



European College of Veterinary Surgeons

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ECVS STANDARD OPERATING PROCEDURE:

Complaints Procedure

Procedure for Complaints and Grievance against an ECVS Diplomate, Resident or Candidate for the ECVS Certifying Examination

A complaint against an ECVS Diplomate or ECVS Resident, as well as board eligible or post residency surgeon may be made by another Specialist College, by a Diplomate of the ECVS or another Specialist College, a Resident of the ECVS or another Specialist College, an examination candidate of the ECVS or another Specialist College, a non-Specialist veterinarian or a member of the public.

These following ECVS procedures have been modified from the EBVS best practice guidance (if further guidance is required officers should refer to the current [EBVS Policies & Procedures](#), specifically: Policies of the EBVS, D.3. Misconduct by a Diplomate/Resident of a College; Procedures of the EBVS: D.3. Procedures for considering misconduct by a Diplomate or Resident of a College).

Definitions:

- ECVS - European College of Veterinary Surgeons
- EBVS – European Board of Veterinary Specialisation
- Complainant – the individual submitting the complaint for investigation
- Respondent – the person being accused
- Complaint – a report related to dissatisfaction on an issue that is referred to the ECVS
- Grievance – a formalised complaint that is taken forward by ECVS for investigation

A complaint about the behaviour or actions of a person associated with the College may be initiated on the following grounds

1. Clinical misconduct (including but not limited to: clinical errors, animal abuse, illegal clinical procedures, unethical clinical activity, unethical clinical or discovery science research, using clinical records without consent, false certification of animals or procedures)
2. Employment matters (including but not limited to: physical, sexual or psychological harassment, discrimination, unfair dismissal, unpaid work, working conditions, failing to meet obligations as a supervisor)
3. Professional matters (Including but not limited to: unprofessional behaviour, interfering, altering or falsifying clinical records after the fact, false certification, plagiarism, dishonest clinical research, spreading false information about

another colleague, providing professional advice when there is a conflict of interest, addiction to alcohol or illegal drugs, practising when unfit to do so)

4. Academic misconduct (plagiarism, false authorship, examination misconduct, false certification)
5. Breaching of the EBVS Code of Conduct (available on '[my EBVS](#)') or the [ECVS Code of Conduct](#) (available on www.ecvs.org)

The ECVS is not a regulatory organisation and has no jurisdiction over licensing to practice as a veterinarian. Complaints about professional integrity, malpractice or fitness to practice should in the first instance be addressed to the professional regulatory body in the country in which the Respondent is practising. The ECVS should also be informed by third parties of a submitted complaint or pending investigation, that might impact on decisions such as resident supervision, training programmes or recertification (of the training programme or the individual).

The ECVS has no jurisdiction over complaints originating from employment conditions, contract disputes or dismissal disputes as these are employment matters that should be addressed according to the employment legislation in the country in which the dispute arises. However, if a complaint is related to employment matters that directly impacts on College functions, reputation or risks of the College, the ECVS may instigate an investigation over a breach of the ECVS Code of Conduct.

Anonymously/confidentially submitted complaints will normally not be investigated by the ECVS.

Procedure

A complaint should be submitted with all available supportive information, including contact details of the Complainant to the ECVS Executive Board (comprising of the Chair of the Board, President, Executive Secretary, Treasurer, and Operations Manager) via email (executive@ecvs.org). The following procedure will be followed:

The ECVS Executive Board shall decide whether or not the complaint pertains to the ECVS, by referring to the nature of the complaint and the ECVS Code of Conduct. If the complaint involves an issue that the ECVS is unable to investigate or address, recommendations will be made to the Complainant regarding suitable alternative contact options (veterinary regulator, police, escalation of employment issue with human resources departments etc). If the complaint is to be investigated by the ECVS, the following process will be initiated, and the complaint will be escalated to a Grievance.

Procedure to investigate a Grievance

- The ECVS Executive Board will appoint up to 3 investigating officers who have no prior knowledge of the allegations, institutions and individuals involved. The investigating officers can be ECVS Diplomates and/or a Diplomates from another EBVS College. If possible, at least one investigating officer should be from the same country as the Complainant and/or the country in which the situation for the complaint has occurred.
- The investigating officer/s will collect the information related to the complaint from the Complainant and/or seek further supporting evidence as required. The Complainant may be asked to attend an informal interview or to present further witnesses who can provide information.
- If the evidence supports further investigation by the ECVS, the Complainant will be informed accordingly and the Respondent will be contacted.
- The Complainant will be informed about the timing and dates of the release of the supporting information to the Respondent.
- The Respondent will be informed that there is a Grievance investigation and will be sent copies of the supporting information more than 5 days in advance of a meeting to discuss the accusations. The Respondent may bring a supporter to the meeting (online or in person) but may not bring a family member or legal representative. The approved supporter of the Respondent may ask for clarification of questions but may not answer on behalf of the Respondent.
- The interview will be conducted in English and will be recorded (online) or written minutes (in person).
- The investigating officer/s will present a summary of the Grievance to the Executive Board and make a recommendation of whether the Grievance should be upheld or not and if there is need for further discussion.
- The Board of Regents will then be informed that there has been a Grievance process taking place. The name of the Respondent shall be withheld if a Grievance is not upheld.
- If the Grievance is found to be upheld, a summary shall be presented to the Board of Regents at their next meeting to determine sanctions. Any Board member with a conflict of interest must recuse themselves from all discussion and voting processes as well as remove themselves from the room. Minutes of the meeting will be anonymised.

Sanctions available to the ECVS Board for upheld Complaints

- A written warning from the ECVS President, Chair and Executive Secretary
- Suspension from supervising ECVS Residents

- Requirement to undertake further professional development (in clinical or non-clinical matters) and proof of change of practice prior to the next Diplomate recertification period
- Suspension from the ECVS membership for a defined period of time
- Permanent removal of ECVS membership with no possibility to reapply
- Suspension from training in an ECVS training programme with no possibility to apply to take the exam in the future (Residents)
- Temporary or permanent suspension from running an ECVS training programme (ECVS Diplomates)

In the event of suspension from ECVS membership the procedure detailed in the ECVS constitution ([Article V](#), section 5) will be followed.

The final decision shall be communicated to the EBVS and the Diplomate's professional regulatory body in the country in which they are currently working and in the country in which they have obtained their veterinary degree.

The outcomes will be confidential, except when an individual is expelled from the College and can no longer obtain or maintain EBVS Specialist status.

- a. The EBVS will be informed of the Respondent's removal from the College and may communicate this to relevant national regulators who maintain national lists of veterinary specialists.
- b. No public statement will be made and no comments about the reasons for removal will be discussed with a third party.
- c. If the expelled individual continues claiming to be an EBVS specialist, a public statement to this effect may be given.

Appeals

Appeals against the validity of the decision or the validity of the process should be made to the EBVS. Details of this process can be found in the [EBVS Policies and Procedures](#) document available at (E.2 Policies for Appeals at EBVS level)

Confidentiality and Record keeping

- Where an allegation is dismissed by the ECVS Executive Board without an investigation being initiated, the Respondent will normally not be informed of the allegation.
- On conclusion of the investigation the investigating officer/s and disciplinary panel members must forward all records and communications relating to the investigation to the College President and remove all records from devices, email accounts or cloud storage.
- If an allegation is dismissed, either before or after an investigation, all records of the allegation will be removed from the College records and emails.

- In the event of warnings or sanctions being issued, the College will retain permanent records of the outcomes of the allegation. A summary of these findings will be kept for a predetermined period.
- The ECVS may only retain summary details (name, offence, outcome) after this time and ONLY if the allegations were proven.
- The ECVS must share details with the EBVS secretary of any proven allegations, who may, in turn, share details with ABVS or other EBVS Colleges should the individual register elsewhere. The College and EBVS should retain summary details in perpetuity.
- The College should determine whether the national professional regulatory authority should be informed of the allegations. However, the conclusions of the college are not superseded by national professional regulatory authorities who may have different thresholds for professional misconduct and academic misconduct.
- The personal data of involved individuals will be processed and maintained by the College in compliance with data protection laws in the country of the College's registration.

Summary

- Acknowledgement of receipt of a complaint will be sent together with a copy of this procedural policy within 1 month.
- Once all supportive information has been received, the first response from the Executive Board to the Complainant will be to confirm if the complaint will be escalated to a Grievance or not.
- If there is a Grievance investigation, an investigating committee will be appointed. This committee will organise collection of further information, submission of the information held to the Respondent and interviewing the Respondent.
- The conclusion of an investigation will be announced to both parties within 6 months of the interview with the Respondent or sooner if further information is required.
- Once a conclusion is made, the Board of Regents will be notified, and any decisions on sanctions will be made at the next scheduled ECVS Board meeting (Note: these are usually held in September, February and July)
- Flexibility with regards to this timing may be requested for personal or practical reasons, but must be approved by all parties involved