

<b>Summary</b>	
Meeting	Council
Date	7 November 2024
Title	Preliminary Investigation Committee Report to Council
Summary	This report describes the work of the Preliminary Investigation Committee since RCVS Council's last meeting, including by reference to key stage indicators, and provides information about the nature of concerns being considered by the RCVS.
Decisions required	None
Attachments	None
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<b>Classifications</b>		
<b>Document</b>	<b>Classification<sup>1</sup></b>	<b>Rationales<sup>2</sup></b>
Paper	Unclassified	n/a

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

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

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

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

# Preliminary Investigation Committee

## Report to Council November 2024

### Introduction

1. This report provides information about the activities of the Preliminary Investigation Committee since the last report (25 October 2024 being the date of writing the report).
2. Since the last Report to Council (which gave information to 24 May 2024), there have been 10 Stage two Preliminary Investigation Committee (S2PIC) meetings (5 June, 19 June, 3 July, 17 July, 7 August, 21 August, 4 September, 18 September, 9 October, 23 October).

### New cases considered by the S2PIC

3. The total number of new cases considered by the S2PIC at the 10 meetings referred to above is 21. Of the 21 new cases considered:
  - 12 were concluded at first consideration by the Committee.
  - 9 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 19 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 24 May to 25 October 2024,
  - the number of matters registered as Enquiries was 1547, and
  - the number of formal Concerns registered in the same period was 287.

10. The table below shows the categories of matters registered as Concerns between 24 May and 25 October 2024.

**Concerns registered between 24 May and 25 October 2024**

<b>Description of Category</b>	<b>Number of Cases</b>
- Advertising and publicity	1
- Appeal against DC decision	1
- Certification	3
- Client confidentiality	1
- Clinical and client records	6
- Clinical governance	0
- Communication and consent	12
- Communication between professional colleagues	5
- Conviction	3
- CPD compliance	0
- Delegation to veterinary nurses	0
- Equine pre-purchase examinations	2
- Euthanasia of animals	9
- Euthanasia of animals – ‘Tuk’s law’	1
- Fair trading requirements	0
- Giving evidence for court	0
- Health case ( <i>potential</i> )	1
- Illegal practice	0
- Microchipping	0
- Miscellaneous	5
- Practice information, fees & animal insurance	6
- 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	0
- Veterinary care	200
- Veterinary medicines	9
- Veterinary medicines – application of factors without physical examination	1
- Veterinary medicines – prescribing CDs/antimicrobials without physical examination	2

- Veterinary medicines – ‘under care’ query, other	3
- Veterinary teams and leaders	2
- Whistle-blowing	1
- 24-hour emergency first aid and pain relief	6
- Unassigned	2
<b>Total</b>	<b>287</b>

Data source – Profcon computer system concerns data.

### Referral to Disciplinary Committee

11. In the period 24 May to 25 October 2024, the Committee has referred 13 cases involving 8 veterinary surgeons to the Disciplinary Committee.

### Referral to Charter Case Committee

12. In the period 24 May to 25 October 2024, the Committee has referred 1 case involving 1 veterinary surgeon to the Charter Case Committee.

### Veterinary Investigators

13. The Chief Investigator and Veterinary Investigators have undertaken 5 unannounced visits in the reporting period. The first two were unannounced site visits in conjunction with the VMD to the premises of fertility clinics. The third, fourth and fifth were unannounced visits to a veterinary surgeon to serve disciplinary papers.

### Concerns procedure

14. 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
January 2024	16
February 2024	15
March 2024	17.6
April 2024	15
May 2024	2.9

June 2024	19.9
July 2024	11.9
August 2024	15.2
September 2024	13.9

15. 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.
16. In line with the above KPI, cases that commenced in September and October 2023 have been assessed retrospectively to determine what percentage of them met the six-month KPI. These can be seen below, and we continue to report on this percentage in the future.

17.

<b>Month case started</b>	<b>Cases that met KPI</b>
October 2023	94%
November 2023	87%
December 2023	84%
January 2024	86%
February 2024	93%
March 2024	87%

18. The Stage 2 KPI is currently for the PIC to reach a decision on simple cases before it within seven months. A case is deemed to be complex where the PIC requests that witness statements and/or expert evidence be obtained. At its meeting in May 2024, PIC/DC Liaison Committee, having undertaken a full review of the Stage 2 KPI, concluded that it was not appropriate to have a KPI for complex cases, in view of the specific complexities of each case. Cases are reported in detail to that Committee, which is able to discuss and monitor performance accordingly.
19. In the period 24 May 2024 to 25 October 2024, the PIC reached a decision (to close, refer to the Charter Case Committee, or refer to DC) within the relevant KPI in 9 out of 13 simple cases.
20. 20 complex cases were decided. In accordance with the above, 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**

21. Since the last Report to Council (which gave information to 24 May 2024), 7 new reports of suspected illegal practice have been received. Of these, 5 have been closed after issuing advice/cease and desist letters or referring matters to other relevant agencies; and 2 are subject to ongoing enquiries. There is a total of 4 ongoing enquiries.

**Operational matters**

22. A new lay member joined the PIC in July along with a new veterinary nurse member joining the VNPIC. A new Chair was appointed to VNPIC after an application process. All have settled well into their new roles.

23. An external audit on PIC cases has recently been completed and will be reported in detail to Liaison Committee for its next meeting.