



Managing risk

VCNZ's Seton Butler discusses the importance of processes and procedures.

The *Code of Professional Conduct* allows for veterinarians to delegate several activities to competent staff. Doing so is a wise move, but you need to ensure that you have processes in place to enable it.

Within your practice, it's best to start with a robust process that identifies and manages or prevents risks and concerns early and effectively, such as a complaint-handling process (see our guidance for practices at www.vetcouncil.org.nz/Web/Businesses/Practice_Guidance/Practice_guidance_Handling_complaints.aspx).

Externally, the risks of a veterinarian's actions overlap between the VCNZ *Code of Professional Conduct* and the law, for example, a complaint to VCNZ about conduct or competence versus a civil case regarding fees in court. It's important to note that these are not mutually exclusive.

VCNZ's advice and guidance relate to the standards expected of veterinarians (and the standards we might apply if concerns were raised, eg, in a complaint). It's important to understand these when identifying, preventing and managing risks, and to ensure appropriate delegation, supervision and risk management.

With this in mind, we've developed a number of guidance documents on the subject of non-veterinarians undertaking procedures:

- Technical Advice: Authorising medicines for specified surgical procedures done by non-veterinarians (www.vetcouncil.org.nz/Web/4.News/Technical_advice_News/Technical_advice_Authorising_medicines_for_procedures_done_by_non-veterinarians.aspx).
- Technical Advice: Authorising restricted veterinary medicines for dispensing and use by non-veterinarian staff (www.vetcouncil.org.nz/Web/4.News/Technical_advice_News/Technical_advice_Authorising_Medicines_staff.aspx).
- Technical advice: Example nurse vaccination process (www.vetcouncil.org.nz/Web/4.News/Technical_advice_News/Technical-advice--Example-nurse-vaccination-process.aspx).

- Statement: Authorisation of adult cat and dog vaccinations for administration by veterinary nurses during the current veterinary workforce shortage, VCNZ, 2022 (www.vetcouncil.org.nz).

In addition, guidelines such as those offered by the Large Animal Veterinary Technicians group (lavt@vets.org.nz) are useful in setting expectations for professional conduct and ethical standards.

Taking legal action

In simple terms, New Zealand has a multi-tiered civil court system, and animal owners may make claims against veterinarians through:

- the Disputes Tribunal for less than \$15,000 (or \$20,000 with the consent of the parties)
- the District Court for damages under \$200,000
- the High Court for higher amounts (the court is also the appellate court from the District Court).

Insurance – are you covered?

Indemnity insurance is another risk-management tool. In effect it's an insurer's contractual obligation to compensate a loss incurred by a veterinarian in relation to either (or both) a complaint to VCNZ or a civil claim against the veterinarian in relation to the law.

From a VCNZ perspective, we don't see any fundamental differences between allied professionals in companion animal (or large animal) practice and those in equine practice, but they may differ for insurers.

In assessing whether they're prepared to cover the activities of veterinarians and staff, insurers will consider the associated risks and decide whether they're prepared to cover them in their policies – and if so, what conditions would apply. For example, there may be different risk profiles for different practice types, such as companion animal and equine.

Insurers may also have different expectations (standards) for the areas they cover. VCNZ has no requirements for veterinarians to comply with insurers' expectations, but obviously this is required if you want to be covered.

In summary, many risks of complaints through the VCNZ process can be mitigated by following the *Code*, the additional guidance, and applying accepted standards of practice along with the support of a professional indemnity insurer.

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