RCVS DRAFT CHARTER - BVA RESPONSE

1) The BVA is the national representative body for the veterinary profession in the United Kingdom and has over 14,500 members, who are all members, or as undergraduates are prospective members, of the RCVS. Its primary aim is to protect and promote the interests of the veterinary profession in this country, and it therefore takes a keen interest in all issues affecting the veterinary profession, be they animal health, animal welfare, public health, regulatory issues or employment concerns.

2) We were pleased to have been given the opportunity to contribute to the RCVS consultation on proposals for a new Charter and cautiously support the review as an opportunity to ensure that the roles and responsibilities of the College are clearly defined and that the Charter is fit for purpose. However, there are a number of areas of concern, detailed below, which should be clarified before we can support the draft.

Objects of the College

3) The draft gives the objects of the College as “to set, uphold and advance veterinary standards, and to promote, encourage and advance the study and practice of the art and science of veterinary surgery and medicine, in the interests of the health and welfare of animals and in the wider public interest”. We are broadly supportive of the proposed objects of the College. However, we are concerned that the health and welfare of animals has been given insufficient prominence and the objects as stated in the draft do not reflect completely the role of the College as detailed on the RCVS website.

Activities of the College

4) We are concerned by the proposal that the College may “undertake any activities which seem to it necessary or expedient to help it achieve its objects”. Although examples of activities are given, the draft is clear that these are only examples and that other activities could be undertaken. Concerns have been raised that this gives the College the power to undertake a wide range of activity, some of which could encroach upon BVA’s own remit. Although we have previously expressed serious reservations regarding the demarcation lines between the remit of the College and the remit of BVA, most recently in our response to the pre-consultation on proposals for a new Fellowship of the College, we have been encouraged by recent verbal assurances given by RCVS Officers and the Chief Executive that this is not the intention and we appreciate this acknowledgement of our concerns. The draft Charter does not specifically state an intention by the College to undertake activities which could be considered as encroachment on BVA’s remit, however, the phraseology is such that additional activities of any sort could be justified at a later date if deemed by the College to further the achievement of its objects. We urge the College to formalise previous informal affirmations that there is no intent to encroach on the activities of BVA as the representative body for the profession and we would appreciate clarification on how this constraint could be enshrined in the Charter.

5) Regarding the specific activities detailed in the draft, we believe that the proposed activity “(e) Supporting the continued development and examination of new knowledge and skills” is extremely broad in the way in which it could be interpreted and should be more tightly defined.
6) The proposed activity “(k) Providing information services to the veterinary professions” is also extremely broad in the way in which it could be interpreted and we would appreciate further clarification on the types of information services the College envisages providing. Whilst we accept that the College should provide guidance in support of professional conduct we do not believe that this should extend any further and potentially into the remit of BVA and its specialist divisions. BVA and its divisions provide a wide range of publications and guidance for members, as well as services such as the legal advice line which provide information and support. We do not believe that the provision of such guidance and services is within the remit of the College and therefore this proposed activity should be clarified.

Associates of the College
7) BVA has long been a strong supporter of the principle of the protection of the title of Veterinary Nurse and the need for a regulatory regime. We are aware of legal advice taken by the College which recommended that the powers to regulate should be set out in Rules, rather than in the bye-laws under the Charter and we understand that the College asked Leading Counsel to compile a draft Bill which was met favourably at both VN Council in February 2013 and RCVS Council in March 2013. However the subsequent Private Members Bill was not successfully progressed and it would be useful to receive some clarification on the reasons for this.

8) Although the College has now taken a different approach and is seeking to regulate VNs through bye-laws under the Charter, BVA remains supportive of the underlying principle and agrees that an approach which makes use of the disciplinary arrangements already in place for VNs and avoids amendments to the Veterinary Surgeons Act is pragmatic. We welcome the recognition this move will give to the veterinary nursing profession.

9) We also broadly support the option to regulate other paraprofessionals through bye-laws under the Charter and create further classes of associate, if so desired by those groups. We also support the requirement for any new bye-laws to be approved by a resolution of members at a general meeting of the College and subsequently ratified by the Privy Council. Some concerns have been raised regarding the intention of the College to introduce the regulation of veterinary students or other groups. However we are satisfied that any regulation of other groups by amending the bye-laws to create further classes of associate would require an approach from those groups expressing a clear desire to be regulated, as well as a willingness on the part of the College, and therefore its members, to regulate.

Financial and other transactions
10) We are extremely concerned by the proposal that “The College may establish, promote, encourage and support, financially or otherwise, any body, whether charitable or not, whose objects are similar to its own”. We consider this to be far too broad in its potential for interpretation and would appreciate some clarification on the kinds of organisations which the College might envisage promoting and supporting.

11) We are also concerned by the proposal that “The College may make charges for any goods and services supplied to any person including members and associates of the College”. We request that the College clarifies its intentions with regard to the types of goods and services it envisages offering to members, associates or other groups. Furthermore, without greater financial transparency it is not clear how income from such unspecified activity might be used.
Timeframe
12) We believe that the timeframe for consultation on the draft has been insufficient, particularly given the number of clauses which are extremely broad and therefore in need of clarification and, potentially, further in-depth dialogue. We also believe that the proposed timeframe for implementation, which aims for a resolution at the RCVS AGM in July, with the new Charter sealed in March 2015, is over ambitious and does not allow sufficient time for the detailed consideration at all stages which should be afforded to a document which will impact on the profession for many years to come.

Conclusion
13) In conclusion, whilst we are broadly supportive of the intention to clarify and define the role of the College we believe that there are a number of points, detailed above, which require further explanation before we can support the draft Charter.