

Competition Authority Professions Study – Veterinary Surgeons

The Veterinary Council of Ireland, as the statutory body responsible for regulating the practice of veterinary medicine in the State, makes the following submission to the Competition Authority in relation to the above study.

Veterinary Medicine education and recognition of qualifications

The Council has as one of its functions ‘to specify and keep under review standards and approve programmes of education and further education necessary for the purposes of registration and continued registration’. There is currently one approved programme of veterinary education in the State in the School of Agriculture, Food Science and Veterinary Medicine at UCD. The Council arranges to visit the veterinary medicine programme in UCD at specified intervals to review standards. A report on this visitation is presented to Council. Continuing education is provided by a number of different providers who must adhere to regulations laid down by Council. Providers and courses are subject to audit.

In addition to the graduates from UCD suitably qualified veterinary practitioners who meet the requirements laid down in Directive 36/2005/EC are eligible to register to practice in Ireland. Veterinary practitioners under this Directive can also provide occasional services in the State by registering with a Provision of Services Certificate from their own competent authority. Under article 4 (3) of the Directive EU citizens with third country qualifications can also register having satisfied the conditions laid down in the Directive. In addition, the Council recognises by mutual recognition certain graduates with Australasian qualifications.

Reservation of Title

Section 53 of the Veterinary Practice Act 2005 defines the practice of veterinary medicine. Section 54 (1) (b) of the VPA 2005 states that non-registered persons shall not "use the title or description that would give the impression that he or she is registered under Part 4 such as "veterinary surgeon", "veterinary specialist", "veterinary practitioner" or "veterinarian" or any abbreviation or derivative of them, either alone or in connection with any other title or description. Sections 53 and 54 are included in the Act in the interests of animal welfare and public health to ensure only those qualified to do so are allowed to carry out procedures on animals.

Composition of Council

The composition of Council is laid down in section 16 of the Veterinary Practice Act 2005, all 19 members are appointed by the Minister of Agriculture and Food. Four are direct nominees of the Minister, five are nominated others, one is a nominee under the Act and 9 are elected from amongst those on the Register of Veterinary Practitioners.

16.—(1) The members of the Council shall be appointed by the Minister and shall consist of the following:

- (a) one person who is registered or is eligible to be registered under Part 4;

- (b) two persons who are not eligible to be so registered, but one at least of whom avails of veterinary services in the course of a business, trade or profession;
- (c) one person who is not eligible to be so registered, but who performs functions relating to animal welfare;
- (d) one person who is nominated for appointment as a member of the Council by the Minister for Education and Science and is engaged in the provision of higher education;
- (e) 2 persons who are nominated for such appointment by a relevant body or bodies specified by the Minister by order under subsection (2) or, where no body is specified, are nominated for appointment by the National University of Ireland, of whom—
 - (i) one is registered or is eligible to be registered under Part 4 or 8,
 - (ii) one is not eligible to be so registered;
- (f) one person who is nominated for such appointment by the Food Safety Authority of Ireland;
- (g) one person who is nominated for such appointment by the Director of Consumer Affairs;
- (h) 9 persons who are registered under Part 4, who are chosen for such appointment in accordance with section 18;
- (i) one person who is registered under Part 8, who is chosen for such appointment in accordance with section 18.

Functions of Council

The functions of Council are laid down in section 13 of the Veterinary Practice Act 2005:

13.—(1) Subject to the provisions of this Act, the principal function of the Council is to regulate the practice of veterinary medicine in the State and, unless the Board is established, the practice of veterinary nursing in the State.

(2) Without prejudice to the generality of subsection (1), the Council shall have the following functions:

- (a) to establish and maintain the Register and the Register of Veterinary Nurses;
- (b) to establish procedures and criteria for registration including the issue of certificates of registration and renewal of registration;
- (c) to establish, publish, maintain and review codes of professional conduct for persons registered under Part 4 or 8;
- (d) to specify and keep under review standards and approve programmes of education and further education necessary for the purposes of registration and continued registration under Part 4 or 8;
- (e) to conduct inquiries into and, where appropriate, impose sanctions in relation to the fitness to practise of a person registered under Part 4 or 8;
- (f) to advise the Minister in relation to any matter relating to the functions of the Council that the Council considers appropriate or is specified by the Minister;
- (g) to promote the practice of veterinary medicine;
- (h) to make pronouncements, as it sees fit, in relation to issues that affect the veterinary profession;
- (i) to facilitate the exchange of information between those engaged in the practice of veterinary medicine or veterinary nursing and those who avail of veterinary services;

- (j) where appropriate, to act as the competent authority for the purposes of—
 - (i) mutual recognition of veterinary qualifications obtained in or recognised by Member States,
 - (ii) all matters referred to in the Directives referred to in section 43;
- (k) to borrow money in accordance with section 31;
- (l) to specify and keep under review standards of veterinary premises;

Committees of Council

There are three **statutory committees** of Council i.e. Veterinary Education and Training Committee, Preliminary Investigation Committee and the Fitness to Practice Committee.

The **Veterinary Education and Training Committee**'s composition and functions are laid down in sections 62 and 63 of the Veterinary Practice Act 2006:

- 62.—(1) The Council shall establish a committee which shall be known as the Veterinary Education and Training Committee, and is referred to in this Act as the “Education Committee”.
- (2) The Education Committee shall consist of no fewer than 8 and no more than 11 members of the Council, who shall be appointed by the Council, and shall include the following:
- (a) the member of the Council who was appointed to be such member under section 16(1)(a);
 - (b) one of the members of the Council who was appointed to be such member under section 16(1)(b);
 - (c) the member of the Council who was appointed to be such member under section 16(1)(d);
 - (d) each member of the Council who was appointed to be such member under section 16(1)(e);
 - (e) two of the members of the Council who were appointed to be such members under section 16(1)(h);
 - (f) the member of the Council who was appointed to be such member under section 16(1)(i).

- 63.—(1) The Education Committee shall advise the Council in relation to the performance of its functions under paragraphs (d), (j) and (m) of section 13(2).
- (2) Without prejudice to the generality of subsection (1), the Education Committee shall—
- (a) (i) subject to subsection (5), whenever so requested by the Council, but in any event, not less frequently than every 10 years—
 - (I) review the standards of knowledge, skill and competence and the qualifications required for the purpose of registration under Part 4 or 8 and the maintenance of such registration,
 - (II) review programmes of education that have been approved by the Council or in respect of which providers of education are seeking approval from the Council,
 - (ii) as soon as may be following such a review, furnish a report to the Council of the results and findings of that review and include in the report such

- recommendations (if any) to the Council as it considers appropriate arising from that review,
- (iii) furnish a copy of so much of a report under subparagraph (ii) as consists of recommendations to any provider of education who, in the opinion of the Committee, is affected by it,
 - (b) ensure that a review under paragraph (a) has regard to any minimum standards in relation to knowledge, skill, competency and qualifications in veterinary medicine or veterinary nursing and practice laid down in a directive, regulation or other act adopted by an institution of the European Communities or in a judgment of the Court of Justice,
 - (c) make recommendations to the Council in relation to participation in and approval of programmes of further education, and the qualifications to be obtained from them,
 - (d) whenever requested by the Council, but not less frequently than once every 10 years, draw up and promote, on behalf of the Council, programmes of further education—
 - (i) to be undertaken by a registered person,
 - (ii) which may be undertaken by a registered person,
 - (e) make recommendations to the Council in relation to the recognition by it of degrees or other academic awards granted to registered persons who have satisfactorily completed programmes of further education,
 - (f) where appropriate, on behalf of the Council, appoint examiners or hold or supervise examinations of persons who have completed programmes of further education,
 - (g) make recommendations to the Council as regards standards required for recognition by the Council of qualifications obtained from programmes of education obtained outside of the State by persons applying for registration under Part 4 or 8, and programmes of further education obtained outside of the State by registered persons,
 - (h) make recommendations to the Council in relation to the specialties in veterinary medicine that it may prescribe under section 46(2),
 - (i) make recommendations to the Council in relation to knowledge and skill required in order that a person may be registered as a veterinary practitioner with limited registration,
 - (j) perform such other functions in relation to veterinary education and training and programmes of education as may be conferred on it by the Council.

The **Preliminary Investigation Committee** is set up under Part 7 of the Veterinary Practice Act 2005. Its composition is defined in section 70 (2) of the Act.

70 (2) The Preliminary Investigation Committee shall consist of the following persons who shall be appointed by the Council:

- (a) not more than 2 members of the Council who are registered or who are eligible to be registered under Part 4 or 8;
- (b) not more than 2 members of the Council who are neither registered under Part 4 or 8 nor eligible to be so registered.

Its function and procedures can be found in the section of this report on the Council's complaints handling procedures.

The **Fitness to Practise Committee** is set up under Part 7 of the Veterinary Practice Act 2005. Its composition is defined in section 71 (2) of the Act.

71 (2) The Fitness to Practise Committee shall consist of the following persons who shall be appointed by the Council:

- (a) a person who is either a practising solicitor with not less than 10 years experience nominated for such appointment by the Law Society of Ireland or a practising barrister with not less than 10 years experience nominated for such appointment by the General Council of the Bar of Ireland, who is not, as such solicitor or barrister, in the full-time service of the State and who—
 - (i) is not a member of the Council,
 - (ii) is not registered under Part 4 or 8 and is not eligible to be so registered;
- (b) not more than 3 members of the Council who are registered, or who are eligible to be registered under Part 4 or 8;
- (c) not more than 3 members of the Council who are neither registered under Part 4 or 8 nor eligible to be so registered.

The Council also has five **other committees** as follows:

The **Conjoint Committee** with three members of Council whose function is to promote the practice of veterinary medicine (Section 13 (g), 2005 Act) and in particular to deal with National and European veterinary matters.

The **Finance Committee** with three members of Council whose province extends to all financial aspects of the Council's functions; it considers and reports to the Council on such subjects as the Council may direct and supervises with particular reference to Sections 21, 23, 24, 29 to 33 of the Veterinary Practice Act 2005. In particular it is responsible for

- (a) the keeping, and the annual audit, of all proper and usual accounts of the Council's receipts and expenditure;
- (b) the printing, publication and sale of the Veterinary Register; and
- (c) the administration of the Council's business and the recruitment and remuneration of staff.

The **Legislation and Ethics Committee** with nine members whose function is to consider and review the implications of legislative and ethical matters as they relate to the Council and to establish, publish, maintain and review codes of professional conduct for registered persons.

The **Veterinary Liaison Committee** with six members whose function is to facilitate the exchange of information between those engaged in the practice of veterinary medicine or veterinary nursing and those who avail of veterinary services.

The **Practice Premises Committee** with six members whose function is to specify and keep under review standards of veterinary premises' as outlined in the functions of Council under section 13 of the Veterinary Practice Act 2005. Also the Committee has to ensure that the provisions of Part 9 of the Act and section 125 (c) of the Act are implemented on behalf of Council.

Guide to Professional Behaviour

The Guide to Professional Behaviour, which is published and updated regularly by the Council, outlines the standards expected of the professional. A copy of the Guide is included with this document. The content of the Guide reflects the underlying principles stated in the Introduction to the Guide:

‘A veterinary practitioner shall use his/her scientific knowledge for the benefit of society through the protection of animal health, the relief of animal suffering, the promotion of public health, the advancement of veterinary medical knowledge, the protection of the environment and the conservation of livestock resources.

Veterinary practitioners occupy a trusted, privileged position in society because of unique knowledge and training. This guide is intended to ensure that this position is maintained by all veterinary surgeons registered with the Veterinary Council, acting in a manner consistent with the following principles:

- (a) The primary concern of the profession is for the welfare of animals;
- (b) All work performed by veterinary surgeons is to a standard of competence acceptable to their peers;
- (c) That veterinary practitioners, individually, act to promote cohesion within the profession and the trust of the profession by the general public.’

Complaints Procedure

The complaints procedures adopted by the Council are defined in Part 7 of the Veterinary Practice Act 2005. A copy of the memorandum explaining the procedures is included with this document.

Recent Developments of Note

1. The Council, as required under Part 8 of the Veterinary Practice Act 2005, will start to register suitably qualified veterinary nurses from 1 January 2008.
2. The Council, as required under Part 9 of the Veterinary Practice Act 2005, has set up the Practice Premises Accreditation Scheme (PAS). The PAS requires each veterinary premises in the State, with the exception of those listed in section 106, to be issued with a certificate of suitability and registered by the Council. Each premises will be inspected for compliance by trained Premises Assessors.