

Code of Conduct for Veterinary Surgeons

Contents

Preamble.....	2
Interpretation	2
Basic principles of professional conduct.....	3
1. Protecting animal health, safety and welfare.....	3
2. Medical fitness to practice	4
3. Knowledge of current standards of practice	4
4. Professional conduct – general	5
5. Communication with clients.....	5
6. Professional relationships and communication between veterinary surgeons	8
7. Obligations of employers, recent graduates and inexperienced veterinary surgeons	10
8. Veterinary services.....	11
9. Record keeping.....	11
10. Certification.....	11
11. Correction of genetic defects	12
12. Proscribed Procedures	12

Preamble

The purpose of the Veterinary Surgeon Board of South Australia (VSBSA) is to regulate the provision of veterinary treatment to protect the public interest, and animal health, safety and welfare. This ensures that high professional standards of competence and conduct in the provision of veterinary treatment are achieved and maintained. The *Veterinary Practice Act 2003* provides the VSBSA with a number of mechanisms to achieve this purpose including preparing codes of conduct and professional standards for veterinary surgeons.

This Code of Conduct describes the professional behaviour and conduct expectations for registered veterinary surgeons in South Australia.

Veterinary surgeons have a professional responsibility to be familiar with, and must comply with, the Code of Conduct and relevant professional standards. A contravention of or failure to comply with a provision of the Code of Conduct will constitute *unprofessional conduct* as defined by section 3(1) of the *Veterinary Practice Act 2003*. The Code of Conduct is not exhaustive and cannot cover every situation. It sets out minimum professional responsibilities and standards required of veterinary surgeons.

It is recognised that the work of veterinary surgeons can take many forms. Their roles and responsibilities, whether in clinical or non-clinical practice, extend beyond care provided to individual patients and clients, and include, amongst other things, biosecurity, food safety and public health. The principles of this Code of Conduct define expectations of veterinary surgeons in any area of veterinary practice.

Veterinary surgeons are expected to evaluate their practice situations, apply the Code of Conduct and make sound professional decisions about the most appropriate course of action in a given situation. Veterinary surgeons should seek advice and guidance from their professional association on specific matters if they are unsure of how to meet the professional behaviour and conduct expectations set out in the Code of Conduct. If legal advice is required, veterinary surgeons should seek such advice from a legal practitioner with a current practising certificate. Professional membership associations and professional indemnity insurers may provide legal advice or offer a legal advice referral service to veterinary surgeons.

Interpretation

Words and expressions used in this Code of Conduct have the same meaning as set out in the *Veterinary Practice Act 2003* (Act)

‘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 pet of a person under the age of 18 years, then the owner is the parent or guardian of that person. Client may also include an organisation using the professional service of a veterinary surgeon.

- *Bona fide* client means the animal/herd owned by the client under the care of that

particular veterinary surgeon. The animal/herd must have been seen for the purposes of diagnosis, or the premises on which the animal/herd is kept visited recently enough to have an accurate picture sufficient to enable accurate diagnosis, and the treatment must be recorded.

'Emergency' means a serious and unexpected situation involving illness or injury and requiring immediate action to prevent animal suffering.

'Experienced veterinary surgeon' refers to a registered veterinary surgeon practising in the area of practice for a minimum of 5 years.

'Veterinary practice' refers to any aspect of veterinary endeavour including the provision of veterinary treatment as defined by the Act.

The practice of veterinary science includes but is not limited to:

- attending to the health of companion, production, aquatic, exotic, laboratory animals and wildlife
- prescribing veterinary medicines
- reporting or giving advice in a veterinary capacity using the knowledge, skills, attitudes and competence initially attained for the veterinary surgeon and built upon through experience and/or post-graduate qualifications and continuing professional development activities. The term 'practice' goes wider in this context than clinical veterinary science to include teaching, consultancy, advice and health and welfare management.
- signing any certificate e.g. clinical and export certificates

'Veterinary surgeon' refers to a veterinary surgeon or veterinary specialist, with primary or deemed registration under the Act

Basic principles of professional conduct

- Protecting animal health, safety and welfare
- Maintaining professional standards, conduct and competency acceptable to peers
- Promoting trust of the profession by the public
- Promoting safety and cohesion within the profession

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

1. Protecting animal health, safety and welfare

- 1.1 A veterinary surgeon has a special duty to protect animal welfare and alleviate animal suffering.
 - (a) A veterinary surgeon must not refuse to provide relief of pain or suffering to an animal without good reason.
 - (b) A veterinary surgeon must not abandon an animal under care is not

abandoned by a vet unless there is good reason to do so and unless its welfare is safeguarded.

(c) A veterinary surgeon must ensure provision of appropriate pain relief in all areas of practice and particularly for invasive procedures.

1.2 In clause 1.2 relief, in relation to pain or suffering, means:

(d) first aid treatment and/or analgesia; or

(e) timely referral to another veterinary surgeon; or

(f) humane euthanasia.

In the course of their work, veterinary surgeons must not disregard circumstances where they have reasonable grounds to suspect non-compliance with legislation and regulations related to animal welfare.

2. Medical fitness to practice

2.1 A veterinary surgeon must be medically fit to provide veterinary treatment.

2.2 Medical fitness to provide veterinary treatment is assessed having regard to whether the veterinary surgeon is able to personally provide veterinary treatment to an animal without endangering the animal's health, safety or welfare.

2.3 Recognition must be given to the impact of fatigue and the ability to care for patients, and work safe hours.

2.4 A veterinary surgeon must take reasonable steps to ensure their physical, mental and emotional wellbeing does not compromise their professional judgement and ability to deliver veterinary services at the standard expected by the public and their peers.

3. Knowledge of current standards of practice

3.1 A veterinary surgeon must maintain knowledge of the current standards of practice in the areas of veterinary science relevant to their practice.

3.2 A veterinary surgeon has a duty to contribute to advancement of knowledge and maintenance of high professional standards relevant to their practice.

3.3 A veterinary surgeon must ensure that all persons assisting in the provision of veterinary treatment to animals in their 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.

3.4 A veterinary surgeon must carry out procedures in accordance with current standards of professional practice.

3.5 A veterinary surgeon must base professional decisions on well-recognised current knowledge of standards of practice.

3.6 A veterinary surgeon is expected to utilise the skills, knowledge and facilities of veterinary colleagues by consultation or referral, where that is in the best interests of the animal.

3.7 A veterinary surgeon must be familiar with their obligations and responsibilities under all legislation relevant to the areas of their practice including with respect to animal welfare, controlled substances, biosecurity and work health and safety.

4. Professional conduct – general

- 4.1 A veterinary surgeon must exercise professional judgement with integrity.
- 4.2 A veterinary surgeon must:
 - act in a manner that promotes the public's trust and confidence in the profession; and
 - not engage in fraud, engage in deceptive or misleading conduct or behave in such a way as to have an adverse effect on the professional standing of any veterinary surgeon or the veterinary profession.
- 4.3 Veterinary surgeons must identify, declare and manage conflicts of interest so as to demonstrate that they are acting with impartiality and independence.
- 4.4 Veterinary surgeons must not seek or accept inducements that can be shown to influence their treatment or sales decisions.
- 4.5 Veterinary surgeons called as either a witness or an expert witness in a court or tribunal must give their evidence honestly and accurately. When presenting expert evidence, veterinary surgeons must do so impartially and within their areas of expertise.
- 4.6 Veterinary surgeons must not exaggerate any claim or comparison of the service or product over another or overstate their skills and knowledge by using misleading descriptors.
- 4.7 Veterinary surgeons must respond to any client communication in a timely, honest and constructive manner.
- 4.8 Veterinary surgeons must treat all with whom they come into contact with respect, consideration and courtesy including clients, patients, colleagues, peers and persons who work in a regulatory capacity.
- 4.9 Veterinary surgeons must not discriminate against, bully or sexually harass others.
- 4.10 Veterinary surgeons must provide constructive and respectful feedback to colleagues and students including when their performance does not meet acceptable standards.
- 4.11 Veterinary surgeons must be open to receiving constructive feedback.
- 4.12 Veterinary surgeons must call out discrimination, bullying and sexual harassment by others when it is seen and report it to their workplace supervisor as appropriate.
- 4.13 Veterinary surgeons:
 - must not provide veterinary treatment or care to animals while under the influence of alcohol or unlawful substances.
 - who are taking prescribed medication must obtain advice from the prescribing healthcare practitioner or dispensing pharmacist on the impact of the medication on their ability to practise and must refrain from treating or caring for animals in circumstances where their capacity is or may be impaired.

5. Communication with clients

- 5.1 An important part of the practitioner – client relationship is effective communication. This involves:
 - (a) Listening to the client, asking for and respecting their views about the health of their animal(s) and responding to their concerns and preferences.

- (b) Awareness of literacy issues and taking health literacy into account and / or adjusting their communication in response.
- (c) Encouraging clients to provide a full clinical history by describing their animal's condition and how they have been managing, including any other health advice they may have received, any prescription or other medications they have been recommended and any other therapies they may have used.
- (d) Informing clients of the nature of and need for all aspects of their animal's clinical care, including examination and investigations and giving them adequate opportunity to question treatment options and recommended treatment and make an informed decision about treatment.
- (e) Discussing with clients their animal's condition and the available healthcare options, including their nature, purpose, possible positive and adverse consequences, limitations and reasonable alternatives wherever they exist.
- (f) Endeavouring to confirm that a client understands what has been communicated to them.
- (g) Ensuring that a client is informed of the material risks associated with any part of a proposed management plan.
- (h) Responding to questions from a client and keeping them informed about the clinical progress of their animal(s)
- (i) Ensuring, whenever practical, that arrangements are made to meet the specific language, cultural and communication needs of clients and being aware of how these needs affect their level of understanding of information and advice.
- (j) Becoming familiar with and using wherever necessary, qualified language interpreters or cultural interpreters to help meet the communication needs of clients, including those who require assistance because of their English language skills, or because they are speech or hearing impaired (wherever possible, veterinary surgeons should use trained translators and interpreters rather than family members of the client or practice staff).
- (k) When using interpreters, veterinary surgeons must:
 - Obtain informed consent from the client to use the selected interpreter.
 - Take reasonable steps to ensure that the interpreter is competent to work as an interpreter in the relevant context.
 - Take reasonable steps to ensure that the interpreter is not in a relationship with the client that may impair the interpreter's judgement.
 - Take reasonable steps to ensure the interpreter will maintain appropriate standards of confidentiality.
 - Take reasonable steps to ensure the interpreter is aware of other relevant provisions of this Code of Conduct.
- (l) Using social media in a professional manner consistent with this Code of Conduct to ensure respectful behaviour and maintenance of the public's trust and confidence in the profession.
- (m) Communicate appropriately with and provide relevant information to other stakeholders including other treating veterinary surgeons in accordance with applicable privacy constraints.
- (n) Communicate in a professional manner consistent with this Code of Conduct

when giving a public speech to professional and other bodies, including media.

- 5.2 Veterinary surgeons must interact with clients in a way that promotes effective communication and trust. This includes:
- (a) Listening to clients, respecting their views, responding to their concerns and preferences and treating them with respect and courtesy.
 - (b) Not exploiting a client's lack of veterinary knowledge.
 - (c) Treating all client information and information related to the provision of veterinary services as the private information of the client except in circumstances where:
 - the client has given consent for the information to be shared.
 - there is suspected breach of the animal welfare legislation and regulations.
 - (d) Ensuring that the client understands information and advice.

Establishing authority

- 5.3 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

- 5.4 Veterinary surgeons must obtain appropriate informed consent from the client before proceeding with a proposed procedure, treatment or course of action.
- 5.5 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.
- 5.6 Where a client's opinion or choice compromises animal welfare this must be communicated to the client effectively and courteously.
- 5.7 The need to obtain informed consent from a client 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.
- 5.8 Veterinary surgeons must ensure that the client's informed consent is adequately documented.

Fees for veterinary services

- 5.9 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 and any ongoing costs, preferably in writing.

Offering or performing necropsy

- 5.10 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) the option of an independent veterinary surgeon to carry out the necropsy must be offered to the client, when practicable, to prevent potential conflict of interest;
- (d) where a client has given permission for a necropsy to be performed on an animal, the necropsy 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)

- 5.11 When accepting an animal for examination, diagnosis and treatment (including surgery), except in an emergency situation, a veterinary surgeon must:
 - (a) ensure that they are 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 they are unable to ensure that they are available for the on-going care of the animal at a level appropriate to the animal's condition.

- 5.12 Veterinary surgeons must respect a client's right to:
 - (a) use the services of more than one veterinary surgeon;
 - (b) seek a second opinion from or referral to another veterinary surgeon or veterinary specialist.
 - (c) decline a recommended course of action or choose an alternate course of action to the one recommended by the veterinary surgeon, provided the animal's welfare is not compromised.

6. Professional relationships and communication between veterinary surgeons

- 6.1 Veterinary surgeons must treat colleagues with professionalism and respect.
- 6.2 Veterinary surgeons must not make malicious or unfounded criticisms that may undermine the public's trust or confidence in the profession.
- 6.3 Veterinary surgeons must notify VSBSA where they have reason to believe that the health, conduct or competence of a colleague is adversely affecting patient care or undermining the public's trust and confidence in the profession.

Referrals, second opinions, client/animal's transfer to another practice and provision of records

- 6.4 Referrals, second opinions, and clients transferring to another practice, involve two or more veterinary surgeons providing services, advice or treatment on the same clinical case. Failure to maintain adequate information transfer between treating veterinary surgeons can jeopardise the health and welfare of animals under veterinary care.
- 6.5 A second opinion veterinary surgeon may have a differing opinion of a particular case, its management or prognosis, and must discuss this with a client in a professional manner.
- 6.6 A veterinary surgeon must:
 - (a) not refuse a request by a client for a referral or second opinion to another

- veterinary surgeon or veterinary specialist.
- (b) recognise when a case falls outside their area of expertise or competence and offer referral to a veterinary specialist or veterinary surgeon who has the knowledge and competence necessary to practice in that area.
 - (c) when referring to a veterinary surgeon with particular expertise in an area of practice, advise the client of the veterinary surgeon's qualifications, skills and expertise in that area and whether or not they are registered as a veterinary specialist.
- 6.7 The use of the terms 'specialist', 'registrar', 'resident', 'consultant', 'expert', 'intern', 'member' and 'particular interest practitioner' must adhere to the guidance of the VSBSA. The term 'special interest practitioner' or similar must not be used.
- 6.8 Both the primary and secondary veterinary surgeon must ensure that:
- (a) all relevant clinical information is available and considered when making treatment and management decisions.
 - (b) where a client, or another treating veterinary surgeon requests on the client's behalf, a copy of the medical record for their animal there must be sufficient information to allow for on-going treatment and case management and must be provided professionally and as quickly as possible
 - (c) when an animal is presented for second opinion treatment, where appropriate the second opinion veterinary surgeon should contact the first opinion veterinary surgeon to determine what treatments have been provided however a veterinary surgeon must seek and release this information only with the express consent of the client involved.
 - (d) where the client does not authorise 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 Details of transfer of records must be documented in the history.
- 6.10 If an original record is provided by the first veterinary surgeon to the second veterinary surgeon, it must be returned to the first opinion veterinary surgeon as soon as practicable.
- 6.11 A referral veterinary surgeon must:
- (a) maintain communication with the first opinion veterinary surgeon during treatment of a referral case;
 - (b) respect the on-going relationship between the client and the first opinion veterinary surgeon;
 - (c) if the client is returning to their first veterinary surgeon, and that veterinary surgeon organised the referral or second opinion, the second veterinary surgeon must provide a summary of their findings and recommendations to the first veterinary surgeon.
- 6.12 When closing or relocating veterinary practice, where possible, advance notice must be given and arrangements for continuing veterinary care, including transfer or management of all patient records

7. Obligations of employers, recent graduates and inexperienced veterinary surgeons

Employer obligations

- 7.1 Practice owners and senior veterinary surgeons must provide appropriate supervision and support to inexperienced veterinary surgeons at all times until they have demonstrated a level of skill necessary for the duties they undertake. Appropriate policies and procedures must be clearly defined and agreed at commencement of employment and be the subject of regular review.

Vicarious liability

- 7.2 A veterinary surgeon responsible for the professional supervision of support staff must ensure that the staff carry out their duties effectively and in compliance with relevant legislation.
- 7.3 A veterinary surgeon must ensure that:
- (a) support staff treat as confidential, and refrain from divulging, any information relating to clients, or their animals acquired during the course of their employment;
 - (b) where emergency treatment is administered by a lay person under the direct or indirect supervision of a veterinary surgeon, that veterinary surgeon must assume responsibility for the animal or hand over to another veterinary surgeon.
 - (c) information relating to a client or a client's animal obtained in the course of examining or treating the animal is not divulged, except when referring the animal to another veterinary surgeon for treatment or a second opinion or with the consent of the client.

Experienced veterinary surgeons

- 7.4 Veterinary surgeons must ensure that veterinary colleagues within the practice are adequately supported, particularly those who are recently registered or inexperienced.

New graduates, inexperienced or non-practising veterinary surgeon obligations

- 7.5 New graduates and inexperienced veterinary surgeons must recognise 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.
- 7.6 A veterinary surgeon who has only worked in a narrow field of practice for 3 consecutive years or more must recognise that they will have lost skills and knowledge in aspects of veterinary medicine and surgery. Prior to 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 ensure that they have the knowledge and competence necessary to practice in that area.

8. Veterinary services

- 8.1 Striving to provide a high standard of veterinary practice, veterinary surgeons must:
- (a) keep their skills and knowledge up to date by taking part in relevant continuing professional development activities that maintain and develop their competence and performance, and in all respects comply with the VSBSA's Guidelines for Continuing Professional Development prepared under the Act.
 - (b) recognise when either their competence or the resources available to them place limits on their ability to practice to an acceptable standard.
 - (c) take reasonable care to ensure that the practice in which they are practising is operated to the standard expected in this Code of Conduct.
- 8.2 Veterinary surgeons must make provision for the care of animals currently receiving in-patient treatment. This must be at a level appropriate to the clinical problem being managed and must be communicated to the client.
- 8.3 Veterinary surgeons practising in the use of alternative or complementary methods of diagnosis or treatment must consider the welfare of the animal/s. Where a veterinary surgeon chooses to use alternative or complementary methods of diagnosis or treatment, the client must be able to make an informed decision about whether to proceed. Therefore, the veterinary surgeon making this choice must inform the client of:
- (a) the nature of the alternative treatment offered; and
 - (b) the extent to which it is consistent with conventional medicine.

9. Record keeping

- 9.1 Veterinary surgeons must maintain clear and accurate clinical records.
- 9.2 The records must:
- (a) be of such detail that another veterinary surgeon could take over the management of the case at any time;
 - (b) be retained for periods of time as required by statute or for the duration of time for which they remain relevant to the purpose for which they were recorded;
 - (c) not be altered retrospectively unless the changes are marked chronologically on the record, and the additions are dated and noted as being added retrospectively; and
 - (d) be made accessible to clients on request, unless there are justifiable legal reasons to withhold the records.

10. Certification

- 10.1 A veterinary surgeon must:
- (a) maintain the integrity of certification;
 - (b) not certify to any fact, or state that any veterinary service has been provided unless that veterinary surgeon
 - has personal knowledge of the fact;
 - has personally provided or supervised the provision of the veterinary service concerned; or

- 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. Proscribed Procedures

- 12.1 The following procedures may only be carried out by a veterinary surgeon for genuine therapeutic purposes and records must substantiate this:
- (a) Declawing of cats
 - (b) Tail docking of dogs, horse, or cattle,
 - (c) Ear cropping of dogs
- 12.2 Debarking of dogs
- (a) Bark reduction must only be carried out for therapeutic or prophylactic reasons, or as an alternative to euthanasia for a dog that barks persistently. It must not be carried out as a substitute for the proper management and training of a dog. Veterinary surgeons requested to carry out bark reduction must be convinced that all reasonable attempts have been made by the owner to modify the dog's behaviour by alternative and humane means.