

## BVA policy position on RCVS Governance

This policy position sets out BVA's considered view on how RCVS governance needs to evolve to ensure it remains fit for purpose in the context of the regulation of allied professions and veterinary legislative reform

### Introduction and background

#### The Royal College of Veterinary Surgeons

RCVS has dual functions as it is both a Royal College, constituted by Royal Charter, and a regulator, under the Veterinary Surgeons Act (VSA).

The RCVS stated aim is "to enhance society through improved animal health and welfare...by setting, upholding and advancing the educational, ethical and clinical standards of veterinary surgeons and veterinary nurses."<sup>1</sup>

The RCVS vision stated within the Strategic Plan 2020-24 is "to be recognised as a trusted, compassionate and proactive regulator, and a supportive and ambitious Royal College, underpinning confident veterinary professionals of whom the UK can be proud."<sup>2</sup>

#### The Veterinary Surgeons Act

RCVS regulates the veterinary profession in the UK in accordance with the VSA 1966.<sup>3</sup> Under the provisions of the Act the College:

- keeps the Register of Veterinary Surgeons.
- supervises the undergraduate education of veterinary students in the UK and advises on the recognition of UK veterinary degrees.
- recognises certain veterinary qualifications awarded outside the EU.
- supervises the professional conduct of veterinary surgeons.

### Amendments to the VSA - Legislative Reform Orders

#### Disciplinary

In 2013, and supported by BVA, a Legislative Reform Order (LRO) amended the VSA to require the RCVS Preliminary Investigation Committee (PIC) and Disciplinary Committee (DC) to be made up of vets and lay members who were not RCVS Council members, and who were

<sup>1</sup> <https://www.rcvs.org.uk/who-we-are/>

<sup>2</sup> <https://www.rcvs.org.uk/how-we-work/the-role-of-the-rcvs/strategic-plan/>

<sup>3</sup> <https://www.legislation.gov.uk/ukpga/1966/36>

appointed independently. This meant that the bodies considering allegations of misconduct on the part of vets became independent of the governance structures of RCVS Council.

The PIC and DC Liaison Committee reports to RCVS Council, serving as a channel for communication and discussing policy issues in connection with the supervision of professional conduct. The committee includes the Chairs of PIC, DC, RVN PIC, Standards Committee, at least two members of Council, and one member of the Presidential Team to chair.

### RCVS Council

In 2018, and supported by BVA, a further LRO amended the VSA, making a number of key changes to RCVS Council, including:

- A gradual reduction in the number of elected members from 24 to 13 by the year 2021.
- The inclusion of six lay members and two veterinary nurse members.
- A reduction in the number of Council members appointed by each vet school from two to one. From 1 July 2020 there was a further reduction, with vet schools collectively appointing three members in total.
- A maximum term of office of three consecutive four-year terms.

### The Royal Charter

RCVS was created by and still exists by virtue of a Royal Charter of 1844. Most of the original charter was superseded by the Supplemental Charter of 1967. This revoked the Charter of 1844 except so far as its provisions "incorporate the College, recognise the veterinary art as a profession, authorise the College to have a Common Seal, to hold property, and to sue and be sued".

A new Supplemental Charter, to replace that of 1967 came into operation on 17 February 2015.<sup>4</sup> It does two things:

- Sets the objects of the College, namely 'to set, uphold and advance veterinary standards, and to promote, encourage and advance the study and practice of the art and science of veterinary medicine, in the interests of the health and welfare of animals and in the wider public interest'. The Charter gives the College power to 'undertake any activities which seem to it necessary or expedient to help it to achieve its objects' and mentions a number of specific activities.
- Recognises veterinary nursing as a profession. It requires the College to continue to keep the register of veterinary nurses and gives registered veterinary nurses - RVNs - the formal status of associates of the College. The Veterinary Nurses' Council is required to set standards for their education, training and conduct. New bye-laws attached to the Charter require RCVS Council to make rules dealing with the registration of veterinary nurses and the supervision of their professional conduct.

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<sup>4</sup> <https://www.rcvs.org.uk/how-we-work/royal-charter-and-legislation/royal-charter-and-bye-laws/>

## A Royal College that regulates

The dual functions of RCVS as both a regulator and a Royal College, often described as ‘a Royal College that regulates’, is unusual. A scoping study commissioned by RCVS, found that Royal Colleges performed a range of functions, with the overriding role usually the maintenance of professional standards through education, training, guidance and research. None of the Royal Colleges reviewed in the study had any professional regulatory activity comparable to the RCVS’s regulatory work, with no statutory regulatory or disciplinary powers over their members.<sup>5</sup>

RCVS has long stated that this ‘unique’ arrangement, incorporating dual functions, facilitates a holistic approach to public assurance and ensures that the Royal College functions are properly funded. Over the years, BVA has made a number of requests to RCVS for a breakdown of statutory and non-statutory income and expenditure, with RCVS stating that there is overlap, which means that meaningful figures cannot be produced.

The RCVS First Rate Regulator Initiative, launched in 2012, recognised changing approaches to regulation for a number of professional groups, where regulatory reform was driven by the need to boost public confidence. This had come against a backdrop of changing public expectation of professionals, a societal decline in deference, and a growing reluctance to trust professionals without question. The resulting report made 24 recommendations relating to governance, standards, registration, education, and fitness to practice.<sup>6</sup>

Of particular note:

**1a:** *It is imperative that the RCVS achieves clarity of organisational identity and purpose. It needs to understand internally, and be able to articulate externally, how its regulatory functions are discharged without undue influence of any particular interest, and sustain the confidence of the public as well as the professions.*

**1b:** *The RCVS should consider whether and, if so, how it should develop a more coordinated approach to activities synonymous with a Royal College. This should include:*

- *What the implications would be for its regulatory activity of expanding or strengthening the range of Royal College activity it undertakes, including potential conflicts and how these would be managed.*
- *What impact any expansion of Royal College activities might have on external perceptions of the RCVS and its ability to effectively regulate the professions.*
- *Options for introducing internal ring-fencing of regulatory activity from Royal College activity.*

## Veterinary legislative reform

The RCVS Legislation Working Party (LWP) was established in 2017 to carry out an overall review of the Veterinary Surgeons Act. The Working Party conducted a thorough and wide-ranging review of the legislation with a view to making a coherent set of recommendations to Government. BVA was represented in the Working Party, which reported to RCVS Council in June 2020.<sup>7</sup>

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<sup>5</sup> Royal Colleges: form and function on behalf of RCVS. Sally Williams & Associates, July 2013.

<sup>6</sup> <https://www.rcvs.org.uk/document-library/first-rate-regulator-initiative-recommendations/>

<sup>7</sup> <https://www.rcvs.org.uk/document-library/rcvs-legislation-working-party-report-to-council-2020/>

RCVS subsequently consulted on the recommendations and in the BVA response, developed jointly with BVNA, we stated our strong support for RCVS's commitment to progressing as a modern, fit for purpose regulator. We were clear that any proposed changes must be based around the principles of right-touch regulation, as identified by the Professional Standards Authority (PSA), and ensure that the level of regulation is proportionate to the level of risk.<sup>8</sup> We observed that many of the recommendations were inextricably linked and careful consideration must be given to a holistic approach and the chronology of change, underpinned by a culture shift at RCVS to foster trust and ensure that the changes are embraced by all as being beneficial to animal health and welfare and the professions. We were clear that accountability and transparency must feature as key principles in any transition.<sup>9</sup>

The LWP report was subsequently adopted in full by RCVS Council and has gone on to form the basis of a package of recommendations to Government for new legislation to replace the VSA.

## Where are we now?

When considering future veterinary legislative reform, one of the outstanding questions relates to RCVS governance.

Governance, in this context, encompasses the structures, processes, and practices by which the RCVS operates to ensure accountability, transparency, and effectiveness in its dual roles as both a regulatory body and a Royal College. This includes how decisions are made, the composition and appointment of council members, and the delineation of roles between regulatory and other functions. Effective governance is crucial for maintaining public trust, upholding professional standards, and ensuring that the RCVS can adapt to evolving challenges within the veterinary professions.

In 2023, the RCVS Executive began discussions with RCVS Council around the question of RCVS governance, and specifically whether there should be any changes to the composition of RCVS Council, particularly in light of the RCVS proposals to become the regulator of relevant allied professionals and the recognition that the current composition of RCVS Council is “strongly at variance with regulatory best practice, and this will be highlighted as and when new legislation is considered by government.”<sup>10</sup>

During discussions, RCVS Council noted the existing recommendation to retain a Royal College that regulates. It was suggested that trying to separate the Royal College and regulatory functions of the RCVS in governance arrangements – for instance by having a separate board and council – would be “impractical, prohibitively expensive and counterproductive, as well as risking conflict between the two bodies, which might precipitate a future separation into two different bodies.”<sup>11</sup> RCVS Council continues to recommend an arrangement that is unique amongst regulators and seeks to build on the best aspects of those arrangements.

The focus of the RCVS governance review is instead on a number of more narrow questions in relation to governance reform, namely whether elections to RCVS Council should be replaced

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<sup>8</sup> <https://www.professionalstandards.org.uk/what-we-do/improving-regulation/right-touch-regulation>

<sup>9</sup> <https://www.bva.co.uk/media/4038/response-to-rcvs-legislative-reform-consultation-final-11-march-2021.pdf>

<sup>10</sup> <https://www.rcvs.org.uk/who-we-are/rcvs-council/council-meetings/18-january-2024/>

<sup>11</sup> Ibid

with an independent appointment system, and the extent to which there should be parity of registrants and lay members.

The RCVS launched a consultation on 10 June 2024 to seek feedback from veterinary professionals, students, and the public on proposed governance reforms for RCVS and VN Councils. The proposals aim to modernise the governance structure to enhance transparency, lay representation, and effectiveness in regulating the veterinary professions.

## **BVA Working Group on RCVS Governance**

The BVA working group on RCVS Governance was formed in response to an invitation from RCVS for BVA to engage on the matter of RCVS Council composition in the context of the regulation of allied professions and the wider question of veterinary legislative reform. Working group members include representatives from BVA Policy Committee, specialist divisions most directly connected to the allied professions under consideration for regulation by RCVS (ie the British Small Animal Veterinary Association (BSAVA), the British Cattle Veterinary Association (BCVA), the British Equine Veterinary Association (BEVA)), the British Veterinary Nursing Association (BVNA), and a number of BVA past presidents who had been closely involved in the original work of the RCVS LWP and development of the subsequent BVA response to the RCVS LWP recommendations. The group also includes a non-veterinary member with experience in regulatory and governance reform in the human medical sector.

It quickly became clear that it was impossible to limit the scope of discussions to the narrow question of RCVS Council composition and instead the working group explored the wider question of the unique situation of RCVS as a Royal College that regulates as well as questions relating to self-regulation.

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## **BVA policy position and recommendations**

There is a clear need for a holistic approach to RCVS governance reform. BVA's proposed changes should be seen as an integrated package designed to modernise the regulatory framework rather than focusing on isolated adjustments or piecemeal changes. These reforms encompass a range of measures aimed at enhancing transparency, lay representation, and accountability within the RCVS, ensuring it remains a trusted and effective regulator. Clear, consistent communication is essential to engage the veterinary professions, and ensure they understand the need for these changes. This will ensure the reforms are perceived as beneficial, necessary, and aligned with the likely evolving expectations of public and professional stakeholders. The need for governance review has been outlined by the RCVS alongside the consultation<sup>12</sup>.

### **Self-Regulation**

Self-regulation is a process where a profession oversees its own standards, conduct, and disciplinary measures to ensure accountability and maintain public trust. It does not necessarily

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<sup>12</sup> <https://www.rcvs.org.uk/news-and-views/our-consultations/ensuring-good-governance/#why-governance-reform>

require that its council members be registrants of the profession, nor does it imply that they are democratically elected. Instead, councils generally include appointed members with relevant expertise, focusing on upholding professional integrity and adapting regulatory practices to meet evolving needs and expectations.

## RCVS Council and Regulatory Governance

RCVS governance should prioritise public protection, animal health and welfare, transparency, integrity and accountability, which are crucial for maintaining confidence and trust in the veterinary professions. We consider that this is best achieved through robust, agile and timely regulation by a governing body composed of individuals with a variety of relevant competences.

RCVS Council Members play a key role in the governance of the College. The RCVS is clear that Council Members are not elected or appointed to represent any constituency, and all have a responsibility equivalent to trustees for the governance of the College. They work in the best interests of the public, and of animal health and welfare and public health, while respectfully listening to the voices of the professions, the public and other stakeholders<sup>13</sup>.

RCVS Council Members are expected to abide by the Nolan Principles of Public Life.<sup>14</sup> While there is a Code of Conduct, there are no specific skills or competences set out. The lack of clarity on the requirements of the RCVS Council Member role means that the current election process may not necessarily be consistently attracting the right candidates with the most suitable skill set.

There are currently 24 members on RCVS Council: 13 elected members, three appointed members for the vet schools, two appointed RVNs and six appointed lay members. In addition, the Chief Veterinary Officer is an ex-officio observer. Only MRCVS and FRCVS can stand for election and will require two proposers. The role of RCVS Council is described as follows:

*“Council members undertake the governance of the College, in accordance with the powers and obligations set out in the Charter and the Act. Please note that Council Members are not elected or appointed to represent any constituency and all have a responsibility equivalent to trustees for the governance of the College.”<sup>15</sup>*

The usual and accepted purpose of an election is to enable voters to select leaders to represent their views, with elected members then held accountable for their performance in office by the electorate. Given that RCVS Council Members are explicitly not elected to represent any constituency, a process of election seems at odds with the purpose of the role.

By comparison, when considering governance in human healthcare, we see Councils which usually consist of 12 appointed members, usually including six registrants and six lay. The Councils have a regulatory function, protecting the public by:

- setting standards

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<sup>13</sup> <https://www.rcvs.org.uk/who-we-are/rcvs-council/role-of-council-members/>

<sup>14</sup> <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

<sup>15</sup> <https://www.rcvs.org.uk/who-we-are/rcvs-council/role-of-council-members/>



- maintaining a Register
- taking action where a professional on the Register falls short of the standards.

Alongside such human healthcare regulators, we see Royal Colleges, which perform a range of functions but with the overriding role usually the maintenance of professional standards through education, training, guidance and research. They enjoy a special status, often steeped in history, conferring recognised post-nominal letters to those who meet educational or other requirements. As such, they project exclusivity and status, authority and independence. They tend to be self-funding and are accountable to their membership.

The table at **Annex A** summarises the form and function of the key human healthcare regulators, alongside reference to the related Royal College(s).

BVA supports a shift to an appointed RCVS regulatory Council for several reasons. Appointment processes can ensure that council members possess the necessary skills and competencies to effectively govern, aligning with the best practice in human healthcare regulation. This change is part of a broader effort to modernise governance.

Considering the lack of rationale from RCVS for diverging significantly from the best practice seen in human healthcare regulation, it seems appropriate to adopt a more streamlined approach to regulatory governance for the veterinary professions. Human healthcare regulatory bodies typically operate with smaller, balanced Councils composed of an equal number of registrants and lay members, ensuring effective, agile governance focused on public protection. This streamlined structure supports accountability, improved governance and transparency — principles that are equally vital for the veterinary professions.

By moving to an independent appointment process, the RCVS could attract a diverse range of experts, which could include members of the professions, with specific competencies required for regulatory governance. This approach is consistent with other regulatory bodies in the human healthcare sector, where appointments are based on merit and relevant experience, rather than through an election that may not necessarily reflect the needs of the professions or the public.

Many vets may be concerned about losing the democratic element of electing representatives. However, it's important to note that the appointment process can still be inclusive and transparent, allowing any MRCVS to put themselves forward for appointment. An independent process is essential. The goal is to build a governance structure that is not only representative but also equipped with the expertise needed to address contemporary challenges in veterinary regulation. The Professional Standards Authority guidance 'Good practice in making Council appointments' sets out best practice for appointing council members and provides guidelines on ensuring a robust, unbiased selection process.<sup>16</sup> It includes guidance on proper advertising, clear criteria, use of a selection panel that does not include members of the regulator's executive staff and comprehensive candidate assessments. The guidance also covers the importance of diversity and maintaining public trust through an open, competitive process that avoids conflicts of interest and ensures decisions are based on demonstrable merit and suitability for the role. We would strongly support the adoption of these guidelines for the appointment of RCVS Council Members.

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<sup>16</sup> <https://www.professionalstandards.org.uk/docs/default-source/appointments/good-practice-in-making-council-appointments.pdf>

**Recommendation X: RCVS Council members, both veterinary and lay, should be appointed rather than elected, following an open and competitive process and independent assessment against a clear set of competences.**

It's important to note that BVA supports the appointed RCVS Council as part of a comprehensive package of governance reforms, which includes the creation of a separate, elected Royal College Council (see "Clarity of Functions" below). That body would be able to focus on the Royal College functions, maintaining a democratic process for the profession while allowing the 'RCVS regulatory Council' to function with the independence and expertise required for effective governance.

This holistic approach would ensure that while the regulatory functions are managed by appointed experts, the veterinary profession would still retain a voice and influence through an elected Royal College Council. This dual structure would support both robust regulation and the professional development of veterinary professionals, building a balanced and effective governance framework for the profession.

By embracing this approach, the RCVS can position itself as a modern, fit-for-purpose regulator, capable of meeting the evolving needs of the veterinary profession and the public it serves.

**Recommendation X: RCVS regulatory governance should be updated to align with the best practice seen in human healthcare regulators. This includes reducing the number of council members and ensuring a balanced composition of registrants and lay members, who are appointed based on clear competencies through an independent process.**

## The Role of VN Council and its relationship to RCVS Council

RCVS Council relates to the veterinary profession and sets policies, while VN Council advises specifically on matters related to veterinary nursing. VN Council ensures that veterinary nurses' interests are represented in broader policy decisions and collaborates with RCVS Council to align on educational and professional standards. Both Councils work together to advance veterinary care and maintain high professional standards.

## Regulation of allied professions

At present, RCVS is the statutory regulator of veterinary surgeons, and also regulates veterinary nurses via the RCVS Royal Charter. The RCVS Legislation Working Party (LWP) proposed that RCVS should be able to regulate additional allied professions, with their agreement, with the aim of protecting animal health and welfare and public health via the assurance of standards and providing greater clarity for the public and the professions.

In our response to the LWP recommendations, we supported moves to improve standards of animal health and welfare through the regulation of allied professions and recognised this as being an appropriate primary driver for progressing the regulation of some groups. Our position on the vet-led team states that "*...RCVS structures should be utilised to regulate where it is considered to be the most appropriate body and the following criteria are met:*

- *There is evidence that the activities carried out by the group are beneficial to animal health, animal welfare or public health;*
- *Association with the group will not damage the reputation of the veterinary profession;*

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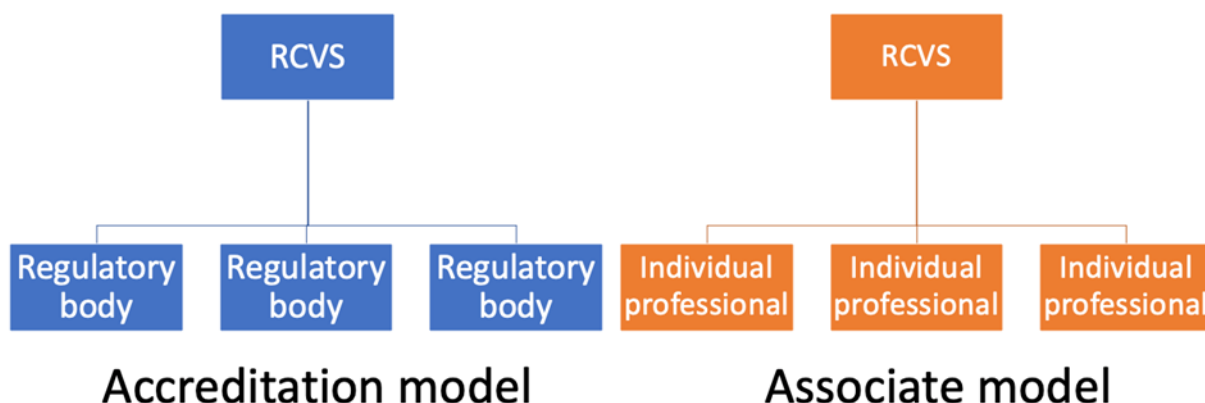
- *The professionals within the group will only practice under appropriate veterinary oversight*
- *The regulation of the group will be self-funding.*
- *The professionals within the group present as cohesive and established.*<sup>17</sup>

We stated that we consider that the activities of any group of allied professionals brought under the regulatory umbrella of the College, either via the Associate model or the Accreditation model<sup>18</sup>, (Fig 1 below) must be evidence-led such that their activities demonstrably make a positive contribution to animal health and welfare or public health, and are underpinned by sound rationale based on the available science. It is critical that the regulation of allied professionals by RCVS does not, by association, undermine the reputation of vets as one of the most trusted of UK professionals.<sup>19</sup> As such, appropriate prerequisites for regulation by the College, via either model, should include:

- demonstrable competence underpinned by appropriate knowledge and understanding through successful completion of a qualification accredited by Ofqual (or equivalent in the devolved nations), or a degree awarded by a recognised body.
- continued education through completion of appropriate CPD.

When we originally developed our position on the vet-led team we considered that the accreditation model being proposed at the time represented a lower risk in relation to cost and the potential for reputational damage. Notwithstanding this, we support the current rationale for bringing some groups in as Associates under Schedule 3 (or new legislation to the same effect), recognising that some activities carried out by allied professionals are acts of veterinary surgery but are not sufficiently minor to qualify for an Exemption Order (EO), making the group ineligible for accreditation.

Fig. 1



<sup>17</sup> <https://www.bva.co.uk/take-action/our-policies/the-vet-led-team/>

<sup>18</sup> NOTE: the models are detailed at para 54 of Annex F of the RCVS Report to Defra on the Review of Minor Procedures Regime January 2019 <https://www.rcvs.org.uk/document-library/report-to-defra-on-the-review-of-minor-procedures-regime-and/>

<sup>19</sup> <https://www.rcvs.org.uk/news-and-views/news/vets-amongst-the-most-trusted-professionals-according-to-rcvs/>

RCVS is currently proposing that three specific groups of allied professionals should be brought under the RCVS regulatory umbrella via the associate model – cattle foot trimmers, musculoskeletal therapists, and equine dental technicians (EDTs), although it is likely this will extend to Vet Techs in future. We have been clear that we support this in principle and recognise the argument that these groups are currently working in a legal grey area where some of their activities stray into acts of veterinary surgery.

We have also highlighted that the cost of regulation is an extremely important consideration. The regulation of allied professions must not incur a cost to the veterinary professions and although we recognise there will inevitably be an upfront cost to putting regulatory structures in place for new associate groups there needs to be absolute clarity and transparency on how those costs will be covered, and at what point the College anticipates regulation of allied professions will become self-funding.

Following the RCVS consultation on the LWP recommendations, the final RCVS report included an additional statement that:

*The RCVS also believes that additional paraprofessions should be brought under the RCVS's umbrella becoming 'allied professions' - to underpin their standards. The adoption of a model of paraprofessional regulation similar to that of the General Dental Council, which the RCVS is proposing allows it to regulate all members of the vet-led team, and to create greater evidence-led flexibility over what can be delegated to these allied professionals.*

Should RCVS regulate allied professions, then it is reasonable to imagine that those professions would wish to be represented on RCVS Council. However, increasing the size of RCVS Council is unlikely to be an appropriate or future-proofed solution. Expanding the Council to include representatives from every allied profession could lead to an unwieldy and inefficient governance structure, complicating decision-making processes and potentially diluting the focus and expertise needed to effectively regulate the veterinary professions. Additionally, it would introduce the challenge of integrating the roles of other allied professionals into the governance framework of the Royal College functions, further complicating the regulatory and governance responsibilities of the RCVS.

There should be an RCVS governance structure, in relation to its regulatory functions, which is fit for purpose, including scope to regulate allied professionals as appropriate.

Allied professions regulated by RCVS should have their own dedicated Councils, similar to the existing Veterinary Nurses (VN) Council. These dedicated Councils would report to RCVS regulatory Council and consider the specific regulatory challenges, standards, and professional development of their respective professions, ensuring that each group's unique needs and perspectives are adequately represented and managed.

**Recommendation X: Allied professions regulated by RCVS should have their own dedicated Councils, similar to the existing VN Council.**

### External scrutiny

While the RCVS is the regulator, the Veterinary Surgeons Act also gives the Privy Council a role in some regulatory matters including appeal of disciplinary cases. However, in practical terms this

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does not represent external or independent oversight or audit. By way of comparison, in the human healthcare sector, The Professional Standards Authority for Health and Social Care (PSA), which is an independent organisation accountable to the UK Parliament, exists to oversee and audit the ten statutory bodies that regulate health professionals in the United Kingdom and social care in England. The PSA's remit is to protect the public by overseeing the regulation and registration of healthcare professionals. They do this by:

- Reviewing the work of the regulators of health and care professionals.
- Accrediting organisations that register practitioners in unregulated occupations.
- Giving policy advice to Ministers and others and encouraging research to improve regulation.

With calls for reform of the Veterinary Surgeons Act 1966, it is likely that attention will be drawn to the current absence of independent oversight of the veterinary professions. The trend away from autonomous self-regulation towards independent oversight should not be ignored, with the public perception being that self-regulation is insufficiently robust.

**Recommendation X: RCVS should commit to external scrutiny against similar standards to the Professional Standards Authority and publish the outcomes of that assessment in full.**

## Clarity of functions

The RCVS states that the primary function of the RCVS is to be a regulator<sup>20</sup>. However, as noted above, RCVS is both a Royal College, constituted by Royal Charter, and a regulator, under the Veterinary Surgeons Act (VSA) – an unusual status often referred to as ‘a Royal College that regulates’. This multiplicity of functions is poorly understood by the professions and can be interpreted as a lack of coherent purpose.

The Royal Charter allows the College to keep the register of veterinary nurses and gives registered veterinary nurses - RVNs - the formal status of associates of the College. This means that the registration and regulation of veterinary nurses is currently technically part of the RCVS's Royal College function, even though it is clearly a regulatory function.

Furthermore, the workings of RCVS Council and committees are perceived by some as insufficiently transparent, and this is perpetuated by the confidential nature of many RCVS Council documents. Perception and lack of trust are currently key blockers to achieving clarity of roles and functions. We would like to see RCVS commit to and deliver on a shift towards greater openness and transparency, which in turn would help to foster trust over time and would also facilitate the clearer articulation of the Royal College function as distinct from the regulatory role.

Research commissioned by RCVS in 2012 as part of the RCVS First Rate Regulator Review revealed considerable concern about the ability of the RCVS to be both regulator and Royal College. The research also showed that RCVS had “not succeeded in demonstrating a clear and coherent identity or purpose.”<sup>21</sup>

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<sup>20</sup> <https://www.rcvs.org.uk/news-and-views/our-consultations/ensuring-good-governance/consultation-recommendations/introduction/>

<sup>21</sup> <https://www.rcvs.org.uk/document-library/first-rate-regulator-initiative-recommendations/>

The resulting report identified this lack of clarity as being fundamental to address for both public confidence and for the veterinary professions, who should have clear expectations of their regulator and its priorities. We strongly support the recommendation from the report that it is imperative that RCVS achieves clarity of organisational identity and purpose.

**Recommendation X: RCVS should strive for greater clarity and transparency of organisational identities, purposes, structure and governance, and communicate it effectively and consistently to the veterinary professions and the public.**

In developing greater clarity of organisational identities and purposes RCVS must consider both its regulatory and its Royal College functions and communicate these clearly to all stakeholders.

The core functions of the RCVS are listed, and clearly separated in the section of the RCVS website aimed at animal owners<sup>22</sup>, which states that, “the RCVS is an organisation in two parts”. Conversely, in March 2024, it was stated in RCVS Council papers that the current dual function facilitates a holistic approach which has allowed the development of “upstream regulation projects like the Mind Matters Initiative....expanding the scope of what a compassionate regulator can do.”<sup>23</sup> It has also been observed that “there is a regulatory dimension to other areas that are often the purview of Royal Colleges in human healthcare, such as postgraduate education.”<sup>24</sup>

We support the findings of the RCVS commissioned report on the First Rate Regulator review, which considers that, in order to be an effective regulator RCVS needs to understand – and be much better at articulating – the importance it places on delivering activities that are synonymous with a Royal College. The report is also clear that RCVS needs to consider how such activities operate alongside its regulatory activities, as well as any conflicts between these distinct functions, with perceptions of a conflict between regulatory and Royal College activity being one of the main challenges RCVS will need to overcome.

**Recommendation X: RCVS should articulate more clearly the activities which it considers to be Royal College and Regulatory functions, and the costs associated with each.**

Royal College Councils in human healthcare tend to be formed primarily of elected members, many of whom carry out a representative role, sometimes based on region or local faculty. For example, the Royal College of Surgeons Council is comprised of 24 surgeons elected by Fellows and Members of the College. The Royal College of Nursing Council has 17 members, including members from nine English regions and three from the devolved nations, elected by members in those regions or nations.

As part of a holistic approach to RCVS governance reform, we consider that the formation of a separate governing Council for oversight of the RCVS’s Royal College functions not only represents good practice but could enable it to consolidate, clearly articulate, and possibly expand the range of Royal College services offered. A governing Council of elected members could also go some way to addressing the concerns voiced by some within the profession regarding the proposed move to a system of appointment rather than election for RCVS Council.

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<sup>22</sup> <https://animalowners.rcvs.org.uk/about-us/about-the-rcvs/>

<sup>23</sup> <https://www.rcvs.org.uk/document-library/rcvs-council-march-2024-papers/>

<sup>24</sup> <https://www.rcvs.org.uk/who-we-are/rcvs-council/council-meetings/18-january-2024/>

**Recommendation X: A separate governing Council for the Royal College function should be established, with elected members. The Royal College Council should focus on the veterinary surgeons and veterinary nursing professions, while other allied professions should establish their own equivalent(s) of Royal College(s) if needed.**