



Department  
for Environment  
Food & Rural Affairs

# Informal consultation on proposals to amend the governance structure of the Royal College of Veterinary Surgeons

## Analysis and response to consultation

June 2016



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## Introduction

Following our recent consultation on options for amending the structure of the Council of the Royal College of Veterinary Surgeons (RCVS), and based on the responses, we worked with the RCVS to develop a proposal for a new Council structure. This was approved by RCVS Council on 3rd March 2016.

The aims of the changes are to modernise RCVS Council so it can operate more efficiently, and in the better interests of the public and the veterinary profession. The reforms should also demonstrate a better fit with the five principles of Better Regulation, by being Proportionate, Consistent, Accountable, Transparent and Targeted.

From 21 March – 11 April 2016, Defra launched a short informal consultation to provide those who were consulted, and those who responded to the initial consultation the opportunity to comment on the proposal we have developed.

## Analysis of the responses

The informal consultation closed on 11 April 2016, and received 13 responses.

For the purposes of analysis, the 13 respondents have been categorised by Defra, as 7 organisations and 6 individuals (5 veterinary surgeons and 1 other interested party).

Of the 13 respondents, none requested that their comments be treated as confidential. Copies of all the non-confidential responses received can be seen by contacting:

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## The proposal

The proposal for the structure of reformed RCVS Council is as follows:

A 24/25 member Council comprising:

- 13 elected veterinary surgeons;

- 6 appointed lay persons;
- 3 members appointed on behalf of the UK veterinary schools;
- 2 veterinary nurses;
- (in the future) 1 veterinary associate

Stakeholders were invited to express their views on these proposals and a summary of comments received can be seen below.

## Size of council

We proposed a reduction from 42 to a maximum of 25 members.

You said:

- The smaller size will increase agility and ease of decision making but members of council will have an increased responsibility to fairly represent views of the membership.
- The reduction in the overall size of the Council is to be welcomed. It should make the Council more manageable, while allowing for the involvement of lay persons and for veterinary nurses to be represented will bring new sets of skills.

## Composition of council

We proposed:

- A reduction in number of directly elected vets from 24 to 13.
- The introduction of six independently appointed lay persons
- A reduction from 14 current members appointed by the UK Universities with accredited veterinary degrees, to three members appointed by a body recognised by the RCVS as representing the UK vet schools collectively.
- Veterinary nurses. Under the proposals there will be two veterinary nurse positions which are appointed or elected by the Veterinary Nurses Council (which is a committee of RCVS Council).
- The introduction of one position for an associate member appointed by a body recognised by the RCVS as representing them.
- No electing body.
- No formal position for the Government Chief Veterinary Officer (CVO). It is proposed that the CVO (currently one of the Privy Council appointees) will instead

be invited to attend Council meetings as an observer, and may be asked to address Council when there are specific issues or concerns.

You said:

- Two respondents expressed concerns that the proportion of lay people was too small in order to protect animal welfare and the public interest. One response emphasised that it would be crucial to ensure that these members are carefully appointed if the Council is not to be dominated by the profession.
- One disagreement that directly elected vets should retain a majority, with a view that there should be a majority of non-veterinary surgeons so as to safeguard the assurance function and to maintain the confidence of the public.
- One respondent queried how the appropriate skills and experience of those standing for election would be decided and evaluated? Suggested it is important that a balance of skills across the board is ensured.
- One respondent suggested perhaps members should ideally be appointed from a cohort which could not qualify for any other Council post (e.g. shouldn't include non-veterinary members of the academic staff of any of the Vet schools to demonstrate independence and objectivity).
- One respondent suggested the presence of the UK CVO on the Council was integral - and indeed essential, and was also of considerable benefit to the RCVS itself; as there were many issues where the work of Defra and the RCVS were inseparable, complimentary or very closely related. The RCVS also commented that they would like to keep a formal link with Defra.

## Terms & conditions of office

We proposed:

- That terms of office remain at 4 years, but a maximum limit of three consecutive terms is introduced. A mandatory 2 year break would be required before a person could stand again.
- A mechanism will be introduced so that Council members may be removed for issues relating to poor conduct or behaviour.

You said:

- One Vet and one organisation said they would prefer a maximum of three terms with no option to return to ensure a constant flow of new blood.
- One respondent asked whether the terms of office and disciplinary procedures would be the same for all members of Council.

## Other comments

There were many supportive comments that welcomed the review and the proposals including:

- This appears to be a very representative format for council.
- A fair progression in the way the RCVS is regulated.
- Content with this proposal, especially the possibility of including other allied professionals in the future.
- Broadly agree with the proposal to reduce the size of council and to improve its functionality. Also valuable to reduce vet school influence and improve lay person balance.
- An important step forward in the governance of the veterinary profession, making oversight of the profession more transparent, accountable and workable.
- The proposals provide a better balance between persons appointed for their expertise and skills and those elected by their peers.
- Fully agree with all proposals especially the introduction of six independently appointed lay persons.
- One concern was raised on whether taking these incremental steps towards regulatory reform would undercut the case for a complete overhaul of the outdated Veterinary Surgeons Act 1966.

## Government response

In line with the responses to the consultation, we have made one amendment to our proposal for a reformed RCVS Council. A reduction from 42 to a maximum of 25 members is still proposed, but with **the addition of an ex-officio (non-voting) position created for the Government Chief Veterinary Officer (CVO)** in order to maintain a formal link between RCVS and Government/ Defra. This would allow the CVO to attend Council meetings, participate in discussions, and be able to address Council when there are specific issues or concerns; but not be able to vote.

In response to the other points made:

Our view is that the proposed **introduction of six independently appointed lay persons** (the appointments to be made by an independent panel working in line with the Nolan principles) is sufficient to protect the public interest. Under the current system there are no statutory positions for lay persons- as there is no requirement for the four current Privy Council appointees, or any of the appointees from the veterinary schools, to be lay. This proposal to increase lay membership was strongly supported in the consultation.

**We are content with the reduction in number of directly elected vets from 24 to 13.** Under the proposal there will be 13 directly elected veterinary surgeons; this ensures **elected vets have a majority**. This elected veterinary majority is in line with the consultation response, and the criteria for reform.

**Council elections-** we agree that the RCVS should provide more detailed information regarding the role of a Council member and the skills required in advance of elections, in order to provide a balanced Council.

**Terms of office-** we are content with the proposal that terms of office remain at 4 years with a maximum limit of three consecutive terms, with a mandatory 2 year break before a person could stand again. **The consultation demonstrated a strong support for keeping the term of office for Council members at 4 years but introducing a maximum number of consecutive terms.** The three term limit is proposed in order to provide adequate opportunity for Council members to stand for election as President. The terms of office and disciplinary procedures will be the same for all Council members.

We believe the proposal now meets the aims of the reform, which is to reduce the size of the Council overall, and change the balance between vets and lay people in order for it to work more efficiently and be more accountable to the profession and public. The changes should ensure that the RCVS is constituted and operating in line with the five principles of Better Regulation, reducing the burdens on it as a business and allowing it to better serve the public interest.

## The way forward

Defra will now take the proposal forward and seek approval from Government to proceed with a Legislative Reform Order (LRO) to make the necessary changes to the Veterinary Surgeons Act.

If approved, the LRO will be scrutinised by parliamentary committee and voted on in both the House of Commons and House of Lords in early 2017. If passed there will be a three-year transitional period from 2017 to 2020, agreed by Council members, during which Council's numbers would be gradually reduced.

## Transitional arrangements

- It is envisaged that the new arrangements will be phased in from the RCVS AGM in July 2017.
- Operational Board: It is proposed that the current Operational Board would remain in place for the first 2 years in order to help manage the transition process. It will then be disbanded.



- Elected members: It is proposed that the current elected members will be allowed to see out their terms, but a new election scheme would be introduced immediately. Each year when six Council members reach the end of their terms, elections would be held for only three (4 in year 3) of these positions. So Council would gradually reduce to its new size.
- Privy Council appointees: The four Privy Council appointees would immediately be replaced by lay persons appointed under the new appointment scheme.
- The positions for the individual Veterinary Schools: The current two positions per school would be immediately reduced to one position per school. After two years, at the point the Operational Board is disbanded, this would change to three places appointed on behalf of the UK veterinary schools collectively. This staggered transition is supported by the Veterinary Schools Council and ensures an appropriate balance of members during the transition process.
- Veterinary Nurse members: these two positions would be immediately appointed or elected onto RCVS Council by VN Council.

# Annex A: List of organisations and individuals that responded to the consultation

5 veterinarians

1 non-veterinarian

7 organisations:

- Society of Greyhound Veterinarians
- British Equine Veterinary Association
- The Farriers Registration Council
- Caring for Companion Animals
- Society of Practising Veterinary Surgeons
- Centre for Health Law, Science and Policy, Birmingham Law School, University of Birmingham
- University of Surrey