

**Veterinary Surgeons Board  
of  
South Australia**

**Annual Report**

**2001-2002**



VETERINARY SURGEONS BOARD  
OF SOUTH AUSTRALIA

To the Hon Paul Holloway MLC  
Minister for Agriculture, Food and Fisheries  
Minister for Mineral Resources Development

In accordance with the Public Sector Management Act 1995, Section 66, and the Veterinary Surgeons Act 1985, Section 20, I present the Annual Report of the Veterinary Surgeons Board of South Australia for the 2001-2002 financial year.

Paul Douglas Leadbeter LL.M.  
Presiding Officer  
Veterinary Surgeons Board of SA

September 2002

*P O BOX 218 WALKERVILLE SA 5081*  
*Suite 13, 70 Walkerville Tce, Walkerville South Australia 5081*  
*Phone:: 8269 3216 Fax: 8342 5325*  
*Email: [vsbsa@senet.com.au](mailto:vsbsa@senet.com.au) Website:: [www.vsbsa.org.au](http://www.vsbsa.org.au)*

## ORGANISATION OF THE AGENCY

### AS AT 30 JUNE 2002 THE BOARD CONSISTED OF THE FOLLOWING MEMBERS:

		Term of office expires:
<b>Chairperson:</b>	JOHNS, David Williams, LLB (Hons), GDLP	01/09/02
<b>Deputy:</b>	CRADDOCK, Rosemary Hamilton, LLB	01/09/02
<b>Members:</b>	MASON Bernard John, BVSc	17/08/03
	WESTON, Jennifer Anne, BSc, BVMS	30/08/04
	RADOSLOVICH, Helen	01/09/02
	BARNETT, Anthony Leigh, BVSc, BSc(Vet)	05/03/03
	McBRYDE, Ian David Balfour, BSc, BVMS	01/09/02
<b>Deputy Members:</b>	CLARKE, Rex James, BVSc	17/08/03
	MUNCHENBERG, Christopher John, BSc, BVMS	30/08/04
	ROSS, Cheryl Anne	01/09/02
	TOLSON, James Wesley, BVSc, MACVSc	05/03/03
	BABIDGE, Stephen Rodney, BVSc	01/09/02

The spread of Board membership is such that the Chairperson is a solicitor, Dr McBryde is the Australian Veterinary Association nominee, Dr Barnett is a Government Veterinary Officer, Dr Mason a large animal/rural veterinarian, Dr Weston a small animal/metropolitan veterinarian, and Ms Radoslovich is the lay person on the Board.

## LEGISLATION, FUNCTIONS & OBJECTIVES OF THE BOARD

The Board is set up to administer the Veterinary Surgeons Act 1985, and its Regulations. In accordance with this Act, it maintains a register of persons qualified to practise veterinary surgery, of persons entitled to be registered as Veterinary Specialists, and of incorporated companies registered as veterinary surgeons.

Its function is to regulate the practice of veterinary surgery in South Australia, and to consider complaints. Its object is to protect consumers by maintaining a high standard of veterinary practice within the state. The consumer market is wide ranging, covering owners and breeders of domestic pets, animals in sport and recreation, import/export markets, public health and research.

## OPERATIONS

□ The Board met **11** times during the year for monthly meetings, and **3** additional times as a Tribunal to hear formal proceedings.

### □ THE REGISTER

At 30 June 2002 the role consisted of **566** registrants.

This was made up of:

<b>434</b>	Primary Registrations
<b>91</b>	Secondary Registrations, (that is, the primary place of practice is outside S.A.)
<b>11</b>	Limited registrations, and
<b>30</b>	Non-practising veterinarians.

**10** of the Primary/Secondary registrants are Specialists. There are also **27** companies registered making a total of **593** on the Register

## NEW REGISTRATIONS

During the 2001-2002 financial year, **110** applicants were granted registration by the Board. Of the **99** new registrations, applicants had obtained their veterinary qualifications from universities in the following countries:

Australia	<b>65</b>	United Kingdom	<b>21</b>
New Zealand	<b>5</b>	South Africa	<b>3</b>
Zimbabwe	<b>3</b>	Canada	<b>1</b>
Ireland	<b>1</b>		

The **65** applicants who obtained their veterinary degrees in Australia studied at the following universities:

University of Sydney	<b>16</b>	University of Queensland	<b>15</b>
University of Melbourne	<b>12</b>	Murdoch University	<b>21</b>
NVE	<b>1</b>		

The remainder consisted of **3** reinstatements, **8** limited registrations.

The increase is again attributed to a greater movement in the profession (many local practices attracted locums from interstate or overseas for short periods, to help address the severe shortage here). More young veterinarians from the United Kingdom took advantage of the low Australian dollar to travel to Australia for working holidays. A shortage remains, despite these figures appearing to support an increase in the number of practising veterinarians in South Australia.

## □ VETERINARY SPECIALISTS

**10** Veterinary Surgeons were registered as Specialists as at 30 June 2002 in the following branches:

Veterinary Ophthalmology	<b>1</b>	
Veterinary Pathobiology		<b>2</b>
Veterinary Pathobiology (General and Anatomic Pathology)	<b>1</b>	
Veterinary Pathobiology (Microbiology)	<b>2</b>	
Veterinary Surgery (Equine)	<b>1</b>	
Veterinary Radiology	<b>2</b>	
Veterinary Surgery (Small Animal)	<b>1</b>	

## □ PRACTICE OF VETERINARY SURGERY BY COMPANIES

During the 2001-2002 financial year, **2** new Companies were registered, and 4 ceased to exist, making a total of **27** Registered Companies.

## □ NEW HOSPITALS & PRACTICE NAMES

Pursuant to the Veterinary Surgeons Act, Regulations, Fourth Schedule, Rules of Conduct, Clause 5(1), the Board must approve names of Practices. The Board approved **7** new practice names, or changes to existing names, during 2001-2002.

As at 30 June 2002 there were 20 Approved Veterinary Hospitals. Hospitals carrying current accreditation with the *Australian Small Animal Veterinary Association* are automatically approved by the Board. Others must be inspected once every four years, and/or six months after a change of ownership. There are currently **6** hospitals in this state with ASAVA accreditation.

## □ PUBLICATIONS

The Board produces a *Handbook for Veterinary Surgeons*, (current edition **Handbook 2000**) which

contains general information, guidelines and policies of the Board. Copies of the *Register of Veterinary Surgeons*, and *List of Veterinary Practices* are available for a fee, either as hard copy or on disk. General news from Board meetings and matters of policy are published in the Australian Veterinary Association (SA Branch) newsletter, the **BULLETIN**.

## □ COMPLAINTS

The Board has a statutory responsibility to investigate complaints. It plays a major role in consumer protection and community service, protecting both the profession and the public by maintaining high standards of competence and conduct.

The Registrar takes enquiries and complaints from the public. Where possible, consumers are directed back to the veterinarian for further explanation, or mediation may take place. If these options fail, consumers may put their complaint in writing. The Complaints Committee then investigates and reports to the Board. Matters that allege professional misconduct are referred directly to the Crown Solicitor's Office for investigation.

The current Australian Veterinary Association Ltd Code of Professional Conduct is used as the benchmark in all matters of conduct.

The fundamental principals of the Code of Conduct are:

- The primary concern of the profession is for the welfare of the animals.
- All work performed by veterinarians is to a standard of competence acceptable to their peers.
- Veterinarians, individually, act to promote cohesion within the profession and the trust of the profession by the general public.
- No personal advantage is sought to the detriment of a professional colleague.

### **Professional Indemnity Insurance**

Every practising veterinarian must be insured against civil liabilities that might be incurred in the cause of that practice, and is required to declare annually, details of that insurance.

### **Civil Actions**

When a civil claim is made against a registered person for alleged negligence in the course of veterinary practice, and there is a court order to pay compensation *or an agreement in settlement of the claim*, the registered person is required to furnish the Board with the details of the claim within 30 days. (**Penalty for non-disclosure: \$2000**).

## **COMMON SOURCES OF COMPLAINTS**

- **Poor communication**

Clients do not always take in all of the information offered at time of discharge of an animal because they are emotionally involved. It can be helpful to write down important information.

- **Perceived lack of caring**; insensitivity, particularly surrounding euthanasia.

- **Inaccurate quoting**

Often due to post operative medication costs not included in quotes or not made clear at the beginning.

- **Wound breakdown**

Use of catgut is often involved in wound breakdown cases. Catgut, in particular Chromic Catgut absorbs water and swells rapidly after placement in the tissues which can lead to rapid loosening and untying of knots. Superior alternatives are available.

- **Inadequate Record Keeping**

In the event of a complaint, records should be sufficient to stand alone to justify treatment and procedure and be automatically supplied if responding to a complaint.

- **Dealing with Payment**

The Board does not have jurisdiction over fees and charges, but a large number of phone complaints refer to the way practices handle their payment policy. This can become the domain of the Veterinary Surgeons Board if it has the potential to bring the profession into disrepute. If treatment is restricted by the client's inability to pay then it becomes even more important that options are discussed with the owner at every stage, that the owner is clear about the fact that the treatment may be less than optimal, and the quotes realistic at every stage. The client must make the decision, not members of the practice.

- **Transfer/release of records**

There is an expectation that practices will cooperate and liaise professionally. To do any less is not in the best interests of the animals and brings the profession into disrepute. Practice protocol should allow for transmission relevant information.

- **Radiographs**

X-rays belong to the practice that took them. Clients pay for the interpretation, and whilst vets may choose to hand them over, they can choose to keep them, and should they be needed for a second opinion, either: charge the clients for a copy, or send the x-rays on to the next practice (with a request for them to be returned if necessary). It is not ethical, nor in the best interests of the animal, to refuse to allow another veterinarian to view them.

- **Vicarious Liability: Actions of staff**

The principals of a veterinary practice may be held responsible for the actions of their employees &/or agents (locums).

## COMPLAINTS SUMMARY 2001-02

4 Complaints were carried over from the previous year: 1 under review with the State Ombudsman and 3 for trial.

One complainant, dissatisfied with the findings of the Board and the state of the profession as a whole, took their complaint to the Parliamentary Statutory Authorities Review Committee. The

Committee heard evidence from both parties and in its report tabled in parliament concluded: "*It did not believe that Mr ... complaints were justified*".

**During 2001/2002, 61 new complaints were brought before the Board.**

□ **4 cases were referred to the Crown Solicitor.**

One was dropped; one is continuing as a trial; one the complaint has been laid formally; and in the other a veterinarian pleaded guilty to 2 counts of improper conduct. The two counts referred to (1) that he signed a vaccination certificate that contained no details to identify the animal and (2) that he purchased a schedule 4 product, which he allowed to be sold over the counter of a pet shop without reference to a veterinarian. The fact that the veterinarian fully cooperated with the Board, pleaded guilty and the matter did not have to go to trial enabled the Board to mitigate the penalty.

□ **1 veterinarian was called before the Board**

to explain treatment and receive counseling, and another requested to come before the Board to explain his case. Both received formal reprimands.

□ **15 veterinarians were reprimanded in writing, by the Board.**

The majority were cautions advising how the matter could have been better handled.

□ **6 complaints were brought against lay people**

Non-registered persons reported to the Board for carrying out acts of veterinary science are advised of the potential to breach legislation, not only the Veterinary Surgeons Act, but also the Prevention of Cruelty to Animals Act, the Controlled Substances Act and the Livestock Act. Particular instances have included: pregnancy testing of cattle, embryo transfer in sheep, advertising as specialist in animal behaviour, use of ultrasound at horse studs, pharmacist dealing in veterinary medicine, 'Natural Therapy' clinic advertising treatment of animals and castration of a colt.

□ **4 complaints were brought by a member of the profession against another member.**

The majority of non-written complaints in this area involve lack of professional liaison and non-release of records.

□ **18 matters were settled informally.**

These are usually attributable to poor communication.

□ **No matters were referred to other jurisdictions.**

At least 3 are known to have become civil actions.

□ **In 13 instances, no case was found.**



## **NEW POLICIES AND MATTERS ARISING OUT OF BOARD MEETINGS**

### **Continuing Professional Development**

One of the primary responsibilities of the Veterinary Surgeons Board is to protect the public by maintaining high standards of competence within the profession. The public has a right to expect that professional people keep up to date with current developments, particularly in the area relevant to their professional activity and the Board has an obligation to regulate and maintain high standards of practice.

A commitment to continuing education is essential to maintain and enhance professional skills and knowledge. It is expected that all practising veterinary surgeons will partake of some form of continuing professional development (CPD) every year. For the next 3 years, the Veterinary Surgeons Board will be trialling a scheme of self-regulated recording of CPD, beginning in January 2002.

### **Changes to Hospital Standards**

It is expected that inspection of hospitals will be included in new legislation. With this in mind the current Hospital Standards have been reviewed and upgraded.

### **Specialist Registration**

A submission has been made to allow for the Board to recognise more branches of speciality registration: in particular Veterinary Parasitology, and Small Animal Surgery- Orthopaedics.

### **Secondary registration of short term veterinarians**

UK registered veterinarians on working holidays need to be registered in Australia before being able to access Secondary Registration benefits.

### **Letter of Professional Standing**

Determination on how long a veterinarian has to work in South Australia prior to being eligible for a Letter of Professional Standing: the length of time it takes to determine competence will depend on the individual circumstance and each case has to be considered on its merits, particularly when it involves an exceptionally short period of time.

### **Record Keeping**

Records of any case should be of such detail that any veterinary surgeon could take over management of the case at any time. In the event of a complaint, records should be sufficient to stand alone to justify treatment and procedure.

When asked to respond to a complaint, the veterinarian should automatically supply all records relating to the case. Well-documented, professional and complete records provide a picture of good protocols in place and strongly support the case of the veterinarian.

### **Pre-Purchase Examinations of Horses**

The Australian Equine Veterinary Association Certificates are only to be used by Members of that Association.

**REFER TO THE HANDBOOK FOR A COMPLETE LIST OF POLICY DECISIONS.**



## **STATUS OF THE REVIEW OF THE VETERINARY SURGEONS ACT**

The Act has been renewed under the Competition Principles Agreement. A new bill has been drafted and is ready to go before cabinet. The Regulations expire in September and are being re-written.

## **CONSULTATION WITH OTHER VETERINARY BOARDS**

The Australasian Veterinary Boards' Council Incorporated provides a forum where representatives of Australian and New Zealand Veterinary regulatory bodies and education providers discuss legislative matters, standards of practice, accreditation and other related issues. The Council is funded by the individual Boards. Meetings are held once a year, with regular teleconferences in between. Copies of minutes are available on request from the Registrar.

The AVBC provides a mechanism to regulate the Australasian veterinary profession, with potential advantages including: a national registration system; uniform standards for Australia and New Zealand, with an integrated approach to the legislative changes; and movement away from prescriptive regulation of the profession towards a quality management approach.

The last national conference was held in Adelaide in May 2002. Dr Julia Nicholls represented the Board as our delegate. Items discussed included:

- New Specialist Category: Parasitology (requires a change to our legislation).
- Update from all states on Continuing Veterinary Education, with a view to harmonisation of the process and recording (most likely based on the Victorian model, which SA uses). All Boards expressed a commitment to promoting CVE. Some states are legislating for this.
- Report on accreditation of veterinary schools; working towards reciprocal recognition of Irish graduates; the concept of a global accreditation scheme, (require changes to legislation).
- Report on the National Veterinary Examination process
- National Registration: an intermediary step may well be the introduction of secondary registration in all states (currently only exists in SA, WA and QLD). The working party will put forward a model for this.
- Forward planning of AVBC – a second sizable increase in fees has been foreshadowed.
- Standards for Vet. Specialist Practices foreshadowed.
- Joint Expert Technical Advisory Committee: recommendations re Antibiotic resistance/food producing animals (recording/chips in tags) to be able to track antibiotic use to end user level. May have implications for rural vets.

## **National Registration – the SA perspective**

In principle National Registration is a worthwhile objective. There are practical issues to overcome, with different legislation in every state and territory. It would be more workable if a model was devised at federal level, with government approval, rather than states working at something that may not get approval in legislation. There would be financial disadvantages for SA with loss of new graduate registration fees as well as secondary fees. We are inhibited in what we can achieve due to financial constraints and a small profession base whereas some states still have government support. The Board believes the issue should remain on the agenda of AVBC, but work toward it in incremental steps. All states adopting Secondary registration would be a positive first step and a working party is devising a model for discussion by all states.

## **□ AUSTRALASIAN VETERINARY BOARDS ADMINISTRATORS MEETING**

The Registrars of Australian Boards and including New Zealand meet formally every two years. 2002 saw the informal meeting year and brief discussions covered: updates on websites, legislation, fees, specialist registration process and other AVBC items with relevance to administration. It is through these meetings that the Boards work towards harmonization of process.

## **□ FREEDOM OF INFORMATION**

The Registrar, as the Freedom of Information Officer for the Board, is obliged to provide access to personal files and to provide copies of information contained in these files to the individual concerned on receipt of

application for access. The Board is not obliged to provide access or copies of information relating to the investigation of complaints on normal request. However, it may be prepared to provide some access under certain circumstances, and will treat each request on its merits. **One** application was received in 2001/2002. Access was granted to the file.

## OTHER MATTERS REQUIRED TO BE REPORTED ON UNDER THE PUBLIC SECTOR MANAGEMENT ACT 1995

### Executive and staff employment & human resource matters including Workforce Diversity

The Board engages two persons, the Registrar and an assistant, in part time contractual positions, reviewed annually. No other staff are employed or contracted, but from time to time the Registrar uses the secretarial services of the Australian Veterinary Association Pty Ltd (SA Branch). The Board rents an office at AVA House, Walkerville, from the national Australian Veterinary Association Pty Ltd.

### Equal Opportunity

The gender balance of membership of the Board is taken into consideration when members are appointed. Within the 2001/2002 period, the Board was made up of 4 male and 2 female members.

### Remuneration

Members of the Board are paid sitting fees in accordance with the directives of the Commissioner for Public Employment, namely:

Chairperson:	\$40.00 per hour	(\$160 for 4 hour sitting)
Members:	\$35.00	(\$140 for 4 hour sitting)

The last increase was on 1 May 2000.

### Fraud

No instances of fraud were detected in this financial year.

### Financial Performance

Financial affairs of the Board are audited by the Auditor-General's Department, pursuant to the Veterinary Surgeons Act, and the statements are included within this Annual Report.

### Occupational Health, Safety & Welfare

There were no notifiable incidents within the period, and no workers' compensation claims made. Basic concerns are addressed. With no staff there is minimal risk.

### Use of Consultants

From time to time the Board seeks opinion from members of the profession with a particular expertise or special interest. Unless it forms part of formal proceedings, there is usually no fee for provision of this advice.

*The Board wishes to formally thank those members of the profession who have generously shared their knowledge and experience.*

### Overseas Travel

There was no overseas travel by employees.

### Disability Action Plans

The services of this agency are accessible by all people. In a case where a complainant is not able to make a written complaint a verbal statement is taken.

### CONTACT DETAILS:

Registrar  
Ms Helen Ward  
P O Box 218  
Walkerville SA 5081

Assistant Registrar  
Ms Louise Short

Ph: 08 8269 3216 Fax: 08 83425 325 e-mail: [vsbsa@senet.com.au](mailto:vsbsa@senet.com.au)

Website: [www.vsbsa.org.au](http://www.vsbsa.org.au)