

# VETERINARY SURGEONS BOARD OF SA

## COMPLAINTS ABOUT VETERINARY PRACTITIONERS

The Veterinary Surgeons Board of South Australia administers the Veterinary Practice Act 2003, and its Regulations. One of the roles of the Board is to investigate professional conduct of veterinarians, in order to maintain a high standard of service for the community and the profession.

If you wish to make a complaint to the Board please complete the forms provided, showing your name, address and telephone number, signature and provide a signed statement (or letter), briefly setting out the facts relating to the complaint. Any relevant background history should be included as well as the details of the complaint itself. The statement/letter need not be long but it should try and state the facts rather than use emotive language. If you were not the person presenting the animal to the veterinarian, please provide the name and address of the person under which the animal was seen by the veterinarian. If possible a signed statement by the person who dealt with the veterinarian would also be useful, but not essential.

**Your statement will be sent to the veterinary practitioner so he or she is fully aware of the details of your complaint.**

The steps involved in processing a complaint by the Board are as follows:

1. When a written complaint is lodged, you are notified that it has been received.
2. The Registrar will receive the complaint, and consider its level of seriousness. Less serious matters may be dealt with informally.
3. The veterinarian against whom the complaint is directed is sent your letter/statement and asked to respond to the issues arising from it. If more than one veterinarian is involved, the Registrar will request a response from other veterinarians. Copies of patient records, including X-rays and other material, will be requested by the Board.
4. In some circumstances, a copy of the response from the veterinarian will be provided to you. You will be invited to provide any further evidence, state where you disagree with the facts presented, or advise if after considering the response, you do not wish to continue with the complaint. Your response will be requested within 2 weeks.
5. The Registrar will consider all the information and decide whether the complaint requires a formal hearing (see below in point 7). If so, the Registrar will inform the Board that the matter is being investigated for a formal hearing.
6. For all other matters, the Board will consider the information on the complaint. It may decide that the matter should go to a formal hearing, or it may decide on diversion (diversion is a process where the veterinarian can acknowledge the merit of the complaint and agree to make changes, do additional training or make other undertakings to the Board). If neither a formal hearing nor diversion is decided upon by the Board, it will determine whether the veterinarian has engaged in unprofessional conduct or negligence on the basis of the evidence presented to it. If it agrees with the substance of the complaint, the Board may determine that the veterinarian
  - ♦ Undergoes counseling
  - ♦ Is cautioned
  - ♦ Is reprimanded

The Board may also decide that the evidence does not support unprofessional conduct. However, it could suggest that changes in practices would improve the service provided.

7. If a formal hearing is to be held you will be notified and may be asked to attend and give evidence. Formal hearings are like court, with qualified legal practitioners representing the Board and the veterinary practitioner. If the hearing finds that the veterinarian has engaged in unprofessional conduct or negligence, a range of sanctions may apply, from requiring the practitioner to undergo counseling, imposing a fine, suspending registration, up to the canceling of registration. Unprofessional conduct is defined by the Act as

- ♦ *Improper or unethical conduct in relation to professional practice; and*
- ♦ *Incompetence or negligence in relation to the provision of veterinary treatment; and*
- ♦ *A contravention of or failure to comply with*
  - a. A provision of this Act; or*
  - b. A code of conduct or professional standards prepared or endorsed by the Board under this Act; and*
- ♦ *Conduct that constitutes an offence punishable by imprisonment for one year or more under some other Act or law.*

The whole complaint process can take a minimum of three months, or longer depending on the seriousness of the offence and the level of evidence required.

Sometimes, the issues which are important to you are not able to be addressed by the Board. For example, the Board has no power under the Act to deal with complaints relating to fees, or compensation. Furthermore, the Board does not deal with complaints that are the responsibility of another statutory authority or organization with specific powers under another Act. For example, alleged cruelty to animals comes under the Prevention of Cruelty to Animals Act administered by the Department of Environment and Heritage.

The Board meets 11 times per year (once every month except January).

**PLEASE RETURN THE ATTACHED PAGE COMPLETED, SIGNED AND DATED, AS SOON AS POSSIBLE SO THAT YOUR COMPLAINT CAN BE PROCESSED**

Material relating to your complaint, including correspondence with the Veterinary Surgeons Board of SA, is subject to the Freedom of Information Act 1982 and the Information Privacy Act, 2000. The Board will only use and disclose personal information about you for the purpose of conducting an investigation of this complaint, unless consent has been obtained to use the information for other purposes.

**VETERINARY SURGEONS BOARD OF SOUTH AUSTRALIA**  
**185 FULLARTON ROAD DULWICH SA 5065**  
**www.vsbsa.org.au**

**COMPLAINT FORM**

This form allows the Veterinary Surgeons Board of SA to gather as much information as possible about the incident which led to your complaint. If there are any questions which you are unable to answer, please write unknown, or if the question is not applicable, cross out the question. It is important that you complete **BOTH** sides of this form.

**PERSON MAKING THE COMPLAINT—OWNER OF ANIMAL**

Name: ..... Owner of animal Yes  No   
Address: .....  
Telephone Number: .....  
Email (if applicable): .....  
Name of Owner (if not person making the complaint): .....

**PERSON WHO PRESENTED THE ANIMAL TO THE VETERINARIAN**

**Tick the box if same as above** Yes

(if not, please provide details)

Name: .....  
Address: .....  
Telephone: .....  
Email (if applicable): .....

**ABOUT THE ANIMAL**

Name: .....  
Age: .....  
Sex: .....  
Type of animal: (dog, cat, bird etc) ..... Breed: .....  
Markings: ..... Colour: .....

**ABOUT THE VETERINARIAN**

Name of Vet: .....  
Name of Vet Clinic or Hospital: .....  
Address: .....  
Date on which the incident which is the subject of the complaint occurred: .....

**DECLARATION**

I understand that my letter detailing the complaint will be sent to the veterinarian. I give permission for the release of the clinical records of the animal to the Board.

(Cross out if not applicable). If a second veterinarian was involved in the care of my animal, I give permission for that veterinarian to comment on the case, and provide clinical records to the Board.

Signature ..... Date .....

If a person other than the person making the complaint presented the animal to the veterinarian, if possible, please ask them to sign here to verify that the following statement is correct.

Signature ..... Date .....

**PLEASE COMPLETE SIDE TWO WITH THE DETAILS OF YOUR COMPLAINT**

The following sections are important in assisting the Veterinary Surgeons Board of SA to clearly understand your main concerns and to ensure all issues are addressed.

If there is insufficient space, please attach a separate sheet. You may also wish to attach a letter or statement.

**SPECIFIC ISSUES YOU WISH TO BE ADDRESSED**

- 1.
- 2.
- 3.
- 4.
- 5.

**WHAT DO YOU HOPE TO ACHIEVE FROM THIS INVESTIGATION**

(e.g. better understanding of what happened and why; apology from the vet; reduction in cost of service\*; formal investigation into veterinarian etc)

\* Please note the Veterinary Surgeons Board of SA is not able to enquire into the fees charged by veterinarians, except in circumstances where the fees charged significantly exceed the quoted price (see page 2 for information on matters the Board is able to enquire into).

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