

28<sup>th</sup> October 2011



## The British Veterinary Union in Unite submission to the RCVS Consultation on the Draft Code of Conduct for Veterinary Nurses

This evidence is submitted by Unite the Union - the country's largest trade union. The union's members work in a range of industries including manufacturing, financial services, print, media, construction and not-for-profit sectors, local government, education and health services.

Unite represents approximately 100,000 health sector workers. This includes seven professional associations – the Community Practitioners and Health Visitors' Association (CPHVA), the Guild of Healthcare Pharmacists (GHP), the Medical Practitioners' Union (MPU), the Society of Sexual Health Advisers (SSHA), the Hospital Physicists' Association (HPA), the College of Health Care Chaplains (CHCC) and the Mental Health Nurses' Association (MNHA).

Also, members in occupations such as allied health professions, healthcare science, nursing, applied psychology, counselling and psychotherapy, dental professions, audiology, optometry, building trades, estates, craft and maintenance, administration, ICT, support services, ambulance services, and, most recently, the British Veterinary Union which represents veterinary practitioners.

This diverse membership includes a range of members who are involved in public health functions including the professional body of health visitors, and Unite members who work in the specialist public health workforce where the Unite/MPU has public health doctors in membership and Unite is the main union for non-medical public health consultants.

## Introduction

Unite/BVU welcomes the opportunity to contribute to the consultation on the code of conduct for veterinary nurses. Subsequent to an internal consultation on the Draft Code of Conduct for Veterinary Nurses (draft Code), the BVU submits the general observations given below followed by comments and recommendations on various individual clauses of the draft Code.

## General observations / recommendations

- The draft Code does not entirely resonate with the real work and working conditions of the Veterinary Nurses. It appears to lack originality and is a lazy copy and paste exercise from the draft Code of Conduct for Veterinary Surgeons, which reflects lack of dedication in developing the draft Code.
- The draft Code is nearly a replica of the draft Code of Conduct for Veterinary Surgeons, which implies that both vets and nurses shoulder same set of responsibilities. Unlike some medical nurses, most Veterinary Nurses do not work independently but play an ancillary role in the veterinary practice. Therefore, it is fundamentally illogical and conflicting to assign exactly same responsibilities to the two the groups.
- If adopted in the existing form, the Code will practically NOT be implementable and the competing responsibilities may lead to a lot of friction within the veterinary practices and obviously the veterinary nurses are likely to be at the receiving end of the adversity.
- Whereas vets and nurses work closely together in veterinary practices, the roles and responsibilities of the two groups are distinctly specific for each group. Therefore, we support an independent Code for Veterinary Nurses that fully resonates with the actual work and working conditions of the Veterinary Nurses.

## Specific observations / recommendations

In the following section, the individual clauses of the draft Code are dealt with as they appear in the actual consultation document. The comments provided are given in **red** and the BVU amended clauses presented in *blue italics*.

## **Veterinary nurses' responsibilities:**

### **Veterinary nurses and animals**

1. Veterinary nurses must make animal welfare their first consideration when attending to animals.
2. Veterinary nurses must ensure that animals committed to their care receive appropriate and adequate veterinary care.

*Veterinary nurses must ensure that animals assigned to their care receive appropriate nursing care reasonably utilising the means at their disposal.*

3. Veterinary nurses must take steps to provide emergency first aid and pain relief according to their skills and the specific situation; subject to legal restraints.

*Veterinary nurses must take steps to provide emergency first aid according to their skills and the means at their disposal and provide pain relief according to the instructions of the supervising veterinary surgeon.*

4. Veterinary nurses must be competent in their performance, or be under the close supervision of veterinary surgeons or veterinary nurses who are competent.
5. Veterinary nurses must ensure appropriate post-operative or inpatient nursing care for animals after the provision of veterinary procedures, treatment or tests.

*Veterinary nurses must ensure appropriate nursing care for animals assigned to their care as inpatients or post-operatively.*

6. Veterinary nurses must supply and administer medicines responsibly and in the best interests of the animal or herd.

*Veterinary nurses must administer or dispense medicines correctly as prescribed by the veterinary surgeon.*

7. Veterinary nurses must ensure that clinical governance (consideration of animal safety, client experience and effective care) forms part of their professional activities, including monitoring and reviewing clinical nursing outcomes with the aim of improving the care they provide.

*Veterinary nurses must ensure full co-operation with the system of clinical governance (consideration of animal safety, client experience and effective care) applied at the workplace including monitoring and*

*reviewing clinical nursing outcomes with the aim of improving the care they provide.*

8. Veterinary nurses must consider reporting to an appropriate authority when there is reasonable concern that animal welfare has been, or is likely to be, compromised.

### **Veterinary nurses and clients**

1. Veterinary nurses must respect the needs and requirements of their clients, provided that they do not conflict with the principles of this Code or relevant legislation.

*Veterinary nurses must respect the needs and requirements of the clients, provided that they do not conflict with the principles of this Code or relevant legislation, with due consideration to the relevant workplace protocols.*

2. Veterinary nurses must provide impartial, independent and objective nursing advice and inform the client of any conflict of interest.

*Veterinary nurses are obliged to follow the policies and standard operating practices laid down by the employers and have little choice in giving independent advice especially if such advice would conflict with the policies of their employers. Therefore, it is unreasonable to expect veterinary nurses to fulfil this responsibility and should not be part of the code.*

3. Veterinary nurses must be able to communicate effectively, using the English language in the UK, as appropriate to the audience and context.

*This should be part of the registration process with RCVS and not part of the Code.*

4. Veterinary nurses must provide initial and ongoing professional advice, as appropriate.

*Veterinary nurses must provide initial and ongoing nursing advice, as appropriate.*

5. Veterinary nurses must give appropriate information to clients about the: a. provision of care to any patient kept on practice premises, including care outside normal working hours; and, b. provision and likely cost of out-of-hours emergency veterinary care and domiciliary visits.

This clause should be deleted as it is either the administrators or the veterinary surgeons that are responsible or competent to provide such information.

6. Veterinary nurses must, as far as is reasonably practical, ensure informed consent is obtained from a client before treatments or procedures are carried out.

This clause should be deleted as it is the veterinary surgeon that has the professional and legal authority to prescribe treatments or recommend procedures; therefore, it is the veterinary surgeon's duty to obtain consents and not that of veterinary nurses.

7. Veterinary nurses must not breach client confidentiality unless there are overriding reasons in the public interest, including animal health or welfare.
8. Veterinary nurses must keep clear, accurate and detailed clinical nursing and client records.

*Veterinary nurses must keep clear and accurate record of nursing care provided to the patients assigned to their care.*

9. Veterinary nurses must respond promptly, fully and courteously to clients' complaints and criticism.

It is the practice administrators that usually deal with client complaints. However, veterinary nurses are often involved in investigating the client complaints. Therefore, this requirement should be modified as follows.

*Veterinary nurses must respond fully, honestly and courteously when asked to comment on a client's complaint.*

10. Veterinary nurses must ensure that all their professional activities are covered by professional indemnity insurance or equivalent arrangements.

### **Veterinary nurses and the profession**

1. Veterinary nurses must take and, at the request of the RCVS, demonstrate that they have taken, reasonable steps to address adverse physical or mental health (i) that could impair fitness to practise; or (ii) that results in harm, or a risk of harm, to animal health or welfare, public health or the public interest.

As long as there is no protocol like that of the Veterinary Surgeon' s Health Protocol available for veterinary nurses, this clause is spineless and should be deleted.

2. Veterinary nurses who are concerned that the health, performance or competence [subject to legal advice on RCVS jurisdiction] of another veterinary nurse or veterinary surgeon is impairing his or her fitness to practise must take steps to ensure that animals are not put at risk and that the interests of the public, including those of the other veterinary nurse or surgeon, are protected.

As long as the legal validity of this clause is not confirmed, it should not become part of this code. In any event, veterinary nurses envisage great difficulty in implementing this responsibility.

3. Registered veterinary nurses who have had a break of five years or more from active practice must undertake a 17-week Period of Supervised Practice (PSP).

This is a superfluous requirement as most employers will any way take care of the fact that the veterinary nurses they employ are up to speed. This requirement with the given length of time has the potential of being abused by unscrupulous employers and should therefore be deleted.

4. Veterinary nurses must maintain and develop the knowledge and skills relevant to their professional practice and must undertake a minimum of 45 hours of CPD over any consecutive three-year period and keep an appropriate record of CPD undertaken; a significant proportion of which must be relevant to their area of practice.
5. Veterinary nurses and veterinary surgeons must communicate with each other, as appropriate, to ensure that the interests of the animal or group of animals are protected when care is transferred between them, or when they care for the same animal or group of animals.
6. Veterinary nurses must conduct themselves in a manner that respects professional colleagues and must not maliciously, or unfairly, criticise or attempt to discredit a professional colleague.
7. *Veterinary nurses must not hold themselves out as having expertise they cannot substantiate, or call themselves a 'specialist' where to do so would be misleading or misrepresentative [Subject to discussions by the RCVS Specialisation Working Party].*

## Veterinary nurses and the veterinary team or business

1. Veterinary nurses with ownership or control of the veterinary business, or with management or other responsibilities associated with the veterinary team or business, have a greater responsibility to ensure professional colleagues, or staff within the organisation or practice, comply with responsibilities in the RCVS Code of Professional Conduct.

Any and all extra responsibilities resulting from ownership/management, while real, are no part of the Veterinary Nurse role, and therefore have no place in the VN code of conduct.

2. Veterinary nurses must ensure that there is appropriate management or supervision of the nursing team and appropriate support and assistance for newly registered veterinary nurses, including those who qualified elsewhere in Europe, or overseas.

Great majority of veterinary nurses have no role to play in the administration of other nurses. Therefore, this responsibility is practically non applicable and should be deleted.

3. Veterinary nurses must communicate with professional colleagues and staff within the organisation or practice, to co-ordinate the care of animals and the delivery of veterinary services.
4. Veterinary nurses must only delegate tasks to those with the knowledge and skills and any relevant qualification necessary to undertake that task competently.

This should be the responsibility of employers to check that the members of staff have the knowledge and skills for the job they have been employed for. Ordinary nurses cannot meet this responsibility and should not be included in the code.

5. Veterinary nurses must account for medicines used within the organisation or practice, as appropriate.

This should be the responsibility of the administrators of the practices and not the veterinary nurses. The clause should be deleted.

6. Veterinary nurses advertising their services must do so in a legal, decent, honest, truthful and professional manner.
7. Veterinary nurses must ensure that all their professional activities and those of relevant staff are covered by professional indemnity insurance or equivalent arrangements.

The individual responsibility of ensuring professional indemnity insurance has already been incorporated in an earlier section (Veterinary nurses and clients) of the draft Code. Ensuring the professional indemnity insurance for the “staff” should be the responsibility of employers. Therefore, this clause is superfluous and should be deleted.

8. Veterinary nurses must maintain adequate practice standards to a minimum of the Core Standards of the RCVS Practice Standards Scheme, as appropriate.

This is purely an administrative matter which has nothing to do with the professional responsibilities of a veterinary nurse. Therefore, this clause should be deleted.

### **Veterinary nurses and the RCVS**

1. Veterinary nurses must be appropriately registered with the RCVS and comply with the RCVS Code of Conduct for Veterinary Nurses.
2. Veterinary nurses must provide the RCVS with their CPD record when requested to do so.
3. Veterinary nurses must comply with reasonable requests from the RCVS as part of the regulation of veterinary nurses and the profession and comply with any undertakings given to the RCVS.
4. Veterinary nurses must respond promptly and constructively to any request from the RCVS for comments in relation to any allegation or complaint.
5. Veterinary nurses must provide the RCVS with clinical nursing or client records or any other relevant information when requested to do so in writing or during a visit to practice premises.

Veterinary nurses cannot independently provide such information to the RCVS. However, they can assist and support the employer to provide such information. Therefore, the clause should be amended as follows.

*Veterinary nurses must assist and support their employers to provide the RCVS with clinical nursing or client records or any other relevant information when requested to do so in writing or during a visit to practice premises.*

6. Veterinary nurses (and those applying to be registered as veterinary nurses) must disclose to the RCVS any caution or conviction (including absolute and conditional discharges and spent convictions), or adverse finding by another regulator, whether in the UK, Europe or overseas.

7. Veterinary nurses must report to the RCVS those veterinary nurses removed from the RCVS Register at the direction of the Veterinary Nurses Disciplinary Committee who undertake veterinary surgery in accordance with Schedule 3 of the Veterinary Surgeons Act 1966.

This should be the responsibility of employers to ensure that they do not employ veterinary nurses removed from the RCVS register to carry out Schedule 3 procedures. This clause does not apply to veterinary nurses in general and should therefore be deleted.

### **Veterinary nurses and the public**

1. Veterinary nurses must seek to ensure the protection of public health and must consider the impact of their actions on the public and the environment.
2. Veterinary nurses must report facts and nursing opinions honestly and with due care.
3. Veterinary nurses must use their professional status to provide only factual information to the general public about veterinary products and services.

It is the veterinary surgeons and not the veterinary nurses who are qualified to inform members of public about veterinary products and services. Therefore, this clause should be removed from the code.

4. Veterinary nurses must ensure they (and their staff, as appropriate) are sufficiently familiar and comply with legislation relevant to the provision of veterinary services.

This is the role of employers and not the ordinary veterinary nurses. Therefore, this clause should be removed from the code.

5. Veterinary nurses must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession.

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**This evidence was prepared by Dr S Mir BVSc&AH, MVSc, DrMedVet, MRCVS, Chair of the BVU in Unite, in consultation with veterinary professionals (nurses & vets) in Unite.**

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