

<b>Summary</b>	
Meeting	Council
Date	18 January 2024
Title	Preliminary Investigation Committee Report to Council
Summary	This report describes the work of the Preliminary Investigation Committee (PIC) since RCVS Council's last meeting, including by reference to key stage indicators, and provides information about the nature of concerns being considered by the RCVS.
Decisions required	None
Attachments	None
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<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a

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

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

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

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

## Preliminary Investigation Committee

### Report to Council January 2024

#### Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee since the last report (5 January 2024 being the date of writing the report).
2. Since the last Report to Council (which gave information to 27 October 2023), there have been four Stage two Preliminary Investigation Committee (S2PIC) meetings (8 November, 22 November, 13 December and 3 January).

#### New cases considered by the PIC

3. The total number of new cases considered by the S2PIC at the four meetings referred to above is 11. Of the 11 new cases considered:
  - 6 were concluded at first consideration by the Committee. Of these:
    - 5 cases were closed with advice issued to the veterinary surgeon.
    - 1 case was referred to the Disciplinary Committee.
  - 5 cases were referred for further investigation, that is, further enquiries, visits and/or preliminary expert reports.
4. No cases have been referred to the RCVS Health or Performance Protocols in the reporting period.

#### Ongoing Investigations

5. The Stage two PI Committee is currently investigating 32 ongoing cases where the Committee has requested statements, visits or preliminary expert reports (for example).

#### Health Protocol

6. There are no veterinary surgeons either under assessment or currently on the RCVS Health Protocol.

#### Performance Protocol

7. There are no veterinary surgeons currently on the RCVS Performance Protocol.

#### Professional Conduct Department - Enquiries and concerns

8. Before registering a concern with the RCVS, potential complainants must make an Enquiry (either in writing or by telephone), so that Case Managers can consider with the enquirer whether they should raise a formal concern or whether the matter would be more appropriately dealt with through the Veterinary Client Mediation Service.
9. In the period 28 October 2023 to 5 January 2024:

- the number of matters registered as Enquiries was 580, and
- the number of formal Concerns registered in the same period was 123.

10. The table below shows the categories of matters registered as Concerns between 28 October 2023 and 5 January 2024:

**Concerns registered between 28 October 2023 and 5 January 2024**

<b>Description of Category</b>	<b>Number of Cases</b>
- Advertising and publicity	0
- Appeal against DC decision	0
- Certification	1
- Client confidentiality	2
- Clinical and client records	2
- Clinical governance	0
- Communication and consent	0
- Communication between professional colleagues	1
- Conviction	4
- CPD compliance	0
- Delegation to veterinary nurses	0
- Equine pre-purchase examinations	1
- Euthanasia of animals	1
- Fair trading requirements	0
- Giving evidence for court	0
- Health case ( <i>potential</i> )	0
- Illegal practice	0
- Microchipping	0
- Miscellaneous	4
- Practice information, fees & animal insurance	0
- Performance case ( <i>potential</i> )	0
- Recognised veterinary practice	0
- Referrals and second opinions	0
- Registration investigation	0
- Restoration application	0
- Social media and networking forums	5
- Treatment of animals by unqualified persons	0
- Use of samples, images, post-mortems and disposal	1
- Veterinary care	93
- Veterinary medicines	4
- Veterinary teams and leaders	0

- Whistle-blowing	0
- 24-hour emergency first aid and pain relief	4
- Unassigned	0
<b>Total</b>	<b>123</b>

Data source – Profcon computer system concerns data.

### Referral to Disciplinary Committee

11. In the period 28 October 2023 to 5 January 2024, the Committee has referred 8 cases involving 3 veterinary surgeons to the Disciplinary Committee.

### Veterinary Investigators

12. The Chief Investigator and Veterinary Investigators have undertaken two visits in the reporting period. The first was assisting the Police, SSPCA, DIS and VMD in executing search warrants in relation to Fraud, Forgery, VSA, VMRs and AWA offences. The second was an unannounced visit to a veterinary surgeon to hand-deliver correspondence relating to a concern.

### Concerns procedure

13. As Council is aware, the process for the consideration of concerns at Stage one changed at the beginning of October 2022. The median number of weeks in which cases concluded at Stage one can be seen below:

Month in which case concluded	Median number of weeks taken
February 2023	13
March 2023	13.3
April 2023	14.9
May 2023	14.3
June 2023	14.4
July 2023	15
August 2023	15.9
September 2023	13.4
October 2023	12.6
November 2023	18.3
December 2023	11.5

14. PIC/DC Liaison Committee considered detailed information on the time taken by cases at Stage one at its meeting in November and discussed a new KPI timeframe in light of the data provided and the steps involved in the process. The Liaison Committee concluded that six months was an appropriate timeframe. It also concluded that it would still be helpful to provide median times taken, as this is a good indicator of the most likely duration of matters for those involved in the process. We will report on the number of cases that meet the new KPI in future reports.

15. The Stage 2 KPI is now for the PIC to reach a decision on simple cases before it within seven months, and on complex cases within 12 months. A case is deemed to be complex where the PIC requests that witness statements and/or expert evidence be obtained.

16. In the period 28 October 2023 to 5 January 2024, the PIC reached a decision (to close, refer to the Charter Case Committee, or refer to DC) within the relevant KPI in 5 out of 6 simple cases.

17. 11 complex cases were decided, of which 1 met the 12-month KPI. In accordance with normal practice, these cases (and the work of the department in general) are reported and discussed in detail at the PIC/DC Liaison Committee meeting.

#### **Illegal practice**

18. Since the last Report to Council (which gave information to 27 October 2023), 12 new reports of suspected illegal practice have been received. Of these, 8 have been closed after issuing advice or cease and desist letters (inappropriate use of MRCVS on advertising website) or referring matters to other relevant agencies; 2 have been closed due to lack of information or evidence; and 2 are subject to ongoing enquiries. (There is a total of 10 ongoing enquiries).

#### **Operational matters**

19. A training day for PIC members is due to take place in the early part of 2024 with the date to be confirmed shortly.