



Tips for Avoiding Complaints



From Nick Twyford, Chair of the Council's Complaints Assessment Committee

As veterinarians we are constantly faced with the possibility of clients, or fellow veterinarians, calling our practice into question by laying a complaint with the Veterinary Council.

Being the focus of an investigation by the Council's Complaints Assessment Committee is stressful and time consuming.

Council receives around 50 complaints each year about veterinarians. The Council's Complaints Assessment Committee (CAC) assesses each complaint to determine if further investigation is required.

The CAC does not investigate matters which fall outside Council's jurisdiction such as fees or employment disputes or if there are insufficient grounds to indicate an issue of conduct, competence or health.

Over the last five years around 29% of complaints did not meet the threshold for further investigation. In 68% of the cases, further investigation did not reveal conduct of a kind which warranted censure or discipline, although specific advice and recommendations were given to

the veterinarian in 59 of the cases. Three cases were handled through diversion procedures and 8 complaints resulted in charges being laid before the Judicial Committee.

A common theme running through many of the complaints has been poor communication and lack of informed consent.

There is no guarantee that complaints can be avoided, but the way we practise can influence the likelihood of complaints. Practising safely with respect to complaints will reduce the number of complaints, the risk of those complaints escalating to the Council and also our vulnerability in the event of a complaint.

Some tips for practising safely:

- **Communicate effectively** so that clients understand the information provided and are fully informed of treatment options, risks and costs. Be open with your clients and treat them with respect and courtesy
- **Ensure the client's informed consent** and document this
- **Recognise your limitations** and seek a second opinion or refer in circumstances where you risk practising outside the boundaries of your competence
- **Keep accurate records**
- **Avoid adverse comment** relative to other veterinarians
- **Be aware of your ethical and statutory responsibilities**
- **Hold professional indemnity insurance**
- **Act quickly if a client complains.** Take the complaint seriously and try to deal with it as quickly and directly as possible. Let the client know you have received their complaint and when they can expect a response. Ensure you provide a full explanation of events and apologise for the way things turned out.

Inside this Issue

Tips for avoiding complaints 1

Review of the Code of Professional Conduct for Veterinarians 2

No VCNZ handbook in 2008 2

Veterinary Medicine Regulatory Requirements - VetQuickSearch 2

Veterinarian's Health 3

The use of post nominals and the registration of additional qualifications 4

Feedback on the issue of 24 hour care and emergency response 4

Newly Registered Specialists 5

In brief... what's Council been up to? 5

Information for Veterinarians: Check your online public register entry on the Council's website 6

About the Veterinary Council 6

Veterinary opportunity in Kyrgyzstan 6

Revised Council meeting dates in 2008 6

Strategic Plan 2008 - 2012 6

Issue of 2008/09 Annual Practising Certificates 6

Changes to the Veterinarians Act, 2005 6

Contact

Veterinary Council
of New Zealand
PO Box 10-563
Wellington
Level 8
138 The Terrace
vet@vetcouncil.org.nz
www.vetcouncil.org.nz

Review of the Code of Professional Conduct for Veterinarians



In the last issue of NewsBrief we signalled an upcoming review of the Code of Professional Conduct and called for submissions.

The feedback has indicated the need for major revision of the format and some of the content of the current code. The review cannot be rushed. It needs to be carefully planned and adequately resourced and involve significant input from all interested parties.

The Council will be considering a proposed plan to progress the review when it meets next month. The plan will include:

- information on how other jurisdictions delineate their expectations of registrants
- discussion of Council's statutory function of prescribing the minimum standards required to protect the public interest
- ways to ensure wide consultation with, and effective input, from stakeholders
- those areas which have been identified to date as requiring review
- a suggested format that clearly separates the required minimum standards from general advice and best practice principles
- resource requirements
- key milestone dates over the next 12 months and a date for the release of a consultation document on the proposed format and content

We will report further in the next NewsBrief.

No VCNZ handbook in 2008

The Council is not intending to publish the VCNZ Handbook in 2008 and is proposing to use the savings to fund the major review of the Code of Professional Conduct.

Up to date details on veterinarians, specialists and practices can be found on the Council's website www.vetcouncil.org.nz. This is updated three times a week.

Those needing a hard copy of the Register of Veterinarians or practice

addresses can obtain this, on request, from the Council offices.

The Handbook is expensive to produce and is invariably out of date before it is published.

We would welcome your views on how the information in the Handbook should be provided to you in the future. Please provide comments to the Registrar, in writing or by emailing janet.eden@vetcouncil.org.nz

Veterinary Medicine Regulatory Requirements - VetQuickSearch

Information for veterinarians from the Agricultural Compounds and Veterinary Medicines (ACVM) Group of the New Zealand Food Safety Authority's (NZFSA).



Want a quick way to find out about veterinary medicine regulatory requirements? Have a look at the VetQuickSearch section of the website (<http://www.nzfsa.govt.nz/acvm/subject/vet/index.htm>).

VetQuickSearch has been updated and expanded in an effort to make it more useful to you, especially in the following areas:

- **OBLIGATIONS:** Short summaries of your obligations are being uploaded to the website so you can check quickly and easily about areas that may concern you. For example, do you know if you need to apply to be approved/recognised as a trader in PARs or if your veterinary registration is sufficient for ACVM recognition? (Hint: it is not the same for all vets.)

- **INFORMATION:** For several years, the ACVM Group produced an annual special issue of *AgVetLink* for veterinarians to keep you informed about national and international issues/requirements. This year information will be uploaded to VetQuickSearch when it becomes available.

- **CONSULTATION:** The ACVM Act was amended in 2007 and this means changes to the requirements that affect you as a veterinarian. Consultation about these changes will be ongoing this year, and your input will be appreciated. Relevant documents will be found through VetQuickSearch, and ACVM is planning workshops in conjunction with the Council and NZVA.

Go to the ACVM home page and sign up to receive email notification when something new is added to the website (<http://www.nzfsa.govt.nz/acvm>). If you have any questions or comments, use the 'contact this person' option at the bottom of the VetQuickSearch home page to email ACVM

Veterinarian's Health

The Council has a statutory responsibility to protect the public's interest. This includes ensuring that veterinarians are fit to practise. As such the Council has statutory powers to respond in situations where a veterinarian's health may be impairing their performance.

What causes health problems?

Veterinary science by its very nature can expose its practitioners to a greater number of stressors and hazards than those encountered by the rest of the community.

Stresses include the physical demands of the work, long hours, fatigue and sleep deprivation, debt, the demands of clients and external bodies and fear of litigation and complaints. Being able to manage the complex act of euthanasia of animals and accompanying grief management presents additional demands.

Hazards include the risks of infectious diseases, injury, adverse exposure to radiation, drugs and noxious chemicals and the constant exposure to controlled and addictive drugs.

In addition, veterinarians are vulnerable to the same physical and psychological disorders as the rest of the community.

These disorders occur in veterinarians just as often as in the general population and some such as suicide, alcohol and drug abuse and accidents appear to occur more frequently.

It is therefore not surprising that some veterinarians are working under some degree of impairment. If professional help is not sought, it is often just a matter of time before serious problems occur.

General experience is that early intervention usually enables veterinarians with a treatable illness to keep practising while receiving treatment. However if the situation is not addressed at an early stage and the veterinarian is no longer able to make safe judgements, demonstrate the level of skills and knowledge necessary for safe practice, is behaving inappropriately or acting

in ways that impact adversely on safety it is vital for public protection, for the veterinarian's practice to be closely monitored or if necessary for them to stop work.

Who advises the Council of health concerns?

Veterinarians must tell the Council if there is any concern about their ability to perform the functions required to practise veterinary science, when they renew their practising certificate each year.

Members of the public or colleagues can also report concerns to the Council.

In the human health field it is mandatory for health practitioners, managers and employers (of practitioners) to notify the relevant health regulatory body if they have concerns about a colleague's fitness to practise

Although this is not a requirement of the Veterinarians Act, the Council considers that covering up, or ignoring an unfit colleague's medical or mental condition is wrong. Without help and support a veterinarian who is unwell, risks putting the community, the profession and his or her reputation in jeopardy.

How do I notify the Council?

If you are worried about your own health or that of a colleague please contact the Council's Registrar.

The Health committee usually prefers a notification from a colleague or member of the public to be in writing and to identify the person who has made the referral but may use its discretion.

What happens when the Council receives information that a veterinarian may be unfit?

The Veterinarians Act sets out the steps that must be taken when the Council receives a report about an unfit veterinarian.

The Council has delegated authority to the Council's Health Committee to manage cases of health impaired

practitioners. The Health Committee consists of two veterinarians and a medical practitioner with particular expertise in mental and addictive conditions.

The Committee uses an assessment and rehabilitation process, based on the tested methods of other health regulatory bodies, which is designed to separate health issues from those of discipline and competence. The committee's approach is non-judgemental, rehabilitative and confidential, except in extreme cases where the veterinarian refuses to co-operate and suspension or conditions on practise are necessary to protect the public.

If a medical assessment confirms concerns about a veterinarian's fitness to practise the usual outcome is a negotiated agreement with the veterinarian, underpinned by acknowledgement that a breach may result in statutory conditions being imposed on the veterinarian's practice.



The Council's pamphlet on Veterinarians Health contains further information on other sources of help, the assessment process and outcomes and typical agreements for assisting unwell practitioners. This is available on the Council's website or on request.

The use of post nominals and the registration of additional qualifications

In the last NewsBrief we consulted on our draft proposals around the public display of post nominals and criteria for approving additional qualifications for entry on the Register of Veterinarians.

The Council thanks all those who took the time to respond. This issue generated a lot of feedback, with individual veterinarians holding widely opposing views. Council took stock of the responses and finalised its policy guidance when it met in February.

Criteria for the inclusion of additional qualifications on the Register

A qualification will be approved for entry on the Register of Veterinarians if:

- it has relevance to veterinary practice; and
- has been awarded following successful completion of a course of training or study by a body recognised by the Council
- A wide interpretation of relevance to veterinary practice will be taken.
- A pass in a licensing/registration examination is not considered an additional qualification and

will only be included on the Register if this was the basis for New Zealand registration.

Guidance on the use of post nominal titles

The over use of post nominals can be confusing to the public and create an inflated view of a veterinarian's skills and knowledge.

As such the Council recommends that the public display of post nominal qualifications and honorary titles should be limited to:

- Undergraduate or postgraduate veterinary qualifications and New Zealand National Registration Examinations by virtue of which registration or specialist registration is awarded eg BVSc Massey 2004 or BVSc Belgrade 1993, NZNVE 2005
- Qualifications approved by the Veterinary Council as additional qualifications for inclusion on the Register of Veterinarians
- Membership of professional bodies (eg NZVA member).
- Civilian and military decorations

Guidance on advertising particular interest areas

Veterinarians may advertise their areas of particular interest, but, unless they are registered as a specialist should do so in conjunction with a common descriptor e.g. veterinarian with a particular interest in equine health.

What this guidance means

- membership of professional bodies (such as MRCVS) will no longer be approved for inclusion on the register, unless achieved by examination
- veterinarians will not be prevented from advertising memberships, honorary titles and 'non approved' additional qualifications in their own material, but these will not appear on the public register of veterinarians
- veterinarians holding additional qualifications and titles which do not meet the new criteria for inclusion on the register will be encouraged to remove these from the register.

Feedback on the issue of 24 hour care and emergency response

The Council thanks those who responded to the request for comments on the realities of providing 24 hour cover and emergency care. These submissions will feed into the review of the Code of Professional Conduct.

Feedback was mixed, with some veterinarians being comfortable with retaining the current requirements while others considered the status quo was no longer realistic.

Issues raised included:

- the impact of the current requirements on recruitment and retention of new veterinarians
- the difficulties and stresses of providing 24 hour care in some mixed and large animal practices in particular
- the personal safety issues of providing a service after hours
- the level of care expected of veterinarians providing after hours and emergency services given they may not necessarily be competent to deal with the range of situations which arise
- higher public expectations of access to 24 hour and emergency care than applies in the human health field.
- the need for Council to outline the factors veterinarians should consider when asked to respond to an after hours or emergency care request

Newly Registered Specialists

Dr Nicholas Cave

Dr Nicholas Cave gained specialist registration in Veterinary Nutrition in December 2007.

Dr Cave is a 1990 Massey graduate and completed a three year residency in Small Animal Nutrition at the University of California.

Research projects undertaken during his training programme included the use of estradiol to normalise food intake in cats following gonadectomy and the efficacy and immunological effects of genistein as a surrogate estrogen and evaluation of a routine diagnostic fecal panel for dogs with diarrhea.

Dr Cave was awarded a Diplomate of the American College of Veterinary Nutrition in 2003. He also holds a MVSc and a PhD and is a member of the Australian College of Veterinary Scientists by examination in small animal medicine.

Dr Cave is a Senior Lecturer in Small Animal Medicine at Massey University Institute of Veterinary, Animal and Biomedical Sciences.

Dr Robert Fairley

Dr Robert Fairley's specialist registration in Veterinary Anatomic Pathology was granted in February.

Dr Fairley gained a BVSC from Massey in 1979. His training in pathology commenced in the New Zealand diagnostic laboratory system and was followed by a residency at the North Carolina State University.

Having completed the specialist training and experience requirements and passed the Board Examination, Dr Fairley was awarded a Diplomate of the American College of Veterinary Pathologists in 1987. Since that time he has spent time in academia or diagnostics in New Zealand, the USA and Canada.

Dr Fairley's research and publications have included work on respiratory diseases of New Zealand cattle, porcine leptospirosis and pleuropneumonia, and lesions in the brains of cattle.

Dr Fairley works as a diagnostic pathologist with Gribbles Veterinary Pathology in Christchurch

In brief.....what's Council been up to?

Work on developing competency review tools	Re-certifying veterinarians to practise through the issue of annual practising certificates	Support for proposed Massey Bachelor of Veterinary Technology programme
Participating in recent meetings of the Agricultural Compounds and Veterinary Medicines Advisory Council (AVMAC) and its working group on the classification of veterinary medicines under the new ACVM Act	Finalising supervision protocols and reporting templates for use in situations where veterinarians practise under supervision	Discussions with Vetlearn on ways to improve veterinarians' recording of, and reporting on, continuing professional development activities
Meeting with MAF officials to discuss the development of an effective policy for managing conflict of interests when providing official assurances for export	Adoption of revised conflict of interest and confidentiality policies for Council and Committee members. These are available on request	At the request of Retired Vets Branch of NZVA, investigating the possibility of having a 'retired' category on the Register of Veterinarians at no or reduced fee
Discussions with NZVA on the development of minimum practising standards	Approving delegations to the Registrar and to committees to facilitate speedier processing of registration and APC applications	Reviewing and updating the Council's policy manual

Information for Veterinarians: Check your online public register entry on the Council's website

The October 2007 issue of NewsBrief contained advice of Council's decision that the content of the public register of veterinarians should be the same - regardless of whether it is published in the VCNZ Handbook or in the online version on the Council's website.

The online register has now been updated to accommodate these changes.

We only publish your contact details if you agree. As such, this year's practising certificate application asked you to indicate whether or not you agreed to your contact address, practice name, phone numbers and email address being published.

The online register is updated three times a week. So if you change your mind, let us know and amendments can be actioned very quickly.

You can check your entry at www.vetcouncil.org.nz

And while you are there check out the new search facility for practices and employing organisations at: www.vetcouncil.org.nz/onlinePractice.php

And the list of specialists at: www.vetcouncil.org.nz/specialistList.php

Like the online register, these new facilities are updated three times a week.

Revised Council meeting dates in 2008

23 May

26 August

24 and 25 November

About the Veterinary Council

Part 5 and Schedule 1 of the Veterinarians Act, 2005, define the structure, function and membership of the Veterinary Council.

Council Composition

The Veterinary Council has seven members. The composition of its membership is defined by the Act. The majority of the members must be practising veterinarians.

Every three years, New Zealand veterinarians elect three of their colleagues onto the Veterinary Council. The last election was held in November 2007 and saw Ron Gibson, Peter Jerram and Julie Wagner being elected.

Professor Norm Williamson sits on Council as he is responsible for the veterinary science academic programme at Massey University.

The two lay members Penny Mudford and Barbara Benson and the other veterinarian, Jim Edwards are appointed by the Minister of Agriculture and Forestry. Ministerial appointees are appointed for a limited time period (normally three years). They may be reappointed but cannot be members for more than 9 consecutive years.

The lay members perform an important function in bringing a different perspective from that of veterinarians to the Council table. Furthermore a quorum of the Council must include one lay member and three other members.

The Act provides that the Council must elect the Chair and Deputy Chair, at its first meeting each year.

Council Members' Responsibilities

Council members have an over-riding duty to serve the interests of the public. They must perform their functions in good faith, honestly and impartially and avoid situations that might compromise their integrity or lead to conflicts of interest. Councillors are obliged to respect the confidential nature of Council business where this is required and to assume a collective accountability and responsibility for Council decisions and actions.

A rigorous system is in place to prevent and manage conflicts of interests, together with procedures to ensure the privacy of individuals who may be subject to Council proceedings.

Veterinary opportunity in Kyrgyzstan

Veterinarians - individuals or practices - are wanted to assist with the establishment of animal health services for poor livestock farmers in a province in north-east Kyrgyzstan.

In 2005, NZAID funded four New Zealanders and two Kyrgyz consultants to establish ways of helping poverty affected rural communities in two districts in Kyrgyzstan - Naryn in the north east by the border with China, and Osh, beside the Uzbekistan border in the south east. They found small things that made a big difference to the wellbeing of rural families. To consolidate and expand activities, the Kyrgyzstan New Zealand Rural Trust was set up. Although short of its target of \$2.4 million over the next five years, the trust is concentrating its current effort on the mountainous district of Naryn where rural families have cash incomes of less than US\$1 per day. They depend on livestock (sheep, cattle, goats and horses)

for their food supply and income. As well as lack of cash, they have to contend with animal diseases (brucellosis, pasteurellosis, tuberculosis, hydatids) and predators.

Amongst other things, the trust wants to establish paraveterinary services based on groups of farmers supported by an animal health technician and monitored by state veterinarians to reduce the incidence of brucellosis, pasteurellosis and hydatids and to improve animal productivity.

For further information contact one of the following Trustees,

North Island:

Brian Hedley, Coatesville Auckland, ph 09-448 5308, email hedleybr@xtra.co.nz

South Island:

Derek Kirke, Wanaka, ph 03-443 6452, dkirke@clear.net.nz, or

Tony Ryan, Christchurch, ph 03-347 9787, tonyryan_2000@yahoo.com

Strategic Plan 2008 – 2012

The Council is in the process of developing its new strategic plan. At a meeting in February the Council reviewed its mission statement and strategic goals and objectives and amended these as follows:

The primary purpose of the Veterinary Council is to protect the public interest by ensuring that veterinarians are fit and competent to practise

To achieve this purpose the Council has the following key statutory functions:

- ♦ registering veterinarians
- ♦ setting and implementing minimum standards for veterinary practice
- ♦ promoting high standards of veterinary education and conduct
- ♦ recognising qualifications for registration by accrediting or approving the institutions which offer them
- ♦ recertifying veterinarians through the issue of practising certificates
- ♦ reviewing and acting, where necessary, in circumstances where concerns about a veterinarian's performance, professional conduct or health have been raised
- ♦ advising and making recommendations to the Minister and Massey University

Values	Strategic Goals
Accountability	Strategic Goal 1: Fully implement the functions of the Veterinarians Act 2003
Effectiveness	
Transparency	Strategic Goal 2: Ensure high standards of corporate governance and management in the conduct of Council's business
Fairness	
Professionalism	Strategic Goal 3: Engage stakeholders to promote confidence and understanding of Council's role
Collaboration	

The Council will work to achieve its strategic goals through the following objectives:

Goal 1: Fully implement the functions of the Act

Objectives:

- ♦ Deliver on the statutory requirements of the Act
- ♦ Review the functionality of the Act
- ♦ Implement effective, relevant and easy to use continuing professional development provisions
- ♦ Fully implement the competency provisions of the Act
- ♦ Develop minimum standards for veterinary practice
- ♦ Review the Code of Professional Conduct
- ♦ Debate the issue of the registration of para veterinary professionals

Goal 2: Ensure high standards of corporate governance and management in the conduct of Council's business

Objectives:

- ♦ Ensure Council and Committees are well trained and well informed
- ♦ Work to ensure Council and Committee members have the skill sets required
- ♦ Review and implement Council governance policies and ensure regular review
- ♦ Ensure Council is focussed on governance issues
- ♦ Review Council's governance structure
- ♦ Ensure Council is a good employer
- ♦ Continue to improve the services provided by the Council office

Goal 3: Engage stakeholders to promote confidence and understanding of Council's role

Objectives:

- ♦ Review the communications plan including current means of communication
- ♦ Promote to the public and stakeholders Council's role in developing and maintaining minimum standards and competence
- ♦ Work with the profession and other major stakeholders to gain understanding of, and support for the work of the Council
- ♦ Maintain international networks

At its next meeting in May the Council will review and finalise the plan together with ways to achieve the objectives set. We would welcome comment on the plan.

Issue of 2008/09 Annual Practising Certificates

Significant numbers of veterinarians submitted incomplete application forms during this year's renewal round.

We need veterinarians to answer all the questions on the form so that Council can be assured they meet the minimum practising requirements of the Act.

The extra work associated with following up on incomplete applications has delayed the processing and issuing of certificates

Who needs an APC?

During the recent practising certificate round, some veterinarians queried whether they need a practising certificate.

Council's position is that those who are practising veterinary science require a practising certificate.

Council defines the practice of veterinary science as:

- signing any certificate e.g. clinical and export certificates;
- prescribing;
- treating;
- reporting or giving advice in a veterinary capacity using the knowledge, skills, attitudes and competence initially attained for the BVSc degree (or equivalent) and built upon through experience and/or post-graduate and continuing veterinary education.

"Practice" goes wider in this context than clinical veterinary science to include regulatory and compliance functions, teaching, consultancy, advice and health and welfare management.

Overseas veterinarians visiting New Zealand on a short term basis to speak at a conference or run a workshop are not normally required to be registered or to hold a practising certificate, provided the activities they are undertaking do not directly involve animal treatment and they do not represent themselves as a New Zealand registered veterinarian. However if they are carrying out activities which involve treating or manipulating animals they must be registered in New Zealand and hold a practising certificate

Changes to the Veterinarians Act, 2005



In general the Veterinarians Act 2005 has been working well but there are some omissions and conflicts which have the potential to cause difficulties.

The Council will be reviewing the functionality of the Act over the next year. Meantime we have sought and gained the following changes to the

Act through the Statutes Amendment Bill (No 2) which has been passed by Parliament and is awaiting Royal assent:

- including a requirement that a person seeking registration must be a fit and proper person
- allowing for the full registration of Massey students, who complete their course at the end of the calendar year but do not officially graduate until the graduation ceremony in the following May
- omitting the requirement for a notice to be published in the New Zealand Gazette in circumstances where the Council designates a new specialist branch or makes changes to its registration and practising certificate application forms
- making the disqualification from registration provisions consistent with regimes applying to other health professionals and with the Criminal Records (Clean Slate) Act 2004
- allowing the Complaints Assessment Committee to refer a competence or health matter to Council without having to complete a full investigation
- enabling the Council to require a veterinarian to undergo a competency assessment. Currently the Council may only require this on the recommendation of a Complaints Assessment Committee.
- enabling the Council to delegate some of its less critical powers in relation to competency and health to a committee or to the Registrar