



Policy for APHA Authorisation of Approved Tuberculin Testers (ATTs) in England

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Changes from the previous edition are highlighted in yellow. Deletions are not marked.

Definitions

1. For the purposes of this document, the following definitions shall apply:

- i) Agency means the Animal and Plant Health Agency (APHA), the competent authority for the purposes of this authorisation and relevant legislation
- ii) 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
- iii) 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
- iv) 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
- v) 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
- vi) 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 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
- vii) Day means a day in the calendar, including Saturday, Sunday, bank and public holidays.
- viii) Holding means a place where animals are kept, held or handled
- ix) OCQ(V) TT means the qualification that an Official Veterinarian (OV) must hold in order to perform TB skin testing of cattle and other species
- x) Official controls means any form of control that the competent authority or the Community performs for the verification of compliance with feed and food law, animal health and animal welfare rules.
- xi) OV means a Veterinary Surgeon appointed by the Agency to perform specific tasks on behalf of the Agency
- xii) 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
- xiii) Tuberculosis (TB) means infection with *Mycobacterium bovis* (*M. bovis*)
- xiv) TB testing means the performance of the single intradermal comparative cervical tuberculin (SICCT) test for tuberculosis using bovine and avian tuberculin
- xv) 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
- xvi) 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 13 August 2020. 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 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 (England) Order 2014**¹,

¹ See Annex I for legislative references

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 3 in accordance with the standards for authorisation of those who carry out official controls or official tasks that implement relevant EU legislation in relation to TB control. These standards are laid down in relevant European and domestic legislation particularly, Council Directive 64/432/EEC of 26 June 1964 as transposed to the domestic law in Great Britain and Regulation (EC) No 882/2004 (the “Regulation”). This Regulation is directly applicable law in Great Britain².
5. Until 2 November 2020 an ATT shall only carry out Government-funded statutory TB skin testing of cattle and only in England as directed by their AVS. From 2 November 2020 an ATT shall also be permitted to carry out private TB testing. No TB testing of any kind shall be carried out by an ATT on premises in Wales or Scotland nor on holdings whose premises cross any border with Wales or 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 completed or capable of being certified until the candidate has successfully passed both elements.
8. In order 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. Conditional Authorisation is granted following successful completion of the OCQ(AHP) ATT theory training and pending a practical assessment. The issuance of conditional authorisation by the Agency can take up to ten working days from completion of the theory course. The training cannot be considered complete until the ATT has nominated their AVS and the AVS has accepted the role and responsibilities. Conditional authorisation is granted for a six month period and may not be converted to full authorisation until successful completion of a practical assessment. An ATT with conditional authorisation is permitted to carry out TB skin testing under the direct supervision of an AVS. Once an ATT has been 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.
10. Authorisation will be issued on completing a practical assessment with satisfactory results within six months of the award of conditional authorisation. In order 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.
11. The Agency will authorise as an ATT any person who:

² The 882/2004 Regulations were superseded by Regulation (EU) 2017/625 on ‘official controls and other official activities to ensure the application of food and feed law, rules on animal health and welfare and plant health and plant protection products’ (the “OCR Regulation”), and came into force on 14 Dec 2019. Under any EU exit implementation period, this legislation will also be directly applicable in the UK, or the UK will have made legislation to provide for similar controls and requirements.

- 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 AVS (AVSd)

Such 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 ATTs training record.

12. An ATT will be allocated a unique identifier number at the time that conditional authorisation is granted.

13. On authorisation an ATT will also be appointed as an inspector on behalf of the Secretary of State under the Animal Health Act 1981 and can exercise powers pursuant to Article 8 of The Tuberculosis (England) Order 2014. This provides the legal powers to enter premises and to test bovine animals. 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. Once authorised an ATT must work under the direction and supervision of an AVS but may perform the TB skin test in the absence of an AVS. In the event that 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.

15. 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.

16. 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 by the ATT.

Revalidation

17. ATT authorisation shall last for a period of two years from the initial date of authorisation 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.

18. The ATT may have their authorisation revalidated in the following circumstances without a break in their authorisation:

- the training provider will notify the ATT of the completion deadline for the revalidation. Prior to the expiry 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 expiry 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 certification

Agency records shall be updated accordingly.

19. If revalidation is not completed by the revalidation deadline, the ATT's authorisation shall be suspended. If the revalidation is completed within six months of the original revalidation deadline date the authorisation will be reinstated and a new deadline date will be set four years from the date that the revalidation is completed. If the revalidation is not completed within the six month period of suspension 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.

Performance of Tasks

20. 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.

21. 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.

22. 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.
23. 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.
24. 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.
25. 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

26. An enhanced field audit programme of TB skin testing carried out by ATTs is also in place. As with other audit schemes these checks provide assurance that regulatory standards are being followed when delivering tuberculin testing in GB. Field audits will be carried out by APHA, the Veterinary Delivery Partners (VDPs) and also by the training provider.
27. ATTs holding the OCQ(AHP) - ATT are responsible for compliance with the requirements of TB testing and also for facilitating the required on farm auditing of TB testing. This includes providing details of booked tests to enable audits to be arranged.
28. 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) - TT 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.
29. Targeted TB test audit visits will also be 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.
30. 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 on the Government Gateway.
31. The Agency will carry out ad hoc analysis of ATT's work such as looking at ATT performance. This may be as a result of referrals or intelligence that standards are not being met such as TB paperwork or performance issues. This will include failure to notify APHA of arranged dates/times of tests within given timescales.
32. The appropriate Senior Veterinary Managers in England, Scotland or Wales will review this information and may apply local knowledge if appropriate to decide whether an individual ATT or a practice needs to be approached for further action.

Acting in an Official Capacity

33. 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.

34. In order to enable and maintain the effective performance of their role, all ATTs will have access to an on-line portal through which instructions and the ATT training qualification material will be made 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. It is the ATT's responsibility to be up-to-date with all aspects relevant to the ATT authorisation that apply to them. As such ATTs are expected to monitor the registered email address which they supplied to the training contractor and the Agency and to notify the training provider and the Agency in advance of any change to that address.
35. ATTs maintain responsibility for the security of all information obtained in the course of 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.
36. 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.
37. ATTs must ensure that all of their official activities are covered by professional indemnity insurance or equivalent arrangements.

Suspension and Revocation of Authorisation

38. 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 a tuberculin test to cattle
 - breaches any condition of the authorisation or
 - 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
39. Specifically the authorisation of an ATT may be suspended if the:
 - AVS relinquishes their position as supervisor for an ATT, the ATT must update their training record and nominate a new AVS. 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
40. If an ATT fails to complete the 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.
41. The ATT may request their authorisation be revoked or suspended, giving one week's notice in writing to the Agency.
42. The Veterinary Director, 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 38.
43. The Agency may, before reinstating an authorisation suspended or revoked under paragraph 38 require a person whose authorisation has been suspended or revoked to undergo and pass a re-qualification assessment.
44. An ATT who 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

45. 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 to carry out and complete an investigation without unreasonable delay

- the investigator shall notify the ATT in writing of the terms of the allegation and request a relevant account in writing or in person as the case may be. Such notification shall be sent to the ATT's registered email address or practice address
- if the ATT wishes to appear in person they may be accompanied to any interview or represented at their own expense. They shall notify the investigator of the attendance of their representative no later than 72 hours before the appointed date of interview
- 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 relevant GDPR or other legislation.

46. Where an ATT carries out TB testing as part of the Veterinary Delivery Partnership (VDP), a VDP 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.
47. 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 delay on the part of the Agency.
48. 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.
49. The investigator shall notify the AVS in writing of the terms of the allegation and if appropriate request a relevant account in writing or in person as the case may be.
50. 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 of authorisation.
51. 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.
52. The final report shall be forwarded to the review panel.

Decisions of the Review Panel

53. A review panel will be set up 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.
54. The review panel shall meet within 28 days of receiving the investigator's report.
55. The ATT will be given at least five days' written notice of the date of the meeting of the review panel. The ATT will be invited to make representations and given the opportunity to present any relevant mitigating factors. The ATT may do this orally at the meeting or in writing before the meeting.
56. The review panel shall consider the investigator's report as well as any representations made by the ATT when making their deliberations.
57. The review panel will normally make a decision within five working days of the meeting and immediately communicate this in writing. The findings and decision will be reported to the ATT in a letter sent to their registered e-mail address or practice address.
58. 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
 - suspension (or continued suspension) of authorisation with respect to OCQ authorisation, pending retraining at the ATT's expense

- revocation of authorisation or refusal to authorise on the OCQ(AHP) ATT panel for a maximum period of five years. 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 undergoing retraining, or working under the direct supervision of the AVS for a specified period of time
- any other action that the Agency considers necessary.

59. In making their decision the review panel will consider performance and conduct as well as the facts of the specific case. Professional misconduct, intentional or repeated non-compliance with ATT procedures would justify a long period of suspension of authorisation.

60. 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 suspended for five years from the date of the decision.

Appeals

61. 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 Veterinary Director
- 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.

62. The Veterinary Director may within 14 days decide the appeal or on receipt of the appeal immediately appoint a senior person (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 14 days to decide the appeal.

63. If the ATT has been suspended then this will continue during the 28 day period allowed for lodging an appeal and while the appeal is being considered.

64. The decision of the Veterinary Director, or the person appointed by them, is final.

Restoration of Authorisation

65. If authorisation as an ATT has been lost due to the expiry of an OCQ(AHP) ATT, which has not been revalidated on time as outlined in paragraph 17 then retraining, will be required as outlined in paragraph 19. 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.

66. 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.

Date³: 02 November 2020

Annex below.

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:
 - i. a trainee tuberculosis tester acting under the direct and continuous supervision of an authorised veterinary surgeon; or
 - ii. an approved tuberculosis tester acting under the direction of an authorised veterinary surgeon, and
- c) in the case of a test carried out in –
 - i. Great Britain, an officer of the Secretary of State; or
 - ii. Northern Ireland, an officer of the Department

Where this is authorised under veterinary legislation.

Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules:

Article 6

Staff performing official controls

The competent authority shall ensure that all of its staff performing official controls:

- a) receive, for their area of competence, appropriate training enabling them to undertake their duties competently and to carry out official controls in a consistent manner. This training shall cover as appropriate the areas referred to in Annex II, Chapter I
- b) keep up to date in their area of competence and receive regular additional training as necessary.

OIE 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.

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.