Veterinary Surgeons Act 1987

Veterinary Service Standard 3/2016
Section 5B
Notified in the Government Gazette on 11 May 2016

Standard of Professional Conduct

Contents
Preamble........................................................................................................................................2
Interpretation................................................................................................................................2
Basic principles of professional conduct ..................................................................................2
  1 The welfare of animals must be considered at all times ......................................................3
  2 Fitness to practice ................................................................................................................3
  3 Knowledge of current standards of practice ......................................................................3
  4 Professional conduct – general ........................................................................................3
  5 Communication with clients ..................................................................................................3
    Establishing authority ........................................................................................................3
    Informed consent ..............................................................................................................4
    Fees for veterinary services ............................................................................................4
    Offering or performing necropsy ......................................................................................4
    Availability of care for an animal(s) ................................................................................4
  6 Professional relationships and communication between veterinary surgeons ................4
    Referrals, second opinions and provision of records .........................................................4
  7 Registration ..........................................................................................................................5
  8 Obligations of employers, recent graduates and inexperienced veterinary surgeons ........5
    Employer obligations ....................................................................................................5
    New graduates, inexperienced or non-practising vets’ obligations ..................................6
  9 Compliance with codes or rules of animal sporting organizations .....................................6
  10 Certification .......................................................................................................................6
  11 Correction of genetic defects ............................................................................................6
  12 Supply of prescription animal remedy (PAR) veterinary drugs .........................................6
Preamble
This standard is declared by the Board to be a veterinary service standard within the meaning of section 5B of the Veterinary Surgeons Act 1987 (the Act). This standard constitutes a minimum requirement expected from a registered veterinary surgeon or registered veterinary specialist who provides veterinary services to an animal or group of animals. A veterinary service entity must ensure their obligations are met under this standard.

It is strongly recommended that veterinary surgeons, veterinary specialists and veterinary service entities seek advice from the Board on specific matters, should they be in any way unsure of requirements of the standards.

Section 41(2)(ab) of the Act provides that a registered veterinary surgeon or registered veterinary specialist is guilty of misconduct in a professional respect if he or she contravenes or fails to comply with any provision of a veterinary service standard declared under section 5B of the Act.

Interpretation
Words and expressions used in this standard have the same meaning as set out in the Act.

The ‘Board’ means the Veterinary Board of Tasmania constituted under the Act.

A ‘client’ means the person presenting an animal to a veterinary surgeon for veterinary services. A client may include the owner of the animal or a person responsible for an animal who has delegated authority for its care and wellbeing. If the animal is a child’s pet, then the owner is the child’s parent or guardian.

A ‘practice owner’ includes a veterinary service entity.

References hereafter to a ‘veterinary surgeon’ mean a registered veterinary surgeon or a registered veterinary specialist.

Basic principles of professional conduct

- The welfare of animals – must be considered at all times
- The maintenance of professional standards and competency
- Always consider the safety of the veterinary surgeon, veterinary staff and the public.

A professional person is someone who has been assessed as possessing the special skills and knowledge relevant to his or her profession and is also considered a person of good repute. Being deemed a professional person confers a special status and privilege, for example, a veterinary surgeon is entitled to act as a Commissioner for Declarations. In turn, it requires a high standard of conduct and a particular duty of care.

In the provision of veterinary services, veterinary surgeons should exhibit and maintain professional competence, honesty and integrity, independence and impartiality, client confidentiality and trust, and professional accountability.

A helpful definition of misconduct in a professional respect is ‘conduct that falls short of a standard of conduct that a member of the public is entitled to expect of a veterinary surgeon’. This standard outlines, but is not limited to, some conduct expected to be observed by veterinary surgeons providing veterinary services in Tasmania.
1 The welfare of animals must be considered at all times
1.1 A veterinary surgeon must not refuse to provide relief of pain or suffering to an animal(s) that is in his/her presence, giving due consideration to the safety of the veterinary surgeon, the veterinary staff and the public.

1.2 In clause 1.1 relief, in relation to pain or suffering, means:
   (a) first aid treatment and/or analgesia; or
   (b) timely referral to another veterinary surgeon; or
   (c) euthanasia.

2 Fitness to practice
2.1 A veterinary surgeon must be fit to practice. Veterinary surgeons are advised to notify the registrar if they have questions about their fitness to do so.

3 Knowledge of current standards of practice
3.1 A veterinary surgeon must maintain his/her knowledge of the current standards of practice in the areas of veterinary science relevant to their practice or work.

3.2 A veterinary surgeon must ensure that all persons assisting in the provision of veterinary services to animals in his/her care have the skills, knowledge and available equipment to enable them to perform their duties according to current standards, except in the case of an emergency. (See Standards of Veterinary Premises, 2.1 (a)).

3.3 A veterinary surgeon must carry out procedures in accordance with current standards.

3.4 A veterinary surgeon must base professional decisions on well-recognised current knowledge and practice.

3.5 A veterinary surgeon is expected to utilize the skills, knowledge and facilities of veterinary colleagues by consultation or referral, where appropriate.

3.6 A veterinary surgeon must be familiar with his/her obligations and responsibilities under all relevant legislation, codes and standards and seek advice from the Board, or other relevant authority, regarding these obligations, as appropriate.

4 Professional conduct – general
4.1 A veterinary surgeon must not mislead, deceive or behave in such a way as to have an adverse effect on the professional standing of any veterinary surgeon or the veterinary profession.

5 Communication with clients
5.1 Veterinary surgeons must interact with clients, whether verbally or in writing, in a way that creates effective communication and trust.

Establishing authority
5.2 Veterinary surgeons must establish that the person presenting an animal has the authority to consent to a procedure, treatment or course of action.
Informed consent

5.3 Veterinary surgeons must obtain appropriate informed consent from the client before proceeding with a proposed procedure, treatment or course of action.

5.4 Veterinary surgeons must provide clients with information to the extent that they are satisfied that the client is able to understand and give consent to the proposed treatment or course of action.

5.5 Where a client’s opinion or choice compromises animal welfare this must be communicated to the client effectively, and courteously.

5.6 Consent requirements may not apply in an animal welfare emergency situation where the client is not contactable and there is an immediate need to relieve unreasonable or unnecessary pain or suffering.

Fees for veterinary services

5.7 A veterinary surgeon must, where it is practicable to do so and before providing veterinary services in relation to an animal, inform the client of:
   (a) the likely extent and outcome of the veterinary services; and
   (b) the estimated cost of those services.

Offering or performing necropsy

5.8 In the event of an unexplained or unexpected death of an animal while under the care of a veterinary surgeon:
   (a) the veterinary surgeon must advise the client that a necropsy can be performed;
   (b) the veterinary surgeon must provide the client with options for performing the necropsy;
   (c) it is recommended that the option of an independent veterinary surgeon to carry out the necropsy be offered to prevent potential conflict of interest;
   (d) where a client has given permission for a necropsy to be performed on an animal, it must be performed without undue delay. If storage of the body is necessary, every effort must be made to ensure the body is stored in a way that reduces deterioration of tissues before the necropsy is conducted.

Availability of care for an animal(s) (See also Standards of Veterinary Premises)

5.9 When accepting an animal(s) for examination, diagnosis and treatment (including surgery), a veterinary surgeon must:
   (a) ensure that he/she is available for the on-going care of the animal at a level appropriate to the animal’s condition; or
   (b) make arrangements for another veterinary surgeon to take over the care of the animal(s) if he or she is unable to meet the requirements of 5.9(a).

6 Professional relationships and communication between veterinary surgeons

Referrals, second opinions and provision of records
(See also Standard - Record Keeping by Veterinary Surgeons, Section 5.2):

6.1 Failure to maintain adequate information transfer between treating veterinary surgeons can jeopardise the health and welfare of animals under veterinary care.
6.2 Veterinary surgeons must treat colleagues with professionalism and respect, not making malicious or unfounded criticisms of colleagues that may undermine the public’s trust and bring discredit to the profession. A second opinion veterinary surgeon may have a differing opinion of a particular case, its management or prognosis, and should discuss this with a client in a professional manner.

6.3 A veterinary surgeon must not refuse a request by client for a referral or second opinion to another veterinary surgeon.

6.4 Where a client, or another treating veterinary surgeon on the client’s behalf, requests a copy of the medical record for their animal(s), sufficient information to allow for on-going treatment and case management must be provided professionally and as quickly as possible.

6.5 Details of transfer of records must be documented in the history.

6.6 If an original record is provided, it must be returned to the first opinion veterinary surgeon as soon as practicable.

6.7 When an animal is presented for second opinion treatment, it is good practice for the second opinion veterinary surgeon to contact the first opinion veterinary surgeon to determine what treatments have been provided but a veterinary surgeon must seek or release this information only with the express consent of the client involved.

6.8 Where the client does not authorize the release of prior medical records to the second opinion veterinary surgeon, they must be advised of possible complications or adverse reactions if those records are not consulted before proceeding with additional or altered treatment regimes.

6.9 A referral veterinary surgeon is to maintain communication with the first opinion veterinary surgeon during treatment of a referral case, and respect the on-going relationship between the client and the first opinion veterinary surgeon.

7 Registration

7.1 A veterinary surgeon must ensure that his or her registration is current before providing any veterinary services in Tasmania.

7.2 Under National Recognition of Veterinary Registration, a veterinary surgeon currently registered in another State or Territory may provide veterinary services during short term visits or locum placements in Tasmania under their interstate registration.

7.3 An interstate registered veterinary surgeon who moves to Tasmania to undertake a permanent or ongoing position providing veterinary services must apply for registration with the Board within 3 months.

8 Obligations of employers, recent graduates and inexperienced veterinary surgeons

Employer obligations

8.1 Practice owners and senior veterinary surgeons must provide supervision to inexperienced veterinary surgeons at all times until they have demonstrated a level of skill necessary for the duties they undertake.
New graduates, inexperienced or non-practising vets’ obligations

8.2 New graduates and inexperienced veterinary surgeons must recognize that they may not be experienced and skilled in all aspects of veterinary medicine and surgery, and that it takes time and support to learn skills. They must seek assistance from within the practice or from other experienced veterinary surgeons as appropriate.

8.3 Registered veterinary surgeons who have maintained their registration but who either have been non-practising or have only worked in a narrow field of practice for five consecutive years or more must recognize that they will have lost skills and knowledge in aspects of veterinary medicine and surgery. Prior to re-commencing or diversifying their practice or employment they must up-date their knowledge to contemporary standards in their proposed area of work and ensure they re-skill to an acceptable level.

8.4 The undertakings of 8.3 also apply to veterinary surgeons who have allowed their registration to lapse and seek re-registration after being out of veterinary practice for five consecutive years or more.

9 Compliance with codes or rules of animal sporting organizations

9.1 Services provided by a veterinary surgeon while acting for an animal sporting organization must not contravene the Veterinary Surgeons Act 1987, Animal Welfare Act 1993, Poisons Act 1971 or any other relevant legislation.

9.2 Subject to 9.1, a veterinary surgeon must maintain knowledge of, and abide by, the codes or rules of an animal sporting organisation when attending on that organisation or working within the industry to which it relates.

10 Certification

10.1 A veterinary surgeon must not certify to any fact, or state that any veterinary service has been provided, unless that veterinary surgeon -

(a) has personal knowledge of the fact;

(b) has personally provided or supervised the provision of the veterinary service concerned; or

(c) has comprehensive supporting information to attest to the fact or to provision of the veterinary service.

10.2 Any certification must contain such detail as is necessary to ensure it is as complete and accurate as possible, and that the meaning is clear.

11 Correction of genetic defects

11.1 A veterinary surgeon must not perform a surgical procedure for the correction or masking of an inheritable defect, or provide medical treatment for an inheritable disease, unless the primary purpose is to relieve or prevent pain or discomfort to the animal concerned.

11.2 If treatment of an inheritable defect or disease is undertaken, the veterinary surgeon must fully apprise the client of the inheritable nature of the disease or defect and the consequences of using the animal, its sibling or its progeny, for breeding.

12 Supply of prescription animal remedy (PAR) veterinary drugs

12.1 A veterinary surgeon must comply with other relevant Standards.