



Veterinary  
Practitioners  
Board

# Complaints against veterinarians

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# Agenda



Legislation



Board  
composition



Board  
functions



Complaint  
investigations



Statistics

# Legislation

The object of the *Veterinary Practice Act 2003* (NSW) is to regulate the provision of veterinary services for the following purposes:

1. To promote the welfare of animals
2. To ensure that consumers of veterinary services are well informed as to the competencies required of veterinary practitioners
3. To ensure that acceptable standards are required to be met by veterinary practitioners so as to meet the public interest and national and international trade requirements
4. To provide public health protection



# Board composition

The Board consists of 8 members appointed by the Governor and selected by the Minister:

1. One veterinarian representing specialist veterinarians
2. One veterinarian representing urban veterinarians
3. One veterinarian representing rural veterinarians
4. One veterinarian representing academics in the field of veterinary science
5. Two veterinary practitioners selected personally by the Minister
6. Two persons who are not veterinarians selected by the Minister to represent consumers of veterinary services



# Complaints against veterinary practitioners

- Any person, including the Board, may make a complaint against a veterinary practitioner in respect of the veterinarian's conduct
- The Board does not have the legislative authority to investigate complaints concerning fees or charges and refers such complaints to the Department of Fair Trading
- The Board is not required to investigate a complaint against a veterinarian if the complaint is made more than 3 years after the conduct is alleged to have occurred
- Complaints must be made in writing, must identify the complainant and the Board requires that the complaint and details of the complaint be verified by statutory declaration

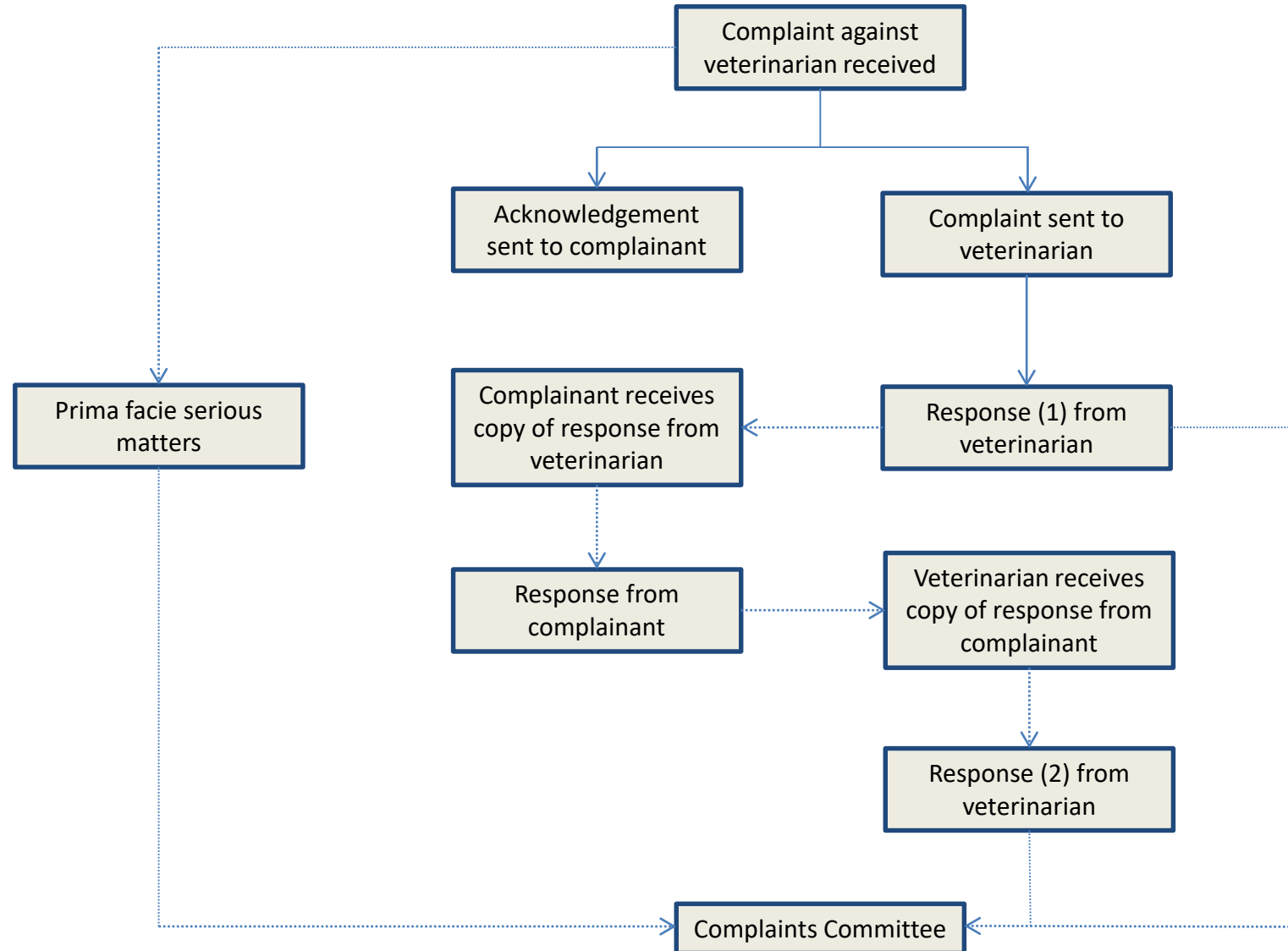


# Complaint investigations

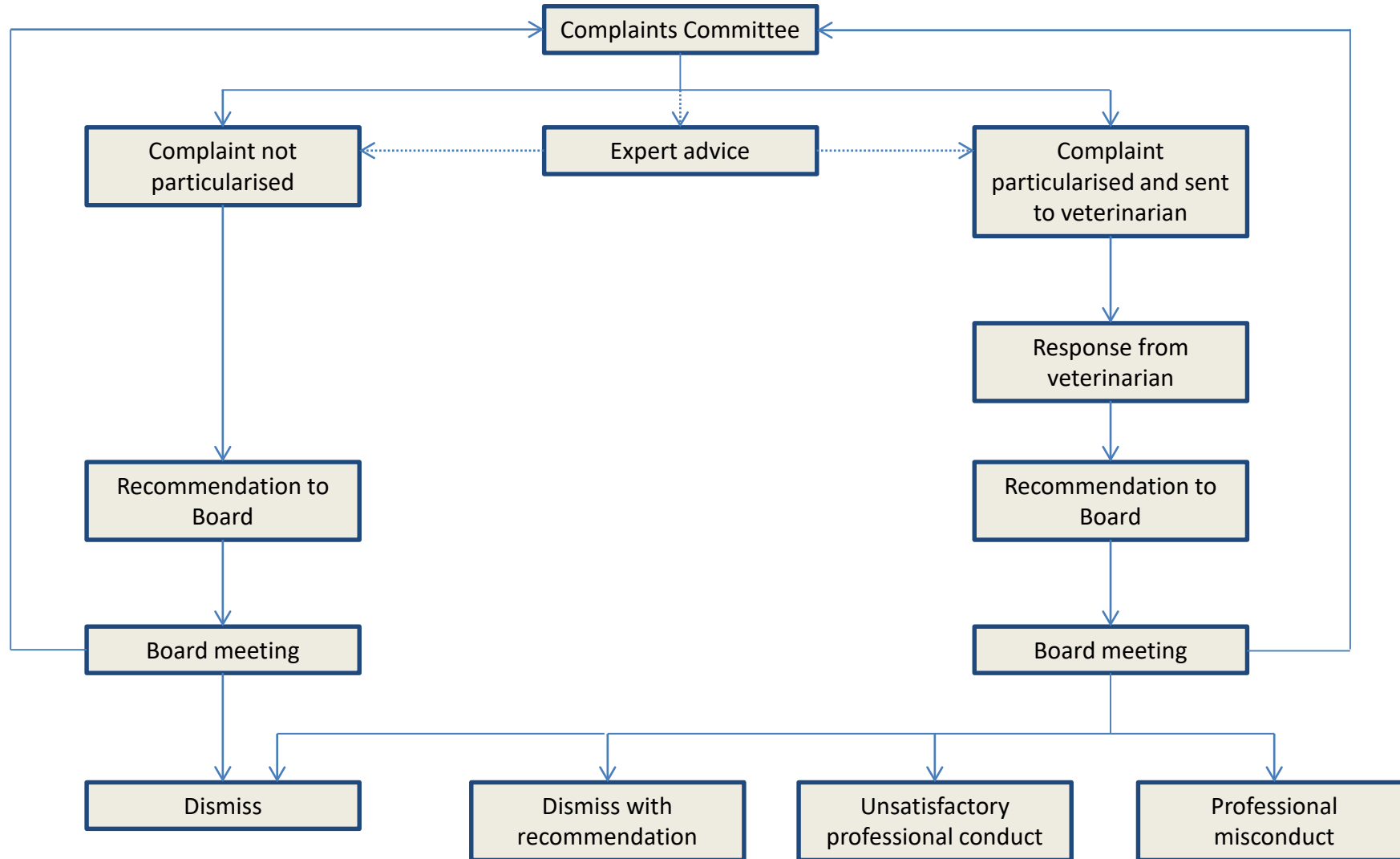
- The Board delegates the function of investigating complaints to a Complaints Committee
  - 2 veterinarian members
  - 1 non-veterinarian member
  - Others as required
- The Complaints Committee collects information from the complainant, the veterinarian and other sources as required
- The Board has the power to summon a person to appear before the Board to give evidence and to produce documents
- The Complaints Committee makes a recommendation to the Board
- The full Board determines the complaint



# Investigation of complaints – gathering information



# Investigation of complaints – determining the complaint





# Decision after investigation of a complaint

If the Board is satisfied the veterinarian is guilty of unsatisfactory professional conduct or professional misconduct the Board may take one or more of the following actions including:

- Reprimand or caution the veterinarian
- Impose a fine on the veterinarian
- Require the veterinarian to pay specified costs
- Impose conditions on the veterinarian's registration
- Require veterinarian to undertake further education

# Decision after investigation of a complaint

If the Board is satisfied the veterinarian is guilty of unsatisfactory professional conduct or professional misconduct it may also apply to the NSW Civil and Administrative Tribunal (NCAT) or Tribunal for a disciplinary finding including cancellation of registration.

The Board may suspend the veterinarian's registration pending determination by the NCAT.

# Review of Board decisions

The NCAT may also be asked by the veterinarian to review of a disciplinary finding made by the Board.

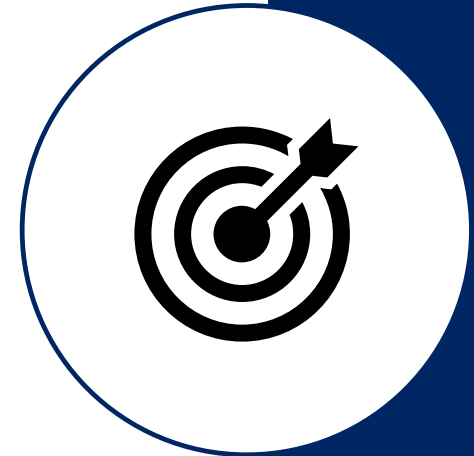
A veterinarian may appeal a decision of the NCAT to the Supreme Court of NSW.



# Unsatisfactory professional conduct and professional misconduct

Guilty findings can generally be classified into three main categories:

1. Conduct
2. Performance
3. Health



# Health program for veterinarians

In addition to a range of physical conditions, the Board is aware of research regarding the incidence of stress and depression in the veterinary profession and specifically that the incidence of suicide among veterinarians in Australia is likely to be much greater than that of the general population.

The Board has developed a [health program for veterinarians](#) modelled on a program created by the Medical Council of NSW and the goal of this program is to enable veterinarians to work their way through their health issues with the support of suitably qualified professionals and the Board.



# Support

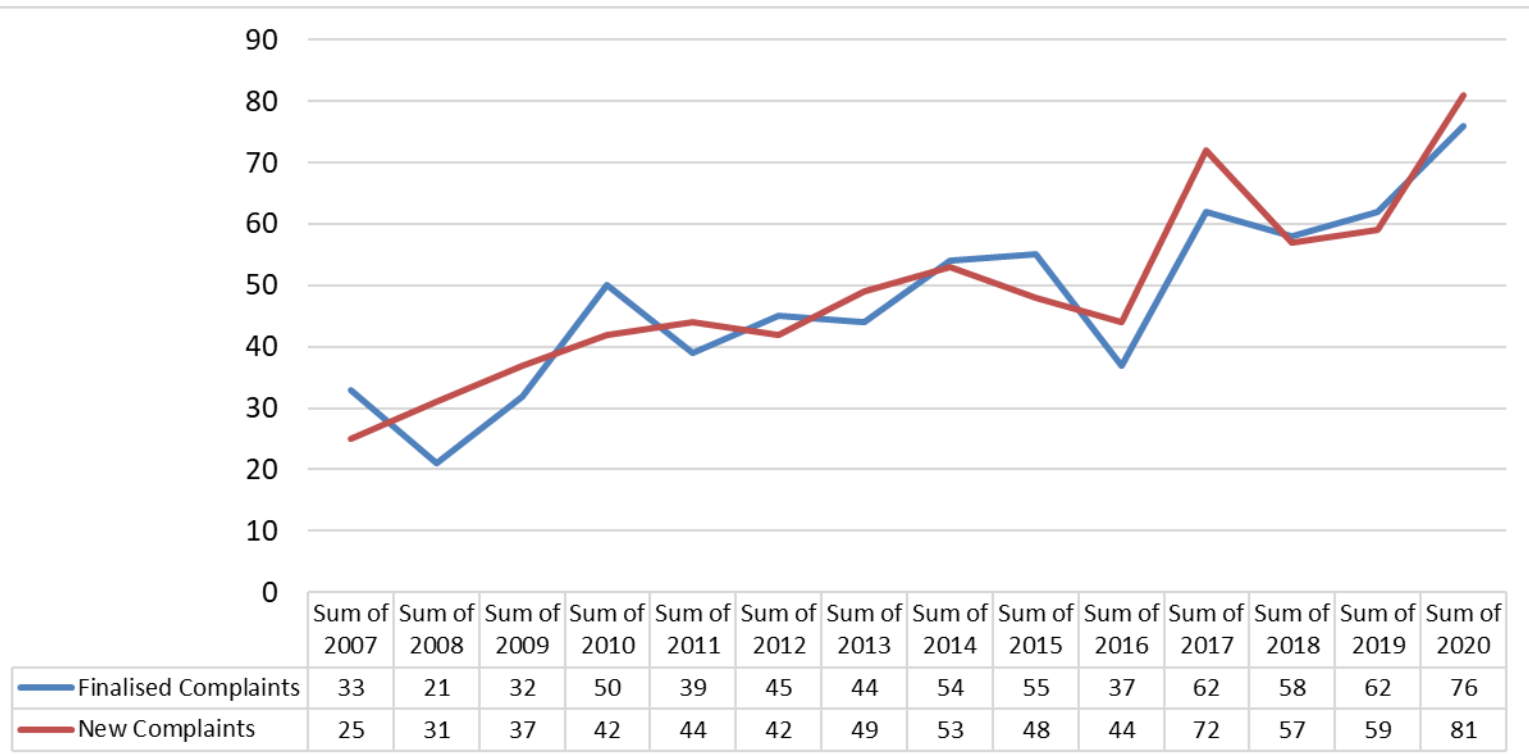
The Board also appreciates that stressors associated with the performance of the professional duties of a veterinarian may be increased during a complaint investigation process.

The Board's Complaint Officer is a trained counsellor and able to assist both veterinarians and members of the public involved in complaint investigations.

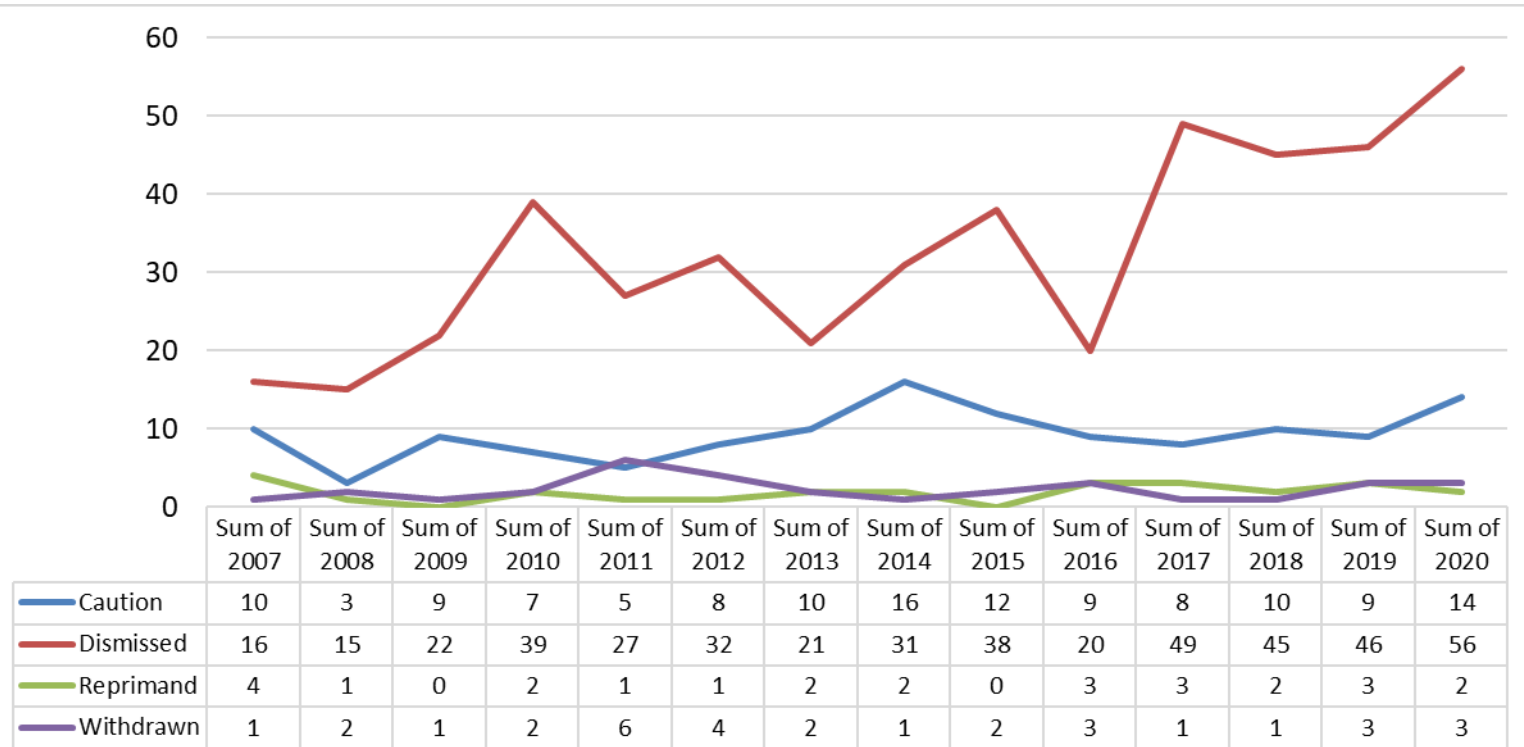
Veterinarians may also receive support from colleagues, their professional indemnity insurer, the [Australian Veterinary Association](#), the [Doctors' Health Advisory Service](#) and generic support services such as [Lifeline](#) and [Beyond Blue](#).



# New and Finalised Complaints 2007-2020



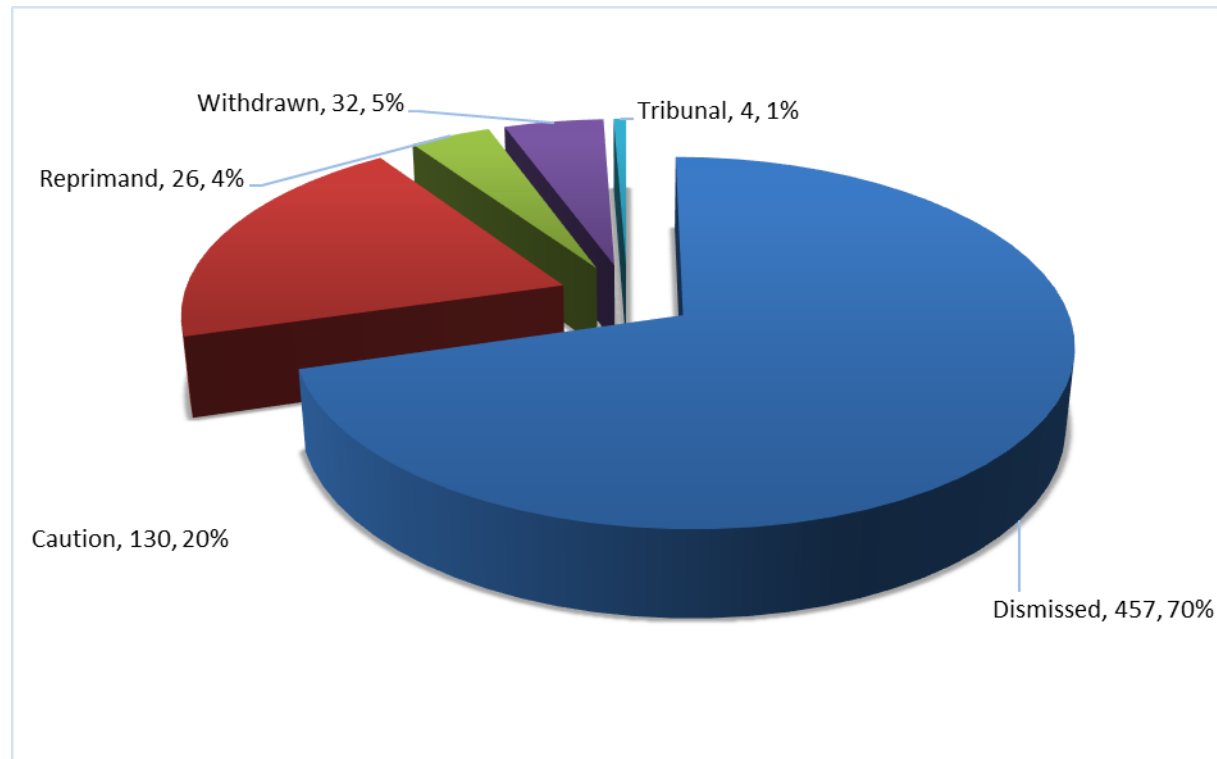
# Complaint decisions 2007-2020





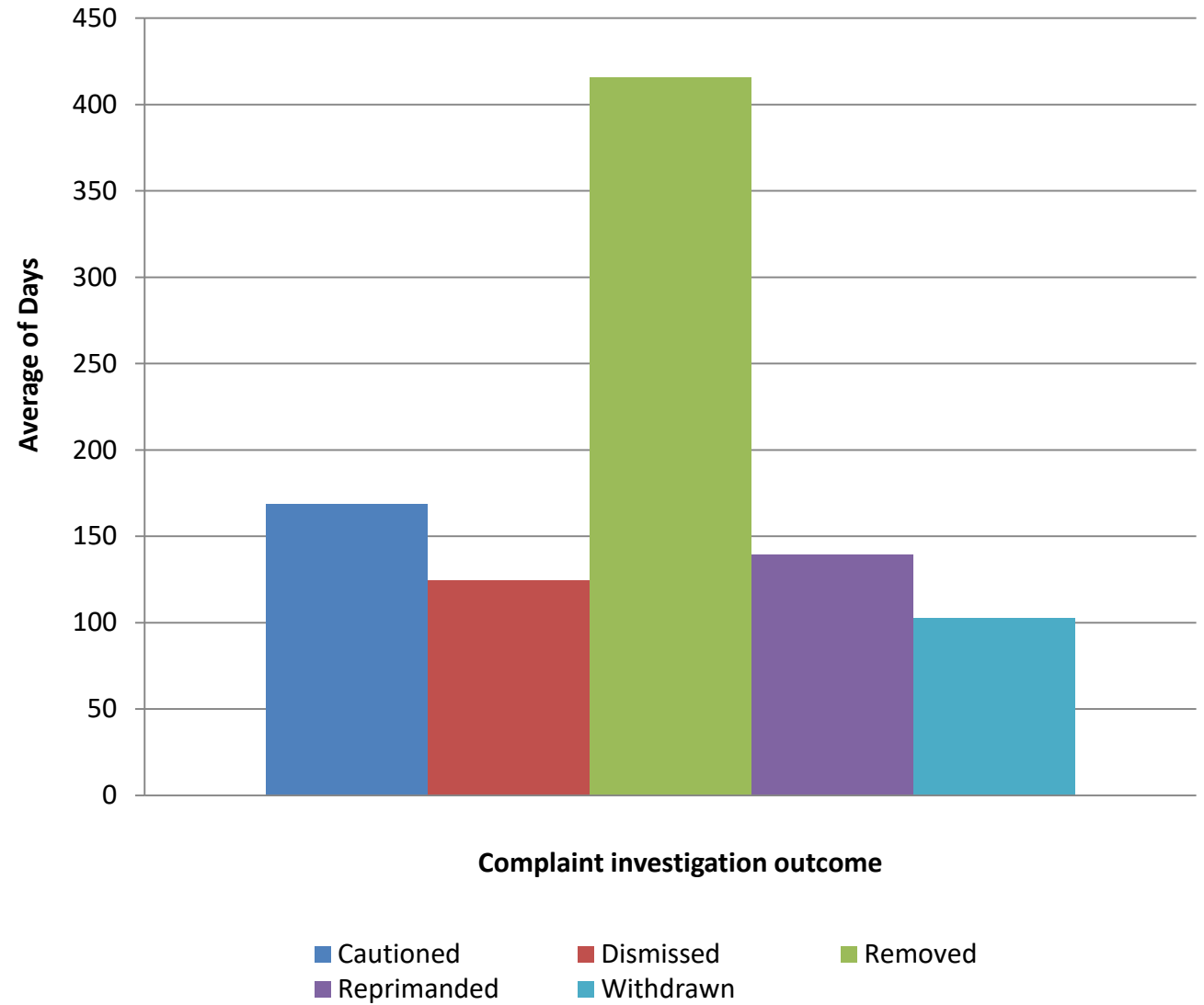
# Complaints investigated by decision 2007-2020

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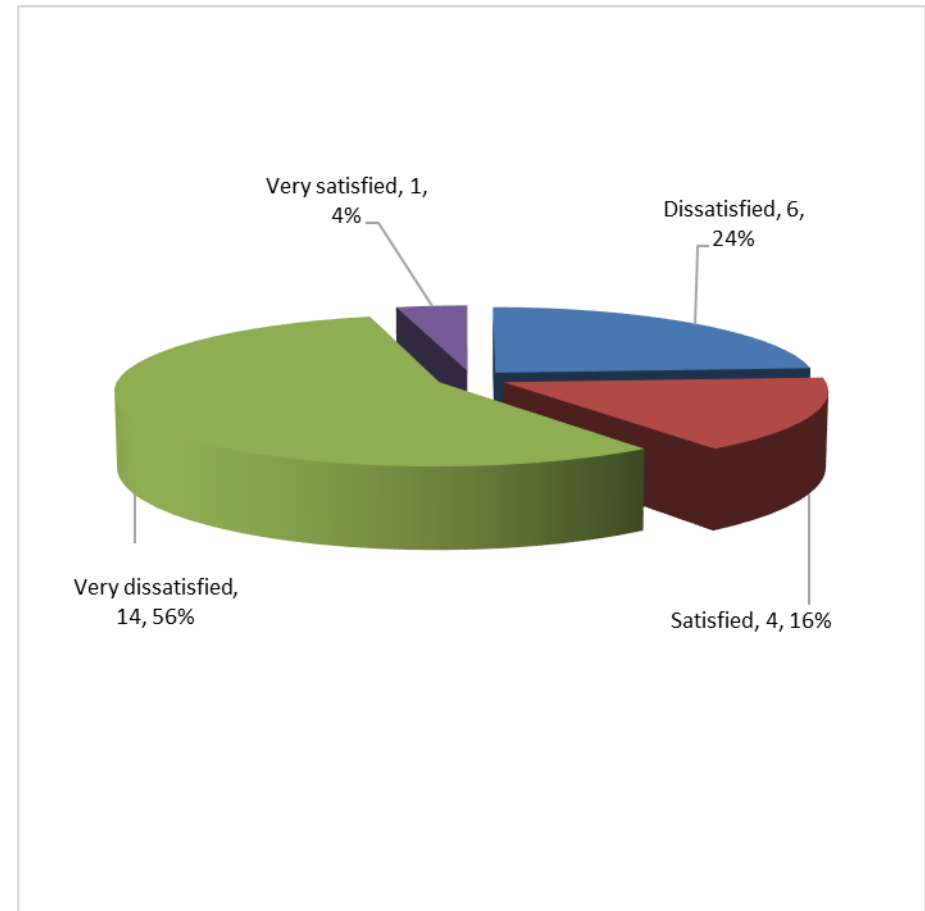
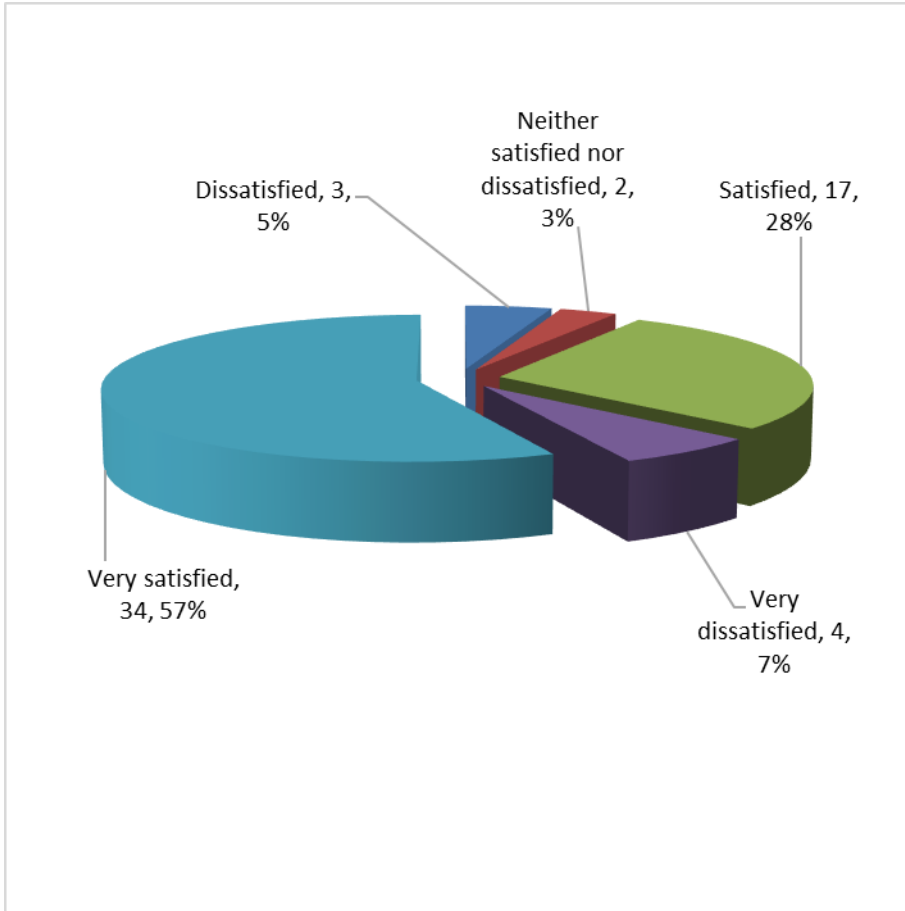
# Complaints by average number of days to decision 2006-2015

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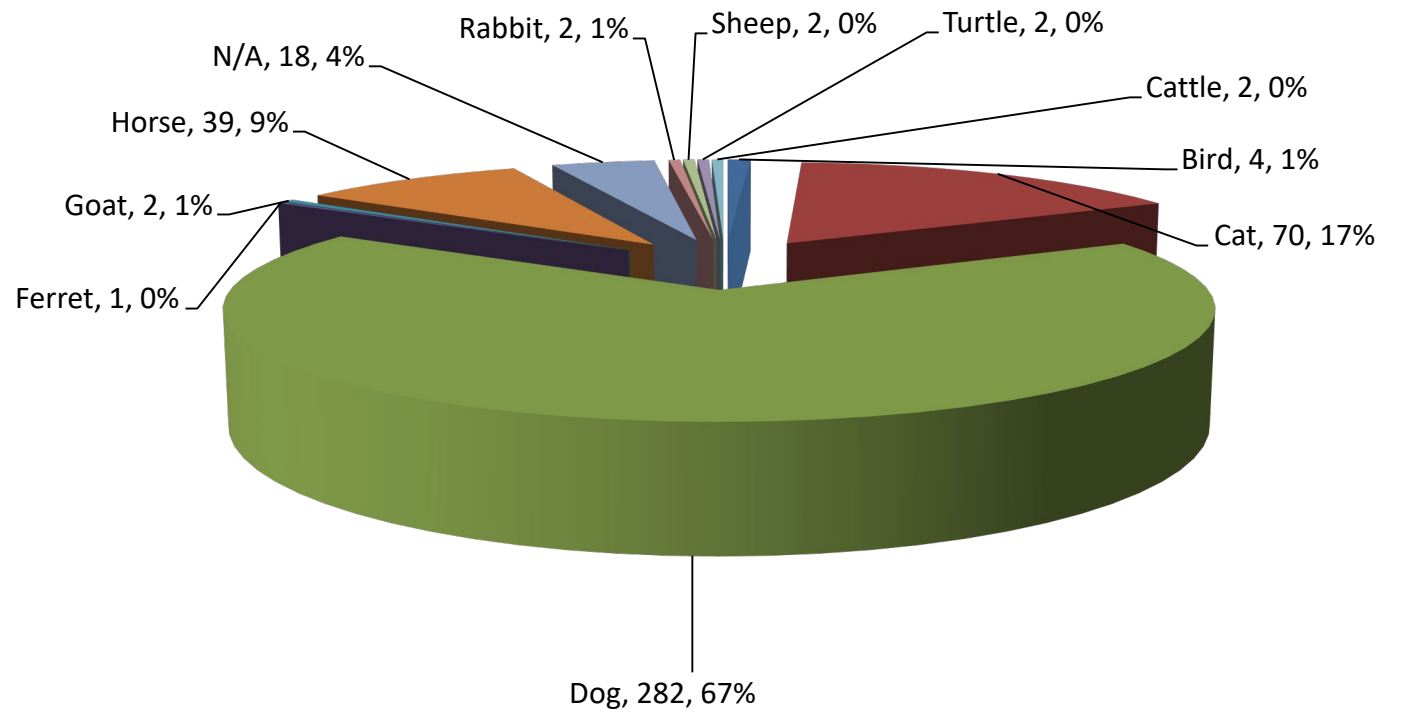


# Complaints

## Feedback on outcome



# Complaints by species 2007-2014



# Summary



Legislation requires the Board to investigate a complaint against a veterinarian when received. Complaints may be made by any person about an individual veterinarian or veterinarians.



Investigations involve collecting submissions from both the complainant and the veterinarian and reviewing the actions of the veterinarian in relation to legislative requirements.



Complaints are increasing in number but the percentage of complaints dismissed is also increasing.



Guilty findings may be generally be classified into conduct, performance or health issues (primarily). Action of the Board is focused on correcting the primary issue. There are mechanisms for Board decisions against veterinarians to be reviewed by tribunals and courts.



If you receive a complaint talk to your colleagues, employers, insurer. Further support is available from the AVA, and other more generic services.



# Questions

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