



Culture of complaint?

Are complaints against veterinarians on the rise? VCNZ's **Wayne Ricketts** suggests that, even if the trend isn't entirely clear-cut, the profession needs to be prepared for it.

"Complaints drain joy."

– **Toba Beta, Master of Stupidity**

COMPLAINTS ARE SOMETHING we dread as professionals. Whether it's a complaint from a client or to VCNZ, they can certainly drain the joy. Fortunately, the number of complaints to VCNZ about veterinarians is proportionately very low – annually we receive 50-plus complaints across 3,000 registered veterinarians.

Are complaints to VCNZ increasing? In 2013 there were 54; 2014, 57; 2015, 61; 2016, 42; 2017, 71; 2018, 68. That's an average of 57 complaints per year. In the years 2006 to 2012, the average was 47 per year. In the first six months of the current financial year, there have only been 18. There is a trend upwards but annually it's variable, and the numbers for this year to date suggest there will possibly be fewer than previously. Of note, we have seen an increase in the number of complaints from veterinarians about other veterinarians.

HOW DOES THE PROCESS WORK?

The Veterinarians Act 2005 requires VCNZ to refer any complaint it receives about a veterinarian to a committee for investigation. An investigation can be a drawn-out process and can be difficult and harrowing for the veterinarian being complained about. In 2013 VCNZ introduced the concept of 'concerns' about veterinarians. Complainants are given the option of raising either a concern or a formal complaint. A concern will be considered by the Notification Review Group (NRG).

The NRG includes two veterinarians and a representative of the public. It considers concerns about veterinarians where the people raising them do not wish

to make formal complaints. It acts in a triage role on issues raised about conduct, performance or health. The NRG process is usually quicker than an investigation and most concerns are resolved with no further action, or no further formal action but with a recommendation that the veterinarian undergo education and/or a follow-up. The process tries to be educational for the complainant and the veterinarian. If the NRG thinks the concern involves a serious issue, it may advise that the matter be referred to a Complaints Assessment Committee (CAC).

Formal complaints must be referred to one of three CACs. Like the NRG, each is made up of two veterinarians and a member of the public. The veterinarians on the NRG and the CACs are our peers and are experienced practitioners who are open-minded, fair and reasonable.

POSSIBLE OUTCOMES

A CAC can make one of the following recommendations to VCNZ:

- » No further action or investigation is necessary.
- » No action is taken at the end of the investigation.
- » Mediation or conciliation between parties.
- » No further formal action, but recommendations to the veterinarian – eg, communication, record keeping, etc.
- » A medical assessment – eg, if they are concerned about the health and wellbeing of the veterinarian.
- » A competence assessment.
- » The imposition of conditions – eg, restricting practice to a certain area of practise.
- » Any combination of medical, competence and disciplinary matters.

If the CAC considers the matter requires a disciplinary hearing, it can lay one or more charges before the Judicial Committee. This decision is made independently of VCNZ. A CAC can also recommend interim suspension of a veterinarian's practising certificate, pending a disciplinary hearing or a competence or medical assessment.

THE FUTURE OF COMPLAINTS

Recent research by the Professional Standards Authority in the UK noted a change in public and professional perceptions of the health and care professions and the regulatory environment. "Consumers reported that their attitudes to health and social care professionals have shifted in recent years. This was in part a function of the wider phenomenon of the 'death of deference' to authorities ... who are no longer seen as the respected figures of authority they once were."¹

Other factors noted were the 'Google Effect', and that consumers felt more empowered to question or challenge professionals. Professionals reported that they were more risk averse and took greater care in maintaining records, and generally believed that the degree of regulation was largely effective in maintaining standards and integrity, but there was also a view that regulators were intolerant and strict.

In my view, the claim that complaints to VCNZ are on the increase is not clearly reflected in the statistics. But if we follow the trend of increasing litigiousness seen in the US and Australia over expectations around veterinary care, we need to be prepared for more complaints. ^{vs}

REFERENCE:

¹Dishonest behaviour by health and care professionals. Professional Standards Authority 15, 2016