

Veterinary nurse conduct and discipline rules

Made by the Council of the Royal College of Veterinary Surgeons on 6 November 2014, to come into force on the date when the Supplemental Royal Charter of 2014 comes into operation

Citation

1. These rules may be cited as the Royal College of Veterinary Surgeons Veterinary Nurse Conduct and Discipline Rules 2014.

Interpretation

2. In these rules:-
 - "Act" means the Veterinary Surgeons Act 1966;
 - "disciplinary case" means a case in which it is alleged that a registered veterinary nurse's name is liable to be removed from the register, or that that person's entry in the register is liable to be suspended, at the direction of the Veterinary Nurse Disciplinary Committee;
 - "Disciplinary Committee" means the Disciplinary Committee mentioned in section 15 of the Act;
 - "lay person" means a person who is not and never has been a registered or listed veterinary nurse or a registered veterinary surgeon, and is not and never has been entitled to apply to be so registered or listed;
 - "Preliminary Investigation Committee" means the Preliminary Investigation Committee set up under section 15 of the Act;
 - "register" means the register of veterinary nurses;
 - "restoration" means the restoration of a name which has been removed from the register, and "restore" shall be construed accordingly.

Investigation of complaints

3. There shall be a Veterinary Nurse Preliminary Investigation Committee which shall carry out a preliminary investigation into every disciplinary case and decide whether the case should be referred to the Veterinary Nurse Disciplinary Committee.

4. The Veterinary Nurse Preliminary Investigation Committee shall be appointed by the Veterinary Nurses' Council. The Committee shall not include members of the Preliminary Investigation Committee, the Disciplinary Committee, or the Veterinary Nurse Disciplinary Committee.
5. The quorum of the Veterinary Nurse Preliminary Investigation Committee shall be three, to include:-
 - a lay member, a registered veterinary nurse and a veterinary surgeon; or
 - a lay member and two registered veterinary nurses.
6. The Veterinary Nurse Preliminary Investigation Committee shall adopt, with any necessary modifications, the practices and procedures of the Preliminary Investigation Committee.

Adjudication of complaints

7. There shall be a Veterinary Nurse Disciplinary Committee which shall adjudicate any disciplinary case referred to it and any application for restoration following removal or suspension at the direction of the Committee.
8. The Veterinary Nurse Disciplinary Committee shall be appointed by the Veterinary Nurses' Council. The Committee shall be chaired by a lay person.
9. The Committee shall not include members of the RCVS Council, the Veterinary Nurses' Council, the Preliminary Investigation Committee, or the Veterinary Nurse Preliminary Investigation Committee.
10. The quorum of the Veterinary Nurse Disciplinary Committee shall be three, to include a registered veterinary nurse, a veterinary surgeon and a lay person.

Removal of names from register for crime or disgraceful conduct

11. If a registered veterinary nurse
 - has been convicted of a criminal offence which in the opinion of the Veterinary Nurse Disciplinary Committee renders that person unfit to practise as a veterinary nurse, or
 - is judged by the Veterinary Nurse Disciplinary Committee to have been guilty of disgraceful conduct in any professional respect,

the Committee may, if it thinks fit, direct the removal of that person's name from the register, or direct that that person's entry in the register shall be suspended, that is to say, it shall not have effect during a period specified in the direction.

12. The Veterinary Nurses' Council shall appoint such legal assessors as it considers necessary for the Veterinary Nurse Disciplinary Committee.

13. The Veterinary Nurse Disciplinary Committee shall adopt, with any necessary modifications, the rules and procedures of the Disciplinary Committee.

Appeals

14. A person in respect of whom the Veterinary Nurse Disciplinary Committee has made a direction as to removal of their name from the register or suspension of their entry in the register may, at any time within 28 days from the notice of direction, lodge an appeal.

15. A fee of £500 is payable on lodging an appeal, but shall be refunded if the appeal is successful.

16. The appeal shall be heard by a barrister or solicitor with at least 10 years' standing appointed by the registrar of the College.

17. The procedures of the appeal shall be as determined by the appointed barrister or solicitor and may include an oral hearing. The appointed barrister or solicitor may quash or vary the direction, or may remit the case back to the Veterinary Nurse Disciplinary Committee.

18. The appeal shall be by way of a rehearing, including consideration of a transcript of the disciplinary hearing (to be provided by the College) and submissions by both parties.

Restoration to the Register

19. A name which has been removed from the register at the direction of the Veterinary Nurse Disciplinary Committee shall not be restored unless the Committee so directs.

20. Where the registration of a registered veterinary nurse has been suspended at the direction of the Veterinary Nurse Disciplinary Committee the name of that person shall not be entered in the register so long as the suspension has effect, unless the Committee otherwise directs.

21. An application for restoration shall be considered in accordance with the procedure adopted by the Disciplinary Committee.

22. An application for restoration of a name to the register shall not be made within ten months of the date of removal or suspension or within ten months of a previous application.

Revocation of previous rules

23. The rules made by the the RCVS Council in November 2010 for the purposes of bye-laws 13 and 14 of the former Veterinary Nursing Bye-Laws are revoked.