What We Heard

Several CVMA-SBCV Chapter Board, Committee and Regular Members attended the College of Veterinarians of BC’s General Meeting held in Richmond on Friday November 24, 2017. This document summarizes what some of us heard and noted, and is offered here for our Chapter members to read and consider. It is not an official report nor a transcript.

In response to our Chapter document, the College Registrar helpfully clarified two issues as follows:

On a quick read through, I could find only two matters worth a comment.
I thought I made it quite clear that both the legal affairs committee and the human resources committee were “Council committees”, composed entirely of council members and no others. Accordingly, there was no reduction in veterinarians by shuffling those committees’ tasks to the executive committee.
Secondly, I pointed out we did recently hire a full-time in office staff veterinarian, which hire took place before the deputy registrar resigned. So we do have a veterinarian in the office. That veterinarian presence is considered critical by me and takes away the pressure of a quick decision about the deputy registrar replacement. I stressed that regulators require representation from the professional being regulated and that I have no intention to deviate from that view.

President’s Report:
The 2010 Veterinarians Act created the current College (CVBC), the Human Rights Tribunal (HRT) hearings have concluded, and a new Registrar has been hired, and will fulfill a vital and key role in leading the organization.

Registrar’s Report:
The Building - The previous CVBC property has been sold and a more convenient location rented. The proceeds ($1.1 million) of the sale are not earmarked for a particular purpose, and currently are in a term deposit.
HRT Decision - The HRT decision was drastic; there was a 60-day period in which a judicial review could be filed. Judicial Review was chosen based on feedback from registrants. Upon review of its own decision to pursue Judicial Review, the College came to the view that a successful outcome was not likely, and the impact on the College would be substantial, so the Judicial Review was abandoned. It took a bit of time to address the many changes ordered in the HRT decision and now that many have been implemented, the number of complaints has dropped.
Split Roles - There continues to be some confusion around the role of the College (regulatory and disciplinary) and the role of the SBCV Chapter (member service). The College is not
authorized to pursue revenue streams such as those earned from Continuing Education and Advertising.

**Communications** - The Registrar continues to be available to answer Registrant questions, or those questions can be directed to a Council member.

**Committee Structure and Responsibility** - Committees were functioning in ‘silos’ but needed to be more connected to and guided by the Registrar.

**Animal Welfare Issues** – Ear cropping by BC veterinarians is contrary to the College bylaws which means BC veterinarians are not permitted to do such a procedure, however, the procedure itself is not illegal so the public is permitted to have the procedure done elsewhere. Veterinarians are professionals and the College wants to ensure they self-regulate in the best interests of the public, as opposed to being told what to do continually by the College and an abundance of rules. Veterinarians are free-thinking individuals able to make judgment calls and educate clients, and are not in enforcement roles. The College supports this view and its registrants in this regard. There are differing views between the College and government on how Duty To Report is interpreted.

**RVTs** – Inclusion of RVTs under the College’s authority is being reviewed and considered, supported by the government and the RVTs themselves.

**College internal business** – Dr. Brocklebank is retiring. Only one staff member with more than five years of service remains.

**Committee Activities** – Discipline Committee has not been used for two years. Investigative Committee meets every six weeks and reviews lengthy documents. Registrants now privy to reading the same documents about them in a complaint as the Committee reads. Participants in this process have reported their agreement.

**Governance** – the full Council reads and approves all documents released to registrants.

**Insurance** – Captive insurance created for College not by choice but by necessity as no other options available. Directors and Officers insurance is part of this captive package and currently there may be some choice commercially available to the College. Ministry and other official considerations will be weighed before a decision is made and communicated to members.

**By-law Changes** CURRENTLY UNDER REVIEW – 20% of registrants have voted thus far.

**Housekeeping Issues** – Self-inspection form declaration needs to be submitted by Registrants. Consulting practices are not inspected. Office is closed from December 22 until the new year so payment of dues needs to be completed before December 31, 2017.

**Fees** – No fee increase is expected in 2018. Online payments are encouraged for ease of bookkeeping. College is in a good cash position, as was even before the sale of the property.

**Final Registrar Comments** – The Registrar encouraged an atmosphere of collegiality and an elimination of ‘distractions’ including the distraction of levies. As professionals, the registrants should be free to continue to focus on their work and not the prior years distractions, and to have a College that regulates effectively.

**At the end of the President’s and Registrar’s Reports, questions from the floor were accepted.**

**Question regarding funds for settlement of HRT action.**

Answer: Settlement figures included in financial statements available at General Meeting; leaving the College with a year-end cash position of $1.215 million prior to sale of building, which will increase the cash position even more.

**Question regarding insurance.**
Answer: Discussing insurance needs currently; captive reserve is $1.38 million and needs to be
topped up to $1.4 million. Confirmed Board of captive insurance is David Dewhirst, Brendan
Mathews, Jeremy Pearse.

**Question regarding self-declaration form.**
Answer: The form does not appear on the website but was mailed to Registrants.

**Question regarding historic split of assets between CVBC and SBCV Chapter.**
Answer: The property belonged originally to BCVMA and when the CVBC was formed, all
assets and liabilities went to the CVBC. Council is currently discussing if a portion of the
proceeds should go to SBCV Chapter.

**Question regarding dues reduction.**
Answer: There is a possibility of a decrease; Council will discuss.

**Question regarding public perception and trust post-HRT decision.**
Answer: It was best to move on from a bad period that left a ‘black eye’ on the College, and a
judicial review would only extend such a negative perception. Superior courts are hesitant to
overturn findings of fact such as those made by the HRT. Self-regulation is a privilege and it is
time to move forward.

**Question regarding appearance that Registrar is advising Council on decision-making.**
Answer: Council takes the opinion of the Registrar and other advisors, and makes its decisions,
but acknowledges that the Registrar has certain delegated authority and decision-making.
Potential bylaw changes currently being voted on, if passed, will permit the Registrar to make
human resource decisions such as replacing staff without Council’s input which can be
problematic given Council’s six-week meeting schedule.

**Question regarding who scrutinizes public message releases such as the Duty To Report
message dated June 2017 in which the College appears to suggest a ‘business’ focus rather
than a ‘clear evidence required’ focus, which would be viewed as a potential disconnect
with the PCA Act; and whether or not the Animal Welfare Committee or BCSPCA were
consulted on this or any subsequent message around Duty To Report.**
Answer: the June message is still on the website but will be removed as it was not crafted
sufficiently by Council. The two remaining members of the Animal Welfare Committee (AWC)
were not consulted on the Duty To Report message. The AWC is recognized by Council as
valuable and having expertise, but it was decided that the message was regulatory and did not
require AWC input.

**Question regarding the sale of the property, why Registrants were not consulted, and why
there were any comments about confidentiality of salaries, which form half the budget, and
severances.**
Answer: Salary and severance information is confidential. Legal expenses are down.

**Two Questions about survey of Registrants about declawing, in light of the fact that
Registrants are the experts in animal welfare and animal health and there is now the
possibility that registrants are stuck due to the fear of litigation. Question included
statement that there was pride in the ban on ear cropping and tail docking, but Registrants**
deserve to learn the survey results about declawing, and get back to the business of animal welfare and health. Question regarding the reason why results were not shared with Registrants.
Answer: Council will consider whether or not the survey results will be released, or if the issue will be looked at again, and if so, Council will consult with the Animal Welfare Committee.

Question regarding the “review panel” of the College per the HRT decision.
Answer: The review panel has not been set up. The HRT decision may not have had the authority to direct this. The review panel will not be set up.

Question regarding Duty To Report and lack of consultation between College and BCSPCA, which has its own Duty To Report directive explaining that Registrants need a reasonable belief that distress exists to trigger their duty to report. There is immunity provided for in the PCA Act. An example was given using a dog with a recently docked tail. There is only a duty to report the dog IF the dog is in distress; not if the dog has healed or if the tail was docked outside this jurisdiction.
Answer: The College did consult with the Ministry prior to release of the June memo. There was disagreement on terminology.

Question regarding the correlation between number of complaints and low number or lack of disciplinary actions.
Answer: The purpose of investigation is protection of the public. Every profession has an ebb and flow of complaints. The College has been able to dispense of all of the recent complaints using mediation, reflecting the professional nature of Registrants. If Registrants are able to learn and change a behavior as necessary, that is what the regulator wants, a consensual process rather than a punitive one.

Question regarding any potential changes in the regulatory or registration processes.
Answer: changes and improvements are continuing.

Question regarding the fact that Registrants are professionals. Registrants need satisfactory level of communication and reporting back to registrants from Council, which has not been satisfactory despite Council’s hard work. Committees ought to be used for feedback prior to release of information by Council. Council should provide guidance and position statements to Registrants and Codes of Practice are needed and should be produced by College.
Answer: The College felt that the Animal Welfare Committee and other committees needed smaller numbers of members, and Council is considering practice standards.

Question regarding the vacant Deputy Registrar position and if there was a desire for a veterinarian to fulfill that position.
Answer: Council desires a full-time veterinarian in the College office but have not yet found one. It is agreed a veterinarian is needed. The College has not yet publicly posted the job for applications.

Question regarding proposed bylaw changes and difficulty following red and black line changes, and difficulty agreeing that the proposed changes are “housekeeping” issues as described in the summary provided to Registrants.
Answer: Proposed bylaw changes are not available on the web site but only by email. Drafting notes might be part of the problem with difficulty understanding what is being proposed for change. Registrants are encouraged to Call the Registrar with any questions.

Question regarding the absence of younger Registrants on Council or Committees. And the presence of Council members on Committees.
Answer: Council is trying to have liaisons on each committee for improved communication.

Question regarding current (new) lawsuits.
Answer: Two lawsuits filed against the College in October 2017. These are public documents. The financial compensation assessed by the HRT for the litigants in both lawsuits has now been paid. Additional financial compensation for a new claim of damages has not been admitted or paid by the College in either of these new lawsuits.

General comment by College that it recognizes it could improve its communications and it will try to not send too may emails which might discourage Registrants from keeping up with emails. Council is looking into town hall-type meetings to keep members up to date.

Question regarding proposed bylaw changes particularly those that increase the Registrar’s authority and duties and make Registrants a minority on Council, and asks who does Registrar’s performance review.
Answer: Council sets policy, and executive sets policy. There have been discussions with the Ministry and those discussions go back to Council.

Several questions regarding reduction and elimination of committees without consultation with committee members as it appears to lack respect to those subject matter experts. Further question regarding governance bylaw changes where it may be preferable to keep both a Human Resource and a Legal Affairs committee and not defer this decision-making to the executive of the Council. The proposed bylaw changes might limit activities of Council to participate and concern was expressed that if Registrants vote ‘yes’ to the proposed bylaw changes, the result will be the elimination of the Human Resources and Legal Affairs Committees, and those issues will be decided upon by the Executive, without committee overview and input.
Answer: The executive oversees is what was happening and then goes to Council. The Legal Affairs Committee could include a particular Council member.

Question regarding communications and providing Registrants an opportunity to participate.
Answer: There have been IT challenges.

Question regarding any conflict between Veterinarians Act and actual number of Council/Public Members, as some Registrants felt that leaving the governance bylaws as they are also do not contravene the Veterinarians Act by stating that Council needs 5 veterinarians. If Registrants vote yes to the bylaw changes so the bylaws permit 3-5 veterinarians, it could allow for a reduction in the number of Registrants governing the College (even though that would not contravene the Act either). The question was around keeping a higher number of veterinarians on Council.
Answer: The College does not want fewer than 5 veterinarians, and the intent of the proposed bylaw change is not to reduce the number below 5. The Act refers back to the bylaws using the language of the Act to permit between 3 and 5 veterinarians on Council. There is no conflict between the two documents.

**Question regarding capital gains from the sale of the property.**
Answer: The College is exempt from capital gains.

**Question regarding former member of Council went unanswered and deemed improper for a General Meeting.**

Meeting adjourned 9:35 pm.