remote prescribing was important and there was angst amongst the profession as shown by the comments in the IES report. It should be Council business, not just limited to the Covid-19 Taskforce (C-19 TF); to discuss the matter in open session with full access to supporting documentation was welcomed;
  - o it should be noted that those responding to the IES survey came from only c. 10% of the profession, 81% of which was based in England in the South West, and so it was not a true UK-wide picture;
- it was at the beginning of the lockdown that people were asked to stay at home unless the animal had a life-threatening condition; government guidelines were now different and more localised, and practices throughout the UK were working with different processes;
- it was not a criticism of the C-19 TF but it was frustrating as a first opinion practitioner not to have access to the full rationale behind decisions made;
  - o the paper related to temporary guidance and whether it should be extended – the College was there for animal welfare and the profession had a range of options available to it. Decisions had to be rational and justifiable with animal welfare the prime concern;
- by the end of October, virus figures in Scotland were expected to be back up to those experienced in March 2020 so temporary guidance should be kept in place without any material change until at least the New Year – of course members must adhere to the safest course of action but to change guidance could cause confusion;

- the College should do its utmost to protect charities such as the People's Dispensary for Sick Animals (PDSA) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) that were experiencing extreme difficulties because of both increasing numbers of services users and loss of financial support during the pandemic;
- it should be noted that neither the motion nor its proposers suggest that remote prescribing should cease. It was, however, essential to link the animal to being under care of a veterinary surgeon that could provide 24/7 back up should it be required;
- the temporary guidance was a pragmatic solution during the pandemic to minimise face-to-face interaction for animals under the care of a veterinary surgeon. However, animals not under the care of a veterinary surgeon created a derogation of the Code of Professional Conduct (CoPC), which required the minimum of the animal's history; a physical examination; and clinical notes. As the guidance currently stood, a telehealth provider could remote prescribe, charge money for the service, but hold no responsibility for the animal should there be a need for a physical examination; it was not good enough to direct them to a vet near where they lived and could potentially leave an animal suffering with its owner not knowing where to go;
- whilst there was trust in the professional judgement of veterinary colleagues there must be measures to ensure ongoing responsibility of cases;
- it was important to keep the link between remote prescribing and the ability for a physical examination and ongoing care for the animal; remote prescribing was a tool that should not be used unless it was absolutely necessary, such as when an owner was unable to reach a practice if self-isolating; localised lockdowns that determined permitted travel, etc.;
- the motion appeared to be specific to Prescription Only Medicines – Veterinary (POM-V), was that correct?
  - o it was confirmed that the requirement for “under care” applied only to prescribing POM-Vs;
- was the sentence in the motion: '*...This follow-up service can be provided personally by the veterinary surgeon or practice, or by written agreement with a veterinary services provider which is local to the client (as with the current situation for 24 / 7 care provision...*' particularly the reference to a written agreement, too restrictive?
- if the veterinary practice no longer has the ability to provide back-up care it must make arrangements with another neighbouring practice;
- from an animal owner perspective, it was a sensible suggestion for ongoing care but what would happen if the animal experienced difficulties and the owner could not get a service provider if the original vet was not available?

- members should not be put under undue stress in having to pick up cases that have been dealt with originally by others, there should be responsibility for seeing a case through;
- the motion was not about taking apart the current Frequently-Asked Question (FAQ) 4, it was about adding clarification. Allowing remote prescribing in certain circumstances had suspended 4.11 of the supporting guidance temporarily. It was important that “temporary” was time-limited and the motion would clarify this. Supporting guidance was just that – guidance – and it was up to professionals to justify their actions in the light of that guidance. If the motion was endorsed by Council (rather than just being a decision of the Taskforce) it would demonstrate that Sections 3.34 and 3.6 of the supporting guidance should still be adhered to.

23. A vote was taken on the first resolution of the motion to: *‘enhance the protection of animal welfare by amending the wording of FAQ4, effective from the 1st Nov 2020’*, to:

*“Remote prescribing of prescription-only medications (POM-Vs) should only be carried out by veterinary surgeons who can provide a 24/7 follow-up service involving physical examination, plus or minus further investigation, if required; e.g. in the case where the animal does not improve, or suffers an adverse reaction, or deteriorates, subsequent to the prescription of said medicines. This follow-up service can be provided personally by the veterinary surgeon or practice, or by written agreement with a veterinary services provider which is local to the client (as with the current situation for 24 / 7 care provision).”*

For:	21
Against:	2
Abstain:	0
Did not vote:	2

24. This was agreed by a majority vote.

25. The second resolution in the motion was discussed. Comments and questions included but were not limited to:

- this part of the motion went against the agreed Delegation Scheme if it came back to Council every time; and what was to stop other matters being picked out and not following the agreed Scheme? If members did not want the C-19 TF to have responsibility for this decision it should revert back to Standards Committee as the route to Council;
  - o it was not suggested that everything go direct to Council, but this matter was a direct deviation from the CoPC and something for which members in the past had been removed from the Register;
- members of the profession should not be expected to keep checking on an almost monthly basis what the guidance is from the College, it should be allowed to run for a period of time;

- the C-19 TF was not part of the current Delegation Scheme (and would be discussed at the next agenda item), this resolution was to inform the profession that the College was on top of the issue – the profession was already given three weeks' notice of any change;
- it was impossible to discuss the matter properly without knowing the implications of the next agenda item re: the C-19 TF. It was worrisome that this was the 'thin edge of the wedge' and should be made very clear what was to come back to Council – if it was a standing item it would cease to be strategic, but become operational, perhaps instead it could be brought back after six months;
- there was concern that 'temporary' could be used to become 'permanent' – it was important to stress this was not 'normal' and practices would be reassured if Council was to spend time on it regularly;
- as a compromise, Dr Stephenson proposed that the second resolution be amended to read '*...to be reviewed as a standing agenda item of each **Standards Committee** until the provisions...have been fully restored.*' Dr Smith seconded this amendment;
- it was questioned if being a standing agenda item on Standards Committee meant it would be reviewed frequently enough? Council currently met almost monthly, whereas Standards Committee met four times per year.

26. A vote was taken on the second resolution of the motion that: "*this derogation from the requirement to conduct a physical examination before an animal is regarded as 'Under Care' to be reviewed as a standing agenda item of each Standards Committee meeting until the provisions of RCVS Guidance Section 4 "Veterinary Medicines" have been fully restored.*"

27. The President clarified that if the second resolution was carried, the review would be undertaken by Standards Committee at each meeting, if it was not carried it would revert to the C-19 TF. However, if it was agreed at the next agenda item to disband the C-19 TF then any review would revert to Standards Committee under the current Delegation Scheme.

For:	15
Against:	8
Abstain:	1
Did not vote:	1

28. This was agreed by a majority vote.

29. Following the votes on the motion, the vote contained within the paper was not required.

### **Covid-19 Taskforce (C-19 TF)**

30. The Senior Vice-President introduced the paper and outlined the background to the Taskforce. The proposal was that the C-19 TF be maintained for a further six months to be reviewed again in March 2021, in line with government guidelines in place at that time, and inclusive of a minor change in that meetings be held as often as required.

31. Comments and questions on the paper included but were not limited to:

- a large number of decisions taken by the Taskforce had involved the Education Department where speed had been essential. Suggested changes to the current arrangements were: give the Taskforce proper secretarial support in order to provide Council with a full set of minutes and therefore more transparency; and, have a more hybrid approach so that decisions that should not be dealt with by the Taskforce could be dealt with by Council;
- there were a couple of points missing from the current Terms of Reference: there was no threshold; there should be a test that an item should only go to the Taskforce when there was not enough time to go to a committee or Council; and, when reporting back to Council, state why it was sufficiently urgent to warrant a Taskforce decision;
- the UK was far from being at the end of the pandemic, there were still major issues being dealt with that required rapid decisions; also decisions have not been made in isolation but had for example, involved collaborations with Education Committee / external agencies;
- [point of order] Council had to vote on the motion (or any amended motion) before it was able to vote on continuance of the Taskforce. There was a motion before Council that dealt with safeguards and governance.

32. Dr Smith introduced the Notice of Motion that had been received with respect to this agenda item:

**Proposer:** Dr N C Smith  
**Seconder:** Dr R S Stephenson (primary)  
 Dr D S Chambers, Dr J M Dyer and Mr M L Peaty (additional)

To amend the proposed paper (item 6.3) submitted to Council as follows:

*“Council notes with thanks the work of the Covid 19 task force but is mindful that the current pandemic will in all probability continue for many months and potentially years. It considers that returning to normal governance mechanisms established over many years is important to maintain confidence in the RCVS and that emergency measures should not be allowed to become a new normal.*

**“Resolved**

*“Council agrees to the provisions of paper Agenda Item 6.3 (entitled: AI 06c Future of C-19 TF), subject to the following safeguards:*

- *that the continuance of the Covid-19 task force should require an affirmative vote supported by a majority of those present and voting at each regularly scheduled Council meeting;*

- *that the minutes of the task force should be made available within 5 working days of each meeting of the task force, along with any supporting papers for inspection by Council members and published to the fullest extent possible on the RCVS Website;*
- *that decisions of the task force should be submitted for ratification at the next Council meeting should an objection be raised within 5 working days of publication of the minutes by two or more Council members;*
- *any recommendation of the task force amending the normal provisions of the RCVS Code of Conduct or its Supporting Guidance should be agreed by Council before implementation.”*

33. It was explained that there was concern about the lack of safeguards and governance of the Taskforce. Whilst doing a difficult job it sat outside of the College's governance structure and needed more transparency: reporting lines and what had been discussed were unclear; and oversight was missing.

34. The President asked the Chair, ARC, to comment upon risk factors of the C-19 TF. In response, the Chair ARC commented that it was considered to be really important that the Taskforce existed, the worst risk actually being slow decision-making in times of crisis; there was a high representation of non-executive members (in this instance executive members being members of Council), which made the RCVS better than other organisations; all standing committees were also represented; and, the diligence and thoroughness was to be commended. As the pandemic continued thought could perhaps be given to rotating members so the work was evenly distributed.

35. The CEO added that the paper before Council represented the decision made at the 3 September 2020 Council meeting, which was that there should be discussion on whether or not to disband the Taskforce, rather than additional scrutiny; the paper before Council therefore aimed to address that request; minutes were written for each meeting and the 'meat' of them sent to Council within 48 hours of the meeting; as per the Terms of Reference any paperwork before the Taskforce was available to Council on request but to date there had been no requests for it. Whilst this (in effect) sub-committee level of information was not loaded to the RCVS website, it could be done if Council wished. She stressed that speed was of the essence and it was important that any checks and balances did not slow down decision-making or the purpose of the group would be lost.

36. It was argued that it was difficult to ask for sight of paperwork when it was unknown outside of the Taskforce that it existed, and that documentation should be sent to Council as a whole, not just the Taskforce.

37. Further comments were:

- it was sensible to have agility and flexibility of demands within the pandemic with periods of review and not shackle the process by creating bureaucracy around it;



- it was because it was believed that the pandemic would be around for at least another six months that it was important to put safeguards in place.

38. Dr Connell suggested some amendments to the motion as shown below that Drs' Smith and Stephenson were prepared to accept:

Proposed amendments to Motion re continuation of the task force.

*To amend the proposed paper (item 6.3) submitted to Council as follows.*

*Council notes with thanks the work of the Covid 19 task force but is mindful that the current pandemic will in all probability continue for many months and potentially years. It considers that returning to normal governance mechanisms established over many years is important to maintain confidence in the RCVS and that emergency measures should not be allowed to become a new normal.*

**Resolved**

*Council agrees to the provisions of paper no 6.3 AI 06c Future of C-19 TF, subject to the following safeguards:*

*That the continuance of the Covid 19 task force should require an affirmative vote supported by a majority of those present and voting at each regularly scheduled Council meeting.*

*That the minutes of the task force should be made available within ~~5~~ two working days of each meeting of the task force, along with any supporting papers for inspection by Council members and published to the fullest extent possible on the RCVS Website.*

~~*That decisions of the task force should be submitted for ratification at the next Council meeting-s*~~ *Should an objection be raised within two ~~5~~ working days of publication of the minutes by two or more Council members, the decision of the taskforce should be submitted for discussion by Council at the earliest appropriate opportunity, either via email, an extraordinary meeting of Council, or a regular meeting – to be decided by the Taskforce depending on the urgency of the decision to be made.*

~~*Any recommendation of the task force amending the normal provisions of the RCVS Code of Conduct or its Supporting Guidance should be agreed by Council before implementation.*~~

*Proposed by Dr ~~Neil Smith~~ N T Connell*

*Seconded by Professor D J Argyle*

*~~Dr Richard Stephenson~~*

*And*

*~~Dr Danny Chambers~~*

*~~Dr Jonna Dyer~~*

*~~Dr Martin Peaty~~*

39. The reference to the CoPC as it was within the Terms of Reference of the Taskforce to look at such changes on a temporary basis only.
40. A vote was taken on the amended motion (as a whole package) as detailed under paragraph 37 above:

For:	23
Against:	2
Abstain:	0
Did not vote:	0

(Mr Rendle and Professor Wood registered email votes as they experienced technical issues. These were included in the figures.)

41. This was agreed by a majority vote.
42. Following the vote on the motion, the votes contained within the paper were not required.

### Council culture

43. The Senior Vice-President introduced the paper that contained a series of suggested measures including: a better induction process; training for new members, and re-training for existing members of Council; appraisals; and risk mitigations. The report from the Legal Assessor remained **strictly confidential** – if there were any comments regarding the report they should be raised in closed session. Once Council agreed a direction of travel, a detailed paper would come back to a later meeting for decision.
44. Comments and questions included but were not limited to:
- trust could be lost if there was frustration and a feeling of not being listened to;
  - the Nolan Principles should be core to the College's function; suggest that Council should talk about one of them at each meeting and how it related to the College's and Council functions; in particular Council should consider the document: 'Striking the balance and upholding the Nolan Principles in public life';
  - some members had other non-executive roles in different organisations that had 'light-touch' appraisals, which were useful; time and resources would need to be carefully considered;
  - there needed to be a correct diagnosis of the problem – lack of openness and transparency – and suggested that Council read the Editorial in the *Veterinary Record* (dated 26 September 2020, Vol. 187, number 6, page 205) where the Editor made a diagnosis and backed it up with statistics;
  - if a paper was to be classified as confidential, it should be applied for and not used to protect the College from criticism; there should be challenge as to whether it was in the public interest or not;

- on the one hand it was suggested that the Chair should sum up the conversation and Council should reach a consensus as that was important and should be given more focus instead of endless voting in Council meetings. On the other, it was argued that when Council made decisions affecting the regulation of the veterinary professions there *should* be a formal vote, and it was suggested that there should be a route of bringing forward a point of view without having to propose a formal motion;
- security was important and decisions on openness, transparency, and classification of papers would help. It should be recognised that there was also a need to hold discussions in closed session to provide Council with the opportunity to freely consider matters at an early stage and there had been a huge effort to identify the classifications of papers in the last year;
- whilst a number of veterinary surgeon members were elected by the profession, they were not representative of any particular area or group; Council as a whole had a collective responsibility and should have awareness of what that meant particularly when there were annual changes to Council's membership;
- the press should remain welcome to join Council at lunch as it was an important to maintain that relationship but it would be useful to introduce them to Council members so that people were aware to whom they were talking;
- the paper was welcome but in some places did not perhaps go far enough:
  - many points were process-related rather than the high level of how Council members saw their role;
  - there were executive and non-executive roles and Council should not step outside of its own role;
  - there were occasions upon receipt of Council papers when there was a 'flurry' of emails outside of the Council meeting itself, which was not helpful and discussions should be contained within the meeting – it was concerning when the executive responded at 10:00 pm at night, demands on time should be respected;
- Council should be involved in the development of the detail to come back before it for decision, it should not just be left to the executive.

45. The President drew the conversation to a close and noted the useful comments put forward, in particular, about the Nolan Principles; classifications of papers; and clarity around executive and non-executive roles.

46. A vote was taken to agree the general direction of travel laid out by the paper, with additional suggestions taken into account where appropriate, and task the Officers and Senior Team with developing and implementing a plan:

For:	22
Against:	1
Abstain:	1
Did not vote:	1

(Mr Rendle registered his vote by email as he experienced technical issues. This was included in the figures.)

47. This was agreed by a majority vote.

### Legislation Working Party (LWP) – draft consultation document

48. The Registrar introduced the paper and outlined the background of the draft consultation document before Council. Some of the detail had been abbreviated to links that signposted respondents to the RCVS website where the information was contained in full. Once agreed the consultation would go out to stakeholders, the veterinary professions, and the public alike.

49. One difference to be noted, was that the BVA had requested an extension of the period in which to reply from six weeks to 12 weeks, to make sure that they would be able to provide the College with as much information as possible as the current timeframe did not suit the mechanism they had set up to collate views.

50. Comments and questions included but were not limited to:

- by extending the consultation period from six to 12 weeks be careful regarding consultation 'fatigue' and overlap with the Under Care/Out of Hours consultation;
- part 4 did not appear to have the opportunity to comment, was this a presentational matter?
- was it appropriate to have something as specific as veterinary nurses (VNs) undertaking cat castrations in this consultation? Unintended consequences could include VNs not employed by veterinary practices opening up castration clinics;
  - o this item had been driven by research and by reaching out to the VN profession; by being specific it should prevent any deviation from the procedure;
  - o unintended consequences would be a matter for discussion in the future;
- recommendation 4.6 was inaccurate – it should read '*...the RCVS Preliminary Investigation Committee had no such power...*' (it was Disciplinary Committee (DC) that did have the power);
  - o whilst the DC had the power, the College was seeking enough information to get to DC in the first instance, but the wording would be tidied up;
- point 1.1 refers to the vet-led team: provide clarity to the public of what that meant and in turn it would provide clarity to the veterinary profession – have the confidence to direct clients to adequately qualified and registered persons;
  - o this point was primarily for the public but would also be for the profession and other regulatory professionals – none of it would be possible without changes to primary legislation and were recommendations from the LWP to be included in the consultation to

see what would come back before it would return to Council with the request for a decision on what to take forward;

- manage expectations around the protection of titles: was it realistic for VNs and other professions? Do not 'over offer' if it was not in the College's remit;
  - o the Chair, VNC, stated that there was greater momentum, recognition, knowledge and understanding on this action than before.

51. A vote was taken to approve the draft consultation document with the amendment of the open period increased from six to 12 weeks:

For:	23
Against:	0
Abstain:	1
Did not vote:	1

(Mr Rendle registered his vote by email as he experienced technical issues. This was included in the figures.)

52. This was agreed by a majority vote.

## Reports of standing committees – to note

### Advancement of the Professions Committee (APC)

53. There were no comments or questions, and the report and classified appendix were noted.

### Audit and Risk Committee (ARC)

54. There were no comments or questions, and the reports and classified appendices were noted.

### Education Committee (EC)

55. There were no questions. The Chair, EC, acknowledged the enormous amount of work of the Education Department, and noted that there were only two paragraphs in the EC classified appendix. The report and classified appendix were noted.

### Finance and Resources Committee (FRC)

56. There were no comments or questions, and the reports and classified appendices were noted.

### Standards Committee (SC)

57. There were no comments or questions, and the report and classified appendix were noted.

### Veterinary Nurses Council (VNC)

58. There were no comments or questions, and the report and classified appendix were noted.

### **Preliminary Investigation Committee and Disciplinary Committee Liaison Committee (PIC/DC LC)**

59. It was commented that minutes regarding Key Performance Indicators (KPIs) were in the classified appendix for the Committee when it was understood that these would be unclassified. The Registrar confirmed that external forces affecting the KPIs were included in the Committee's classified appendix, but the actual percentage figures were detailed in the unclassified PIC report to Council at paragraphs 13 – 17, and that report was included in the bundle of papers on the website so was publicly available. The report and classified appendix were noted.

### **Reports of statutory committees – to note**

#### **Preliminary Investigation Committee (PIC)**

60. It was noted that the Professional Conduct Department was a staff member down and questioned what steps had been taken to replace them. The Registrar confirmed that virtual interviews had taken place and a new member of staff was due to start mid-end October 2020. The report was noted.

#### **Registered Veterinary Nurses Preliminary Investigation Committee (RVN PIC)**

61. There were no comments or questions, and the report was noted.

#### **Disciplinary Committee (DC)**

62. There were no comments or questions, and the report was noted.

### **Notices of Motion**

63. The two notices of motion received were dealt with against their respective agenda item numbers at AI 06b (reference 6.2 on Boardpacks) and AI 06c (reference 6.3 on Boardpacks). No other notices of motion had been received.

### **Questions**

64. There were no questions received.

### **Any other College business (unclassified)**

65. There was no other College business.

## Risk Register, equality and diversity (unclassified)

66. It was questioned if it was worthwhile producing a Register of individuals and organisations that lobbied the College to be presented to ARC. The CEO stated that guidance would be required on what was meant by 'lobbying' – individuals could be speaking on behalf of themselves or an organisation; if organisations were listed, they may not call for the views of their members; was a member who had a conversation with an Officer at a Congress and aired their views, or sent in a letter with concerns about a topic, classed as a lobbyist? It was not a clear-cut matter. The College did, however, already hold a Gifts/Hospitality Register that listed items received that were over £20.
67. It was suggested that ARC should consider what the College needed, or not, with regards to lobbying. This was agreed.

## Date of next meeting

68. The next scheduled meeting is Thursday, 5 November 2020 commencing at 10:00 am (reconvening in the afternoon).

## Matters for decision by Council and for report (confidential items)

### Certification review

69. This information is available in the classified appendix at paragraphs 1 – 4.

### Estates Strategy – update

70. This information is available in the classified appendix at paragraphs 5 – 6.

### 2021 Budget

71. This information is available in the classified appendix at paragraphs 7 – 10.

## Any other College business (confidential items)

72. This information is available in the classified appendix at paragraphs 11 – 14.

## Risk Register, equality and diversity (confidential items)

73. There were no items identified in the confidential session of the meeting.
74. The meeting was brought to a close.

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<b>Summary</b>	
Meeting	Council
Date	5 November 2020
Title	Council culture – rebuilding trust and mitigating future risk – draft action plan
Summary	At the October meeting of Council, discussion took place regarding recommendations from the Officer Team on how trust might be rebuilt following several breaches of Council confidentiality, and future risk mitigated. The general direction of travel was approved. The draft action plan enclosed aims to set some timeframes and responsibilities for taking this forward. It will be amended in light of relevant research. Timing may vary depending on other priorities (eg with regard to Covid).
Decisions required	Council is asked to comment on the proposed action plan.
Attachments	None
Author	Lizzie Lockett CEO <a href="mailto:l.lockett@rcvs.org.uk">l.lockett@rcvs.org.uk</a> 0207 202 0725

<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a

## Council culture – rebuilding trust and mitigating future risk – draft action plan

1. Following discussion at the October 2020 meeting of Council, where a series of actions was agreed in principle, the following table aims to clarify next steps, ownership and estimated timing.
2. Comments from Council are welcomed on all points. Discussion on how we might measure impact, as well as output, would also be welcomed.
3. The action plan, together with any resulting amendments, will then be taken forward, with relevant areas coming back to Council, Committees or other groups, as appropriate.
4. An update on actions across the whole plan will be brought to the June 2021 Council meeting.

Theme	Action	Next steps	Ownership	Estimated timing
Role and purpose of College and Council	1. Improved information to potential Council/VNC nominees	<ul style="list-style-type: none"> <li>• Review existing materials, input from Council/VNC members welcomed</li> <li>• Redraft</li> <li>• Officers to sign off</li> </ul>	Council secretary/ VNC Secretary	Needs to be ready for mid-November when nominations open
	2. Improved induction for Council/VNC members	<ul style="list-style-type: none"> <li>• Review existing materials, input from Council/VNC members welcome</li> <li>• Take soundings from most recent intake</li> <li>• Include feedback from those who sit on other boards/Councils</li> <li>• Redraft</li> <li>• Officers to sign off</li> <li>• Review benefits of buddying system and provide training, if required</li> </ul>	Council secretary/ VNC Secretary	Needs to be ready for July 2021
	3. Refresher training for existing Council/VNC members on role of Council members	<ul style="list-style-type: none"> <li>• Review some potential trainers (online)</li> <li>• Develop content for session</li> <li>• ARC to review content</li> </ul>	HRD/CEO/Registrar, working with ARC	Aim to deliver in January – afternoon session for Council?

Theme	Action	Next steps	Ownership	Estimated timing
Team building and culture	4. Shared work around our values and Nolan principles	<ul style="list-style-type: none"> <li>Develop a series of training sessions, external speakers and other interventions to better embed our values into all that we do</li> <li>Schedule to be approved by Officers with input from Council</li> </ul>	CEO/HRD working with Council	This will be a six-month or so plan, starting in January
	5. Social spaces	<ul style="list-style-type: none"> <li>Invite Council members and staff to turn on their cameras and share lunch together at a future Council meeting (bandwidth allowing)</li> <li>Encourage a bi-monthly social hour for Council and staff – perhaps on a specific theme</li> <li>Suggestions from Council welcome</li> </ul>	Council secretary/HRD	Ad hoc
	6. Cross-team working	<ul style="list-style-type: none"> <li>Aim to develop at least one workshop-based afternoon session for early 2021</li> <li>Any ideas for topics gratefully received</li> </ul>	Council secretary/CEO working with Council	Afternoon of March Council?
	7. Reaching consensus	<ul style="list-style-type: none"> <li>Research different methods of achieving this – trainers, research papers, what other organisations do, and other resources</li> <li>Any suggestions from Council welcome</li> <li>Trial some new ways of working</li> <li>Seek Council feedback on new approaches</li> </ul>	CEO/President, working with Council	Q2 2021
	8. Clarity over expectations	<ul style="list-style-type: none"> <li>Review Code of Conduct for Council members – is it still fit for purpose? What do other organisations do? Consult with ARC and others</li> <li>Redraft if necessary and bring back to Council for sign off</li> </ul>	Registrar/President, working with Council	Aim to bring back to Council in June 2021 latest, in time for new intake in July
	9. Council and committee member appraisals	<ul style="list-style-type: none"> <li>Review how handled in other regulators</li> <li>Evaluate success of approach used by PIC/DC/ARC and others</li> <li>Bring recommended approach to Council for sign off</li> </ul>	President/HRD working with Cttee chairs	Aim to have in place by June 2021

Theme	Action	Next steps	Ownership	Estimated timing
Risk mitigation	10. Improve collaborative system security	<ul style="list-style-type: none"> <li>Review and improve password policy for BoardPacks</li> <li>Review and improve shared document security and confidentiality (possibly with purchase of new system such as SecureDocs or an upgrade to existing system)</li> <li>Review how and where documents are shared</li> <li>Improve training on use of collaborative systems</li> </ul>	FRC/IT	By January 2021
	11. Improved training ref paper classification	<ul style="list-style-type: none"> <li>Offer training to committee secretaries ref paper classification to ensure better consistency of usage</li> <li>Ensure Committee Chairs approve any classification</li> </ul>	Registrar/HRD/ Senior Team	ASAP