

# TR541 Policy for APHA authorisation of Approved Tuberculin Testers (ATTs) in England and Wales

August 2025

## Change notice

The following changes have been made:

- This document has been extensively updated, please read the new version.

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# Definitions

1. For the purposes of this document, the following definitions shall apply:
  - a. **Agency** means the Animal and Plant Health Agency (APHA), the competent authority for the purposes of this authorisation and relevant legislation
  - b. **Approved Tuberculin Tester (ATT)** means a non-veterinarian appointed by the Agency but who does not work as an employee of the Agency, who holds the Official Controls Qualification (OCQ) (OCQ(AHP) - ATT) certificate permitting them to perform tuberculosis (TB) skin testing of cattle in England and Wales
  - c. **Approved Veterinary Supervisor (AVS)** means a Veterinary Surgeon appointed by the Agency who holds the OCQ(V) - TT certificate, who has audited evidence of no breaches in their TB skin testing work in the two years prior to their appointment and who is confirmed as primary supervisor for an ATT
  - d. **Authorisation** means permission granted by the Agency to an ATT who has successfully completed both the theory component of the training provided by the approved training provider and the practical assessment which enables the ATT to carry out that function without the required presence of an AVS
  - e. **Cattle** means domestic cattle of the genus Bos, as well as captive bovines of the genera Bubalus (buffalo) and Bison
  - f. **Certification** means the act of being awarded a certificate of competence after completing the OCQ(AHP) - ATT approved course of study and passing the final assessment offered by an approved training provider
  - g. **Conditional Authorisation** means the limited permission granted by the Agency to an ATT who has successfully completed the theory component of the training provided by the approved training provider to carry out TB skin testing of cattle in England and Wales in the presence of an AVS. Such limited approval is granted for a six month period and may not be converted to full authorisation until successful completion of a practical assessment
  - h. **Day** means a day in the calendar, including Saturday, Sunday, bank and public holidays
  - i. **Deputy Approved Veterinary Supervisor (AVSd)** means a Veterinary Surgeon appointed by the Agency who is confirmed as the secondary supervisor for an ATT, supervising them when the AVS is unavailable

- j. **Direct personal supervision** means that the AVS is present and giving the ATT their undivided personal attention
- k. **General direction** means that the AVS instructs the ATT as to the TB testing tasks to be performed but is not necessarily present
- l. **Holding** means a place where animals are kept, held or handled
- m. **OCQ(V) TT** means the qualification that an Official Veterinarian (OV) must hold to perform TB skin testing of cattle and other species
- n. **Official controls** means any form of controls that the competent authority performs for the verification of compliance with feed and food law, animal health and animal welfare rules
- o. **Official Veterinarian (OV)** means a Veterinary Surgeon appointed by the Agency to perform specific tasks on behalf of the Agency
- p. **Revalidation** means the renewal of an OCQ(AHP) - ATT qualification prior to its date of expiry to enable continuation of both the qualification and authorisation. Revalidation of the OCQ(AHP) - ATT is required at two year intervals
- q. **Senior Veterinary Manager** is a Veterinary Surgeon directly employed by the Agency at either Grade 7 or Grade 6
- r. **Training Provider** means the supplier contracted by the Agency for the provision of OV training and assurance
- s. **Tuberculosis (TB)** means infection with *Mycobacterium bovis* (*M. bovis*)
- t. **TB testing** means the performance of the single intradermal comparative cervical tuberculin (SICCT) test for tuberculosis using bovine and avian tuberculin
- u. **Veterinary Delivery Partners (VDPs)** means the suppliers contracted by the Agency to deliver veterinary work on its behalf. VDPs can deliver the work through sub-contracted veterinary practices
- v. **Veterinary Director** is the Head of the Veterinary Profession in the Agency
- w. **Veterinary judgement** means decisions made that require the application of veterinary training, knowledge, and experience. This includes interpretation of the results of a TB skin test which must be carried out by an OV holding the OCQ(V) - TT qualification or a Veterinary Surgeon employed by the Agency
- x. **Working day** means a day that is not a Saturday, Sunday, bank, or a public holiday

# Introduction

2. This Policy for Authorisation of Approved Tuberculin Testers (ATTs) replaces and amends the previous version dated September 2022. It sets out the relationship between the Animal and Plant Health Agency (hereafter referred to as “the Agency”) and authorised ATTs qualified in the Official Control Qualification (Animal Health Paraprofessional) - Approved Tuberculin Tester (OCQ(AHP) - ATT) and who are not employees of Government. The Agency acts on behalf of the relevant Ministers in England and Wales to authorise OCQ(AHP) - ATT trained individuals to carry out tuberculosis (TB) skin testing of cattle on behalf of those Ministers.
3. In order to facilitate the effective implementation of official controls and provide support to Official Veterinarians (OV) carrying out TB skin testing of cattle in accordance with the **Veterinary Surgery (Testing for Tuberculosis in Bovines) Order 2005 and the Tuberculosis in Animals (England) Order 2021** (see Annex I for legislative references) / **The Tuberculosis (Wales) Order 2010 (as amended)**, Agency authorised ATTs may be engaged by and can only act under the direction of an Approved Veterinary Supervisor (AVS).
4. The ATT shall be directed and supervised by those officers identified in paragraph 2 in accordance with the standards for authorisation of those who carry out official controls or official tasks.
5. An ATT shall carry out Government-funded statutory TB skin testing and private TB testing of **cattle only** and only in England and Wales as directed by their AVS. No TB testing of any kind shall be carried out by an ATT on premises in Scotland nor on holdings whose premises cross any border with Scotland. TB skin testing required for export purposes is excluded and shall not be carried out by an ATT, including the testing of animals for export of their ova or semen for example.
6. Future legislative changes, government policy or other factors may necessitate a revision of the conditions of this document. In the event of a revision, ATTs will be informed and should an ATT not wish to continue on the revised terms, the authorisation can be terminated by mutual consent.

# Authorisation

7. The Official Controls Qualification (OCQ) for ATTs is an accredited qualification achieved following the successful completion of training and assessment by a government approved provider (hereafter referred to as “training provider”). This training consists of theory and practical training and is not considered complete or capable of being certified until the candidate has successfully passed both elements.
8. To be eligible to enrol on the theory training, the ATT’s employer must declare that they meet all the requirements for employment as an ATT. An ATT must:

- be at least 18 years of age at initial application
  - have passed Identification and basic Disclosure and Barring Service (DBS) security checks.
  - as a minimum have three GCSEs or equivalent qualifications in Mathematics, English and in a Science Subject or Food Production, or
  - three years performance in a Government regulatory role e.g. Local Authority (LA) Inspector or Environmental Health Officer (EHO)
  - have a minimum of six months previous livestock handling experience
9. The Agency will conditionally authorise as an ATT any person who:
- holds a valid OCQ(AHP) - ATT certificate, demonstrating their competence to undertake the relevant activities
  - is regarded by the Agency as suitable for carrying out tasks on behalf of Ministers, taking into account any previous performance as an official
  - is carrying out the testing as part of a veterinary business under the supervision of an AVS and one or two deputy AVSs (AVSd)
10. Conditional Authorisation is granted following successful completion of the OCQ(AHP) - ATT theory training and pending a practical assessment. The training cannot be considered complete until the ATT has nominated their AVS, the AVS has accepted the role and responsibilities (including confirmation of one or two deputy AVSs) and the ATT has applied to register onto the Agency's Sam IT system. The issuance of conditional authorisation by the Agency can take up to ten working days from the date that the last of these requirements is completed. conditional authorisation is granted for a six month period and cannot be converted to full authorisation until successful completion of a practical assessment.
11. An ATT with conditional authorisation is permitted to carry out TB skin testing only under the direct supervision of an AVS, or in their absence, an AVSd. When an ATT is granted conditional authorisation, access to the Agency IT system for recording of TB skin test results will be granted and retained through the length of their authorisation.
12. Once OCQ training has been successfully completed and the ATT provided with their certification from the training provider, the Agency will complete the authorisation process and send the successful individual the following:
- an ATT conditional authorisation letter
  - a unique identifier number
13. On conditional authorisation, an ATT will also be appointed as an inspector on behalf of the Secretary of State and Welsh Ministers under the Animal Health Act 1981 and can exercise powers pursuant to Article 8 of The Tuberculosis in Animals (England) Order 2021 / Article 12 of The Tuberculosis (Wales) Order 2010 (as amended). This provides the legal powers to enter premises and to test cattle. The appointment will continue until such point as an ATT ceases to carry out TB testing

on behalf of the Agency. At that point, an ATT will be removed from the Appointment Annex.

14. An individual cannot and must not act as an ATT, including performing TB skin testing, until they have received confirmation of their conditional authorisation and inspector appointment.
15. Authorisation will be issued on completing a practical assessment with satisfactory results within six months of the award of conditional authorisation. To qualify for the practical assessment, TB testing of a minimum of five hundred cattle in a minimum of ten different cattle holdings is required, including both dairy and beef type cattle. 80 reactions to the TB test must be observed, at least 20 of which must be circumscribed and 20 oedematous. These can be observed on cattle in the tests that the ATT has carried out, on cattle that have been TB tested by another authorised TB tester, or a combination of both, as long as the ATT has seen and recorded them. The practical assessment is conducted by the approved training provider once these minimum criteria are met and confirmed by the AVS.
16. The training provider will send the ATT reminders of the date that the conditional authorisation is due to expire.
17. If an ATT is unable to meet the eligibility criteria for the practical assessment prior to the expiry of the conditional authorisation, an extension can be requested from the Agency.
18. Authorisation shall be completed within five working days of notification to the Agency of successful completion of the practical assessment as notified by the training provider. A certificate will be issued, accessible via the ATT's training record.
19. Once authorised, an ATT must work under the general direction and supervision of an AVS but may perform the TB skin test in the absence of an AVS. If a veterinary judgement is required, an AVS may be required to attend the test. Interpretation of the test by an OV does not require the physical presence of the AVS or their deputy.
20. Authorised ATTs shall be included in the Agency-held definitive list of ATTs. However, at no time shall an ATT be considered an Agency member of staff or an employee of government.
21. The authorisation remains valid if the ATT moves between practices until such authorisation expires or is suspended or revoked for some other reason. It is the responsibility of the ATT to update their personal details on their training record held by the training provider when moving between practices.
22. Details of the AVS and AVSd must be kept up to date at all times. Failure to have an AVS and at least one AVSd in place will result in suspension of the authorisation or conditional authorisation.

23. All official communication will be via the email address that is registered by the ATT on the training provider and the Agency's databases. It is a condition of the authorisation that this email address is kept up-to-date and APHA and training provider communications are monitored by the ATT.
24. Once authorised, the ATT will be required to revalidate the training at the appropriate revalidation cycle to retain their authorisation.

## Revalidation

25. ATT authorisation shall last for a period of two years from the initial date of completion of the OCQ training and the authorisation will only continue beyond that point if the OCQ(AHP) - ATT qualification is successfully revalidated. Thereafter, the authorisation shall last for a period of four years with the same requirement for revalidation.
26. On revalidation ATTs will also be asked to confirm that they have had a successful VDP, training provider or Agency audit in the revalidation interval. This confirmation is part of the declaration the ATT completes to finalise their revalidation. ATTs are not required to provide evidence of an audit to the training provider but should retain this information for the Agency who may request it at any time.
27. If the ATT's revalidation is not completed before the revalidation deadline date, the authorisation will be suspended. The ATT has the option to revalidate the qualification at any time during the six-month period immediately following the deadline to have the authorisation reinstated.
28. The training provider will notify the ATT of the completion deadline for the revalidation and will send reminders prior to the deadline date.
29. The ATT may have their authorisation revalidated in the following circumstances without a break in their authorisation:
  - prior to the deadline of any authorisation period, the ATT may retrain and obtain a certificate confirming that retraining from the training provider. If this revalidation is completed within the six months prior to the deadline date, the start date of the next period of the authorisation shall be the original deadline date
  - if revalidation takes place prior to that six month period, the start date of the new period of authorisation shall be from the date of the certificate of completion provided by the training provider
  - if revalidation takes place during the six month period of suspension, the start date of the new period of authorisation shall be from the date of the certificate of completion provided by the training provider
30. Agency records shall be updated accordingly.
31. If the revalidation is not completed within the six month period of suspension, the authorisation will be expired and the ATT will need to complete the full OCQ(AHP) -



ATT training, including the practical assessment or apply to the Agency for permission to revalidate outside of the deadline. The Agency retains the right to grant or refuse permission based on the reasons provided for the request.

32. It is a requirement to hold the ATT qualification to operate as an ATT, therefore the ATT's authorisation will expire with the expiration of the OCQ(AHP) - ATT and individuals will be unable to carry out ATT work unless requalification is completed and authorisation is reinstated.
33. If an ATT is unsuccessful in obtaining revalidation, there will be an opportunity to retake the revalidation qualification again on two occasions. Following three unsuccessful attempts it will be necessary to take the full qualification again to seek reauthorisation as an ATT.

## Performance of tasks

34. ATTs may not carry out any functions that require the exercise of veterinary judgement and are restricted to performing and recording the TB skin test. They may only carry out testing as directed or supervised by the AVS or the AVSd.
35. When an ATT has already completed day 1 (injection day) of a TB test and neither the AVS nor AVSd are available on day 2 (reading day) due to unforeseen circumstances, a delegated OV with the OCQ(V) - TT who is not an AVS can provide the supervision for the particular TB test to enable it to be completed. APHA must be notified if neither the AVS or AVSd are available, and the TB test is to be completed under the supervision of a delegated OV. The ATT must not commence day 1 of a TB test if neither the AVS nor AVSd are available.
36. The Agency will not supply any materials to the ATT necessary for the performance of the ATT role. The Agency will only supply tuberculin to OVs who are authorised for the relevant task. OVs will then supply ATTs as required.
37. In accordance with requirements published in the ATT instructions and in the ATT training, ATTs must maintain a high standard of hygiene and biosecurity when visiting premises in the exercise of their function, such as the wearing of suitable protective clothing and the correct use of approved disinfectant as appropriate to the situation and as directed by their AVS.
38. The Agency will monitor ATT performance as it sees fit through a range of checks and inspection activities including, but not limited to:
  - analysis of data and copies of TB test certificates
  - investigation of complaints, in particular from recipients of tasks undertaken by an authorised official
  - reports from the AVS or deputy, who are required to monitor the delivery of the ATT function

- audit inspections carried out at a TB test by an audit provider authorised by the Authority or by an Officer employed by the Authority. ATTs may or may not be informed in advance that an audit will take place.
39. The Agency will monitor the test results of all ATTs carrying out TB skin testing for example in terms of the numbers of reactors, inconclusive reactors and reactions recorded. This will be assessed against the results of other TB testers carrying out similar tests. Further investigation, including targeted on-farm audit of testing may be triggered as a result of this monitoring.

## Assessment and quality assurance

40. An enhanced field audit programme of TB skin testing carried out by ATTs is in place. As with other audit schemes, these checks provide assurance that regulatory standards are being followed when delivering TB testing in GB. Field audits are carried out by APHA, the VDPs and also by the training provider.
41. ATTs holding the OCQ(AHP) - ATT are responsible for compliance with the requirements of TB testing and for facilitating the required on farm auditing of TB testing. This includes providing details of booked tests to enable audits to be arranged.
42. Failure to comply with TB audit requirements will result in written notification from the Agency of a four month deadline by which the audit must be completed. Failure of an ATT to facilitate the audit within the deadline will result in suspension of the OCQ(AHP) - ATT authorisation, other than in exceptional circumstances. During suspension, no ATT work can be carried out. An audit will be required before the authorisation can be fully re-instated, for which temporary re-instatement of the authorisation will be permitted.
43. Targeted TB test audit visits are also carried out, to assess the testing performance of ATTs, using a risk-based approach. This will continue to inform the routine audit programme which is designed to assess all ATTs over a designated period.
44. When non-compliances with instructions are disclosed at these audits, corrective action will be taken in respect of the individual ATT involved. Further details are available in the Tuberculin Skin Test Audit - Minimum Requirements (TR586). This document and more information on ATT audit can be found in the ATT instructions.
45. The Agency carries out ad hoc analysis of ATTs' work such as looking at ATT performance. This may be due to referrals or intelligence that standards are not being met, such as TB paperwork or performance issues. This includes failure to notify APHA of arranged dates/times of tests within given timescales.
46. The appropriate Senior Veterinary Managers in England or Wales review this information and may apply local knowledge if appropriate to decide whether an individual ATT or practice needs to be approached for further action.

## Acting in an official capacity

47. ATTs should be aware that they are acting in an official capacity when carrying out their official tasks and should be appropriately trained in the area of such official controls as are relevant to their authorised tasks. They must be capable of responding to queries related to the performance of their function while operating in the field.
48. To enable and maintain the effective performance of their role, all ATTs have access to an online portal through which instructions and the ATT training qualification material are available. These reflect the requirements of relevant legislation and government policy. Additions and amendments shall be issued periodically, and it is essential that all ATTs refer to the current instructions.
49. It is an individual ATT's responsibility to be up to date with all aspects of the work relevant to the authorisation. ATTs are expected to monitor the email address they have registered with the training provider who administers training on behalf of APHA. This is to ensure they maintain awareness of updates and changes to aspects of the work and receive notifications relating to their training and authorisation status. ATTs must therefore ensure that their contact details registered with the training provider are kept up to date.
50. ATTs maintain responsibility for the security of all information obtained during the execution of their duties whether documentary, oral or pictorial, digital or printed. All such data is considered personal and commercially sensitive data and may not be disclosed unless authorised under applicable sections of the General Data Protection Regulations 2018 (GDPR). The unlawful disclosure of protected data shall be grounds for suspension or revocation of authorisation.
51. ATTs must abide by the standards set out in the ATT training qualification and act without conflict of interest. They must follow the guidance on certification as this underpins official activities and reflects EU legislative requirements.
52. ATTs must ensure that all their official activities are covered by professional indemnity insurance or equivalent arrangements.

## Suspension and revocation of authorisation

53. The Authority may suspend or revoke the authorisation of any ATT who:
  - is convicted of an offence that in the opinion of the Agency would render them unfit to carry out their duties
  - has been authorised for two years or more but who has not, during every two year period following first authorisation administered the minimum specified number of TB tests to cattle
  - breaches any condition of the authorisation

- is, in the opinion of the Authority for any other reason no longer a fit and proper person to administer a tuberculin test to cattle or
  - there is reasonable suspicion that the ATT has acted in a way that makes precautionary suspension desirable
54. Specifically, the authorisation of an ATT may be suspended if the:
- AVS or AVSd relinquishes their position as supervisor for an ATT. The ATT must nominate a new AVS/AVSd and ensure that their training record has an accurate record of their current AVS and deputy. If a new AVS cannot be appointed, the ATT must notify the Agency, and authorisation will be suspended pending the appointment of a new AVS.
  - ATT does not comply with the requirements for audit
55. If an ATT fails to complete revalidation of the qualification by the deadline, the authorisation shall be suspended for a period of six months. If the revalidation is not completed within the six month period, the authorisation shall be revoked.
56. The ATT may request their authorisation be revoked or suspended, giving one week's notice in writing to the Agency.
57. The Veterinary Director, the Veterinary Head of OV Regulatory Affairs or a senior person (not below Grade 6) so appointed by the Veterinary Director, upon receipt of a written report, can immediately suspend or revoke the ATT's authorisation pending investigation in the circumstances described in paragraph 52.
58. In exceptional cases, rather than suspend the authorisation for the reasons given in paragraph 52 above, the Agency may decide to allow the ATT to continue with their authorisation but stipulate they must only carry out the role under the direct personal supervision of a named supervisor whilst the investigation is in progress.
59. When an ATT's authorisation is suspended or conditions are applied as in paragraph 57 above, a Senior Veterinary Manager will be appointed to carry out and complete an investigation without unreasonable delay.
60. In the event of precautionary suspension, a letter of suspension will be sent to the ATT concerned and their AVS will be sent a copy. The letter will either be sent by email or by recorded delivery. The letter will set out the grounds for the suspension and a date of commencement of the suspension.
61. The letter will also remind the ATT to stop all activities related to being an ATT for the relevant tasks. Copies of all documents will be sent to the APHA OV Team and the Regulatory Affairs, Compliance and Enforcement (RACE) Team.
62. Where the Agency has cause for concern over the conduct of an ATT but does not believe that there are grounds for suspension during the investigation, the ATT may continue to carry out official tasks during the investigation.

63. The authorisation of an ATT may also be suspended or revoked subject to the final decision of a review panel or appeal outcome of any investigation where the panel considers that:
- the ATT may not be competent or may not perform their tasks to the required standards
  - the ATT has infringed or failed to comply with the conditions of authorisation
  - the ATT is guilty of conduct which makes suspension of the authorisation desirable in the Agency's interest or in the public interest
64. Suspension of authorisation following a review panel decision will usually be for a set period of time and reinstatement may be subject to other conditions being met.
65. It is the responsibility of the ATT to inform their employer and where applicable, the VDP, if they are unable to carry out their duties due to suspension of their authorisation. APHA will not inform the employer or VDP of the suspension although the AVS will be notified if a formal investigation is carried out.
66. The Agency may, before reinstating an authorisation suspended or revoked under paragraph 52, require a person whose authorisation has been suspended or revoked to satisfy additional conditions.
67. An individual whose authorisation is suspended shall not hold themselves out as being an ATT nor can they perform any TB tests or operate in a way which might infer they are able to do so.

## Investigation

68. Investigations pursuant to any allegation or circumstance outlined in paragraph 38 shall be conducted in accordance with the following:
- a sole investigator, who is a permanent employee of the Agency of Grade 6 or Grade 7 and a Member of the Royal College of Veterinary Surgeons (MRCVS), will be appointed by the Veterinary Head of OV Regulatory Affairs or delegated Senior Veterinary Manager to carry out and complete an investigation without unreasonable delay
  - the Agency shall notify the ATT in writing of the terms of the allegation. Such notification shall be sent to the ATT's registered email address or practice address. A written account in writing may be requested from the ATT
  - an investigation would normally include a meeting with the ATT to enable them to present further evidence and explanation. However, in some cases the investigator may decide that this is not necessary. For example, in cases where the investigation concludes without doubt that the allegations cannot be upheld.
  - the ATT shall be given a minimum of 5 working days' notice of the interview, which will usually be undertaken remotely using APHA security compliant options or may be undertaken face to face
  - interviews will be recorded, and the recording will be retained for two years from either the date that the investigation outcome letter is sent to the ATT or the outcome of an appeal letter is sent to the ATT

- recordings will be made available to the ATT on request. Transcripts of the recordings will be retained for ten years from the same start points
  - if the ATT wishes, they may be accompanied by one person at any interview at their own expense. The ATT must notify the investigator of the attendance and details of their companion no later than 72 hours before the appointed date of the interview
  - the ATT may consult with their companion during the meeting. The companion does not have the right to answer questions on the ATT's behalf, address the meeting if the ATT does not wish it, or prevent the investigator from explaining the case.
  - the Agency will treat all reports and other documents as confidential, except that they may be shared with any other statutory body with a legitimate interest where such disclosure is authorised under the relevant GDPR or other legislation or if criminal intent is evident
  - if the allegation raises concerns over the validity of the OCQ(AHP) - ATT qualification then the training provider will be notified so that they can consider the status of the qualification.
69. Where an ATT carries out TB testing as part of the VDP, they may conduct their own investigation, either independently or as requested by APHA. The APHA investigator will use any report from such an investigation as part of the evidence and conduct any further investigations they deem necessary before providing a final report to the review panel.
70. In cases where there is evidence of non-compliance with instructions or with the standards in this policy or of alleged misconduct, a senior Agency Veterinary Surgeon (not below Grade 6), can suspend the ATT's authorisation before the investigation is complete, or require the ATT to be under the direct supervision of a named supervisor until the review panel has come to its decision. In such cases the investigation and review will be conducted without unreasonable delay on the part of the Agency.
71. If, at any point, the investigator uncovers further issues that fall outside of the allegations stated in the letter of notification or any updates thereof, consideration will be given as to whether additional allegations must be added. If so, the ATT and AVS will be notified of the new allegations in writing as soon as possible.
72. The investigator may interview such parties as they consider fit and shall make every attempt to interview any persons suggested by the ATT and considered to be relevant to the allegation made. Should the investigator fail to interview parties suggested by the ATT they shall account for such failure in any report produced.
73. The Agency shall notify the AVS in writing of the terms of the allegation and if appropriate, the investigator shall request a relevant account in writing or in person as the case may be.
74. The ATT shall co-operate with any reasonable request to assist the investigation, including the production of documents or attendance at an interview. Failure to

comply with all such reasonable requests shall be included in the final report and may be considered as grounds for suspension or revocation of authorisation.

75. The ATT will be given a draft of the investigator's report which shall be submitted in writing to their registered email address or practice address with an invitation to review the document and to correct any factual errors or to make any relevant comments. The ATT will have 14 days to do this and will be expected to respond by email to the person appointed to receive such communication. The Agency may grant extra time to the ATT to review the report if there is reasonable justification, provided that request is received in writing before the expiry of the 14 day period.
76. The investigator may decide that there is insufficient evidence to substantiate the alleged allegations or misconduct and recommend to the Veterinary Head of OV Regulatory Affairs or other Senior Veterinary Manager that the case is closed. If the Veterinary Head of OV Regulatory Affairs/Senior Veterinary Manager agrees, either they or the investigator will write to the ATT informing them of this.
77. The final report shall be forwarded to the review panel, other than where the case is closed as in paragraph 75 above.

## Decisions of the review panel

78. A review panel will be appointed by the Veterinary Head of OV Regulatory Affairs or delegated Senior Veterinary Manager comprising two members, at least one of whom shall be an Agency MRCVS of Grade 6 and the other an official permanently employed by the Agency at a suitable level of seniority (Grade SEO or above). The investigator will not be a member of the review panel.
79. A member of the review panel will invite the ATT to a review panel meeting, which will usually be carried out remotely but may be carried out face to face. The ATT will be given at least five working days' notice of the date of the meeting. The ATT will be invited to make representations and given the opportunity to present any relevant mitigating factors. No expenses will be payable to the ATT for attendance at this meeting.
80. The ATT may be accompanied by one person of their choice at the review panel meeting, but the cost of their companion attending the meeting will be at their expense. The ATT must notify the member of the review panel who invited them to the meeting, that they will be accompanied, providing details of the companion, no later than 72 hours before the appointed date of the interview.
81. The review panel shall consider the investigator's report as well as any representations made by the ATT when making their deliberations.
82. The review panel may decide on any one or more of the following outcomes in proportion to their findings:
  - the panel finds in favour of the ATT and no further action is required

- reinstatement of authorisation, if suspended
  - written advice given to the ATT
  - requirement for an improvement/action plan to be provided by the ATT
  - Improvement plan to be provided by the AVS
  - retraining at the ATT's expense
  - suspension (or continued suspension) of authorisation with respect to OCQ authorisation
  - revocation of authorisation or refusal to grant OCQ(AHP) - ATT authorisation for a maximum period of five years before the ATT can re-apply for authorisation. An ATT may apply for reinstatement during the period of revocation at intervals of no less than 12 months
  - referral to a relevant professional regulatory body (e.g. to the RCVS if the ATT is also a veterinary nurse), where there are grounds for concerns as to professional conduct
  - additional conditions such as working under the direct supervision of the AVS for a specified period of time
  - invalidation of a TB test where the review panel is sufficiently concerned that the ATT has not acted appropriately in performing the specific task
  - referral to, Defra, a Local Authority or to the police for investigation if there is evidence that an offence may have been committed
  - any other action that the Agency considers necessary
83. In making their decision the review panel will consider performance and conduct as well as the facts of the specific case. Any records from the previous ten years will be reviewed, including the outcomes of RCVS investigations (if the ATT is also a veterinary nurse). Professional misconduct, intentional or repeated non-compliance with ATT procedures would justify a long period of suspension or revocation of authorisation.
84. If the review panel finds that it is necessary to suspend the authorisation of an ATT and there has been a similar incident within the previous five years then the ATT's authorisation will normally be removed for five years from the date of the decision.
85. The review panel will normally make a decision and report the findings and decision to the ATT in a letter sent to their personal email address or by recorded delivery to their practice address within five working days of the review panel meeting. The letter will be copied to the AVS.
86. Copies of all the review panel documents will be sent to the APHA OV Team, Veterinary Head of OV regulatory Affairs Veterinary Director, and RACE Team.
87. A copy of the letter detailing the decision will also be sent to the investigator of the case, the regional senior veterinary lead (G6 or above) in the region in which the ATT is registered as working. This will only be sent once the period of appeal as detailed in paragraphs 93 to 97 has passed and no appeal has been raised. If an appeal is raised, they will not be notified until the appeal has been decided.
88. An APHA Governance Board will review all cases at least annually.



89. Where the ATT who is also a veterinary nurse has been referred to the RCVS as a cause for concern, copies of the documents produced throughout the investigation along with any other relevant material will be shared with the RCVS.
90. If authorisation is suspended or revoked and the allegation raises concerns over the validity of the OCQ(AHP) - ATT qualification then the training provider will be notified so that they can consider the status of the qualification that the ATT has obtained.
91. If a TB test is deemed to be invalid at any point during the investigation and that test was instructed by APHA to a Veterinary Delivery Partner, APHA will notify the VDP that the test is invalid.
92. It is the responsibility of the ATT to inform their employer and where applicable, the VDP, if they are unable to carry out their duties either during or following the outcome of the investigation.
93. APHA will not inform the employer or VDP of the outcome of the case other than as detailed in paragraph 90. The AVS will be notified.

## Appeals

94. Appeals are permitted on the following grounds:
  - if procedural errors are suspected
  - if new information/evidence is presented that may change the outcome of the original decision
95. Appeals of the final decision of the review panel shall be conducted as follows:
  - the appeal must be in writing and addressed to the Agency's Veterinary Director and sent by either email or by letter to the following address:

APHA Corporate Correspondence@apha.gov.uk

Or

Corporate Correspondence  
APHA Weybridge  
Woodham Lane  
New Haw  
Addlestone  
Surrey  
KT15 3NB
  - it must be received within 28 days of the date of the review panel's written communication detailing their findings and the outcome
  - it must set out the grounds of appeal.

96. The Veterinary Director may within 28 days decide the appeal or on receipt of the appeal immediately appoint a Senior Veterinary Manager (not below Grade 6) who has not previously been involved in the case to decide the appeal on their behalf. The appointed person will have 28 days to decide the appeal.
97. If the ATT's authorisation has been suspended or revoked then this will continue during the 28 day period allowed for lodging an appeal and while the appeal is being considered.
98. The decision of the Veterinary Director, or the person appointed by them, is final.

## Restoration of authorisation

99. If authorisation as an ATT has been lost due to the expiry of the OCQ(AHP) - ATT which has not been revalidated on time as outlined in paragraph 28, then full retraining including the practical assessment will be required as outlined in paragraph 30. Only after successful completion of retraining shall the ATT be re-authorised. The ATT can apply to the Agency for permission to revalidate outside of the deadline. The Agency retains the right to grant or refuse permission based on the reasons provided for the request.
100. If authorisation was suspended during an investigation and the outcome of the investigation was favourable to the ATT, then authorisation will be restored to the extent that their OCQ (AHP) - ATT certificate is still valid. For the avoidance of doubt, there will be no extension of the authorisation period.
101. When an ATT has had their authorisation removed as a result of an investigation and a review panel decides that they can reapply for their authorisation at the end of the period set (maximum five years), their application for re-authorisation has to be reviewed and approved by the Veterinary Director or delegated Senior Veterinary Manager (not below grade 6) who will consider if following the period of removal they are now fit to be an ATT.
102. If the review panel decides that there is no case to answer then the OCQ(AHP) - ATT will be reinstated automatically without referral to the Veterinary Director.

# Annex I: Legislation

## The Veterinary Surgery (Testing for Tuberculosis in Bovines) Order 2005

### Articles 3 and 4

Exemption from the prohibition on the practice of veterinary surgery

3) Tuberculin testing of bovines is specified as a test for the purposes of section 19(4) (e) of the Veterinary Surgeons Act 1966 if the person carrying out the tuberculin test complies with article 4.

Conditions for exemption

4) A person carrying out tuberculin testing must be:

- a) 18 years of age or over,
- b) either:
  - a trainee tuberculosis tester acting under the direct and continuous supervision of an authorised veterinary surgeon; or
  - an approved tuberculosis tester acting under the direction of an authorised veterinary surgeon, and
- c) in the case of a test carried out in:
  - Great Britain, an officer of the Secretary of State; or
  - Northern Ireland, an officer of the Department

Where this is authorised under veterinary legislation.

## WOAH Terrestrial Animal Health Code

### Section 3. Quality of Veterinary Services

#### Chapter 3.1 Veterinary Services

##### Article 3.1.1.

The same fundamental principles should apply in countries where the responsibility for establishing or applying certain animal health or animal welfare measures, or issuing some international veterinary certificates, is exercised by an organisation other than the Veterinary Services, or by an authority or agency on behalf of the Veterinary Services. In all cases, the Veterinary Services retain ultimate responsibility for the application of these principles.

These fundamental principles are presented [in Article 3.1.2.](#) of the Terrestrial Animal Health Code.



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Data Protection:

For information on how we handle personal data visit [www.gov.uk](http://www.gov.uk) and search Animal and Plant Health Agency Personal Information Charter.

APHA is an Executive Agency of the Department for Environment, Food and Rural Affairs and also works on behalf of the Scottish Government, Welsh Government and Food Standards Agency to safeguard animal and plant health for the benefit of people, the environment and the economy.