

VETERINARY SURGEONS
BOARD

OF

SOUTH AUSTRALIA

ANNUAL REPORT

2004/05



VETERINARY SURGEONS BOARD OF SOUTH AUSTRALIA

**To the Hon Rory McEwen MP
Minister for Agriculture, Food and Fisheries**

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 2004-05 financial year.

**Paul Douglas Leadbeter LLM
Presiding Officer
Veterinary Surgeons Board of SA**

30 September 2005

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INDEX

	Page No.
Section One	
Presiding Member's Report	3
Registrar's Report	4
Section Two	
Organisation of the agency	5
Legislation, Functions and Objectives of the Board	5
Section Three	
Operations	6
The Register	6
New Registrations	6
Veterinary Specialists	7
Practice of Veterinary Surgery by Companies	7
New Hospitals and Practice Names	8
Section Four	
Complaints	9
Summary of complaints 2004/05	10
Section Five	
Publications	12
Section Six	
Future Directions for 2005/06	13
Section Seven	
National issues	14
Section Eight	
Administration	15
Freedom of Information	15
Human resources	15
Equal opportunity	15
Remuneration	15
Fraud	15
Occupational Health, Safety and Welfare	15
Use of consultants	15
Overseas travel	16
Disability action plans	16
Section Nine	
Financial Performance	17

SECTION ONE

PRESIDING OFFICER'S REPORT

During 2004/05 the Veterinary Surgeons Board continued to operate under the Veterinary Surgeons Act 1985, while waiting the proclamation of the new Act, the Veterinary Practice Act 2003.

In May 2005, the Minister for Primary Industries (Hon R McEwen MP) met with a delegation from the Board to discuss some current issues for the Board. These included the date of proclamation for the new Act, the financial position of the Board and the outcome of a funding submission presented by the Board to the Government. I am grateful for the Minister's consideration of these issues, and look forward to continuing the excellent relationship the Board has with the Government.

45 complaints were considered by the Board during 2004/05, and as has been the case in the past, the nature of the complaints varied considerably. Many continue to be generated because of misunderstandings or communication difficulties between veterinarians and clients. There are however, always a smaller number of complaints which highlight the need for improvement in practices, and this was again reflected in 2004/05. By informing the profession on these practice issues, the Board considers this is one way in which the veterinary profession can continually improve the services they provide to the community.

The Board has worked collaboratively throughout the year, and I wish to acknowledge all members and thank them for their commitment and diligent work throughout 2004/05. Deputy Members also need to keep informed of all the matters before the Board so they can deputise at any time, and I acknowledge their contribution also.

In April 2005, the Board accepted the resignation of the Registrar, Helen Ward. Ms Ward had been involved with the Board for over a decade, firstly as a Board member, and then as the Registrar. On behalf of the Board, I wish to publicly thank Ms Ward for her work during all these years. Ms Ward worked professionally and with great skill and knowledge to ensure the Board performed all its roles, including ensuring professional standards were maintained, and appropriate policies were developed in line with community expectations. In addition, during this time the administration of the Board was established on sound financial and organisational principles.

The 2005/06 year holds some challenges for the Board. The Board expects the new Veterinary Practice Act 2003 to be proclaimed in the second half of 2005. This will require the Board to promote the new Act and its requirements widely to the profession, so that the important principles which underpin the Act are taken forward. These are

- ◆ protecting animal health, safety and welfare,
- ◆ ensuring the public has confidence in the profession, and
- ◆ regulating the provision of veterinary treatment in South Australia.

A further challenge for the Board will be working with other States and Territories in the development of a national registration system for the veterinary profession which accommodates the concerns of all jurisdictions. This follows the decision of the Australasian Veterinary Boards Council in May 2005 to progress a model of national registration.

The Board looks forward to these challenges, and I have pleasure in presenting the Annual Report 2004/05 to the Government.

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

REGISTRAR'S REPORT

Operationally, 2004/05 was similar to 2003/04 in that while the number of new complaints decreased slightly (45 compared with 49 last financial year), the number of veterinarians on the Register increased slightly (620 compared with 595 last financial year).

Nevertheless, it was a year of transition. Firstly, the Board has been aware that changes will occur for the profession with the proclamation of the new Act. The work of the Registrar's office has therefore included identifying what the changes will mean in practice, and establishing procedures to ensure the change from the 1985 legislation to the 2003 legislation progresses smoothly. In order to assist this process, the Board released an Interim Handbook in February 2005. This publication includes information relevant to both the Veterinary Surgeons Act 1985 and the Veterinary Practice Act 2003, and has been provided widely across the profession. It also includes copies of the relevant Codes and Standards which will be endorsed under the new Veterinary Practice Act 2003. The Handbook will be revised once the new Act is proclaimed to ensure it fully reflects the new legislation.

Further work will be undertaken in the coming year to ensure the transition to the new legislation is as efficient as possible for both the profession, and for the general community.

The Office has also moved toward becoming a useful resource for the profession during the year. While this may at first appear to be at odds with its role in investigating complaints from the public, it is the case that many enquiries are referred to the Office from the profession or veterinary practices, about regulatory matters. Advice or information has been sought on a wide range of matters, including (to identify only a few issues) regulations concerning controlled substances, vaccination certificates, or Federal Government requirements regarding the exportation of animals.

The Office also continued to play a role in mediating misunderstandings which can occur between clients and veterinary practices, so that formal complaints (which can be time consuming and costly, and in some cases harrowing for the complainant) are taken forward to the Board on more serious matters.

There has been a transition phase at an administration level also, following the resignation of the previous Registrar, Helen Ward. Ms Ward gained irreplaceable experience after over a decade in the position, and in order to plan for a new incumbent, some time was spent in 2004/05 updating the Procedures Manual prior to her departure. The new Registrar commenced in April 2005.

The work of the Board relies on a number of people who provide their time and expertise to advise and assist the Registrar and the Board. A number of veterinary surgeons assist by providing preliminary advice on some complaints, and to these members of the profession the Board offers their thanks. Terry Forrest also provides advice on company registrations, and the Board thanks him for his diligent work through 2004/05. Finally, our thanks also go to Dr John Hamilton for his important work as inspector of hospitals.

Sue Millbank
Registrar
Veterinary Surgeons Board of SA

SECTION TWO

ORGANISATION OF THE AGENCY

AS AT 30 JUNE 2005 THE BOARD CONSISTED OF THE FOLLOWING MEMBERS:

	Attended/out of	Term of office expires:
Chairperson: LEADBETER, Paul Douglas, LLM	10/11	01/09/05
Deputy: JASINSKI, Helena Alide, LLB	01/01	01/09/05
Members: DOUBE, Andrew John, BVSc	08/11	30/09/06
MUNCHENBERG, Christopher John, BSc, BVMS	06/11	08/09/07
RADOSLOVICH, Helen, BSc (Ma)(Hons)	11/11	01/09/05
VANDEGRAAFF, Robin, BVSc, MVS, MACVSc	0/11	06/03/06
McBRYDE, Ian David Balfour, BSc, BVMS	8/11	01/09/05
Deputy Members:		
MASON Bernard John, BVSc	02/03	30/09/06
WESTON, Jennifer Anne, BSc, BVMS	02/05	08/09/07
COUNIHAN, John	0/0	04/05/08
BAKER, Robert Marshall, BVSc, MSc, MAgSc	09/09	06/03/06
NICHOLLS, Julia Mary, BVMS, PhD, MACVSc	03/03	01/09/05

The Chairperson is a solicitor, Dr McBryde is the Australian Veterinary Association nominee, Dr Vandegraaff is the Chief Veterinary Officer (Department of Primary Industries), Dr Doube a large animal/rural veterinarian, Dr Weston/Dr Chris Munchenberg small animal/metropolitan veterinarians, and Ms Radoslovich is the layperson on the Board. Due to his commitments, Dr Baker usually attends in place of Dr Vandegraaff.

LEGISLATION, FUNCTIONS AND OBJECTIVES OF THE BOARD

The Board administers the legislation, which is currently the Veterinary Surgeons Act 1985. In accordance with this, 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 (which will change to *veterinary service providers* under the new act, the Veterinary Practice Act 2003, yet to be proclaimed).

The function of the Board is to regulate the practice of veterinary surgery in South Australia, and to consider complaints. Its objective is to protect consumers and animals 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.

SECTION THREE

OPERATIONS

The Board met **11** times during the year for monthly meetings (the first Thursday of each month except January), and additionally various members/deputy members met as part of a Tribunal to hear formal proceedings.

THE REGISTER

At 30 June 2005 the role consisted of **620** registrants.

This was made up of:

465	Primary Registrations
108	Secondary Registrations (the primary place of practice is in another Australian state or territory)
12	Limited registrations
35	Non-practising veterinarians

20 of the above registrants are Specialists.

There are also **26** companies registered making a total of **646** on the Register.

NEW REGISTRATIONS

During the 2004-05 financial year, **112** applicants were granted registration by the Board. Of the **78** new registrations, applicants had obtained their veterinary qualifications from universities in the following countries:

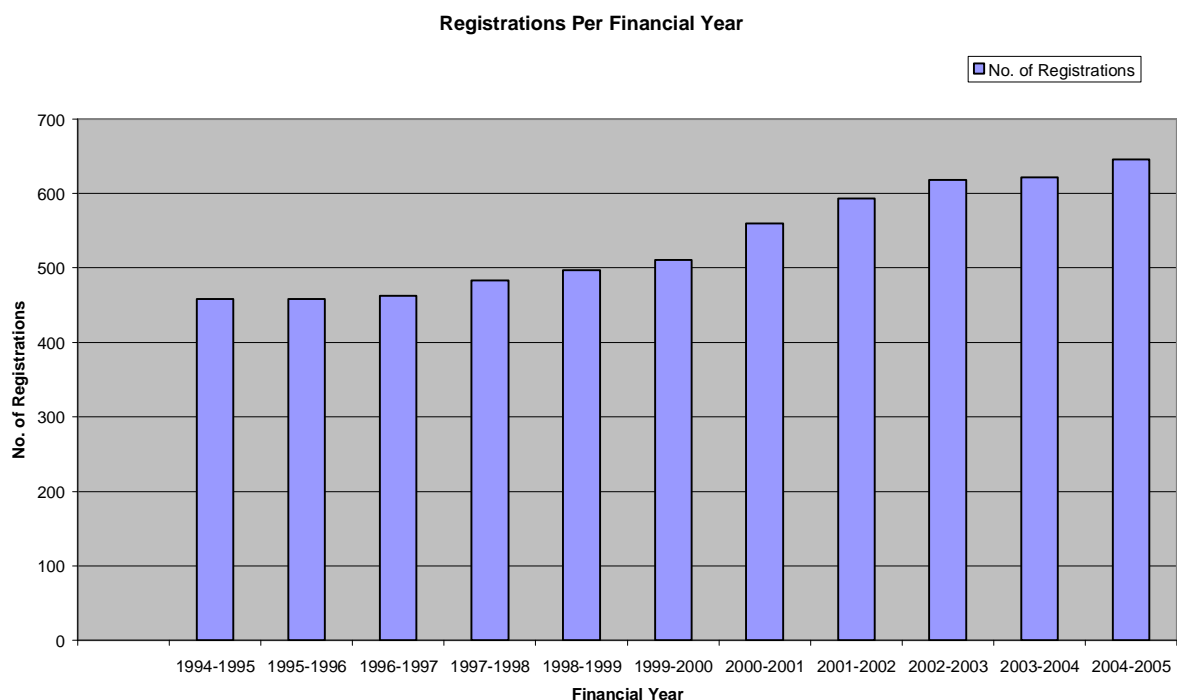
Australia	64	United Kingdom	8
New Zealand	3	South Africa	2
United States	1		

The **64** applicants who obtained their veterinary degrees in Australia studied at the following universities:

University of Sydney	21	University of Queensland	14
University of Melbourne	20	Murdoch University	9

The remainder consisted of **19** reinstatements and **15** limited registrations.

The following chart overviews the total number of Registrations from 1994/95 until 2004/05.



VETERINARY SPECIALISTS

20 Veterinary Surgeons were registered as Specialists as at 30 June 2005 in the following branches:

Veterinary Ophthalmology		1
Veterinary Pathobiology		3
Veterinary Pathobiology	General and Anatomic Pathology	2
Veterinary Pathobiology	Microbiology	1
Veterinary Pathology	General/Anatomical & Clinical Pathology	1
Veterinary Pathobiology	Clinical Pathology	1
Veterinary Pathobiology	Anatomical Pathology	1
Veterinary Radiology		2
Veterinary Surgery	Equine	1
Veterinary Surgery	Small Animal	1
Veterinary Surgery	Small Animal – Orthopaedics	1
Animal Behaviour		1
Veterinary Pathobiology	General & Anatomic Pathology	2
Veterinary Pathology	Anatomic Pathology	1
Veterinary Medicine	Canine Medicine	1

PRACTICE OF VETERINARY SURGERY BY COMPANIES

During the 2004-05 financial year, **1** new Company was registered and **1** did not renew making a total of **26** 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 **2** new practice names, or changes to existing names, during 2004-05.

As at 30 June 2005 there were **21** Approved Veterinary Hospitals. Hospitals carrying current accreditation with the *Australian Small Animal Veterinary Association (ASAVA)* 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 **5** hospitals in this state with ASAVA accreditation.

SECTION FOUR

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.

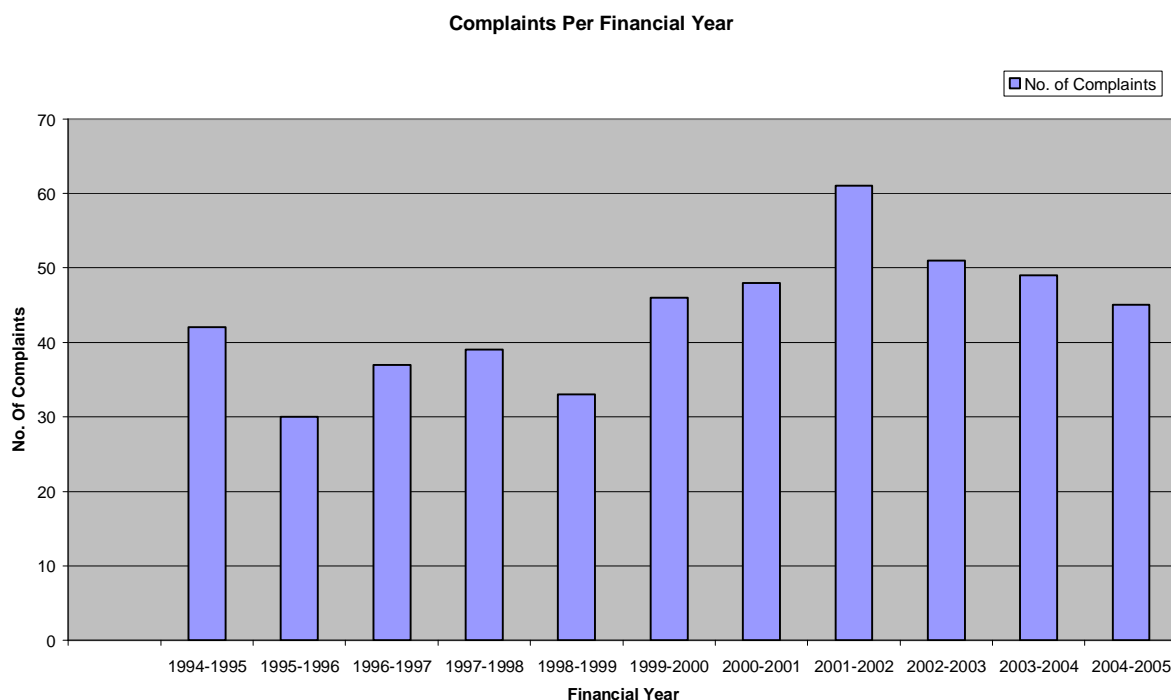
The Registrar takes enquiries and complaints from the public. In the first instance, complainants may be directed back to the veterinarian for further explanation. For complaints of a minor nature, if this does not resolve the issue, the Registrar may become involved and mediate an outcome. If these options do not resolve the complaint, or if the complaint is of a more serious nature, a formal complaint will be lodged and investigated. The most serious complaints that allege professional misconduct or negligence may be referred directly to the Crown Solicitor's Office for investigation.

The 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:

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

The following chart shows the number of complaints received and dealt with by the Board each year since 1994/95. The peak during this period was in 2001/02, when 61 complaints were received. Since then the number of complaints have gradually declined, and this year is at the same level as for 1999/2000.



COMPLAINTS SUMMARY 2004-05

During 2004-05, 45 new (written) complaints were brought before the Board. Of those:

Ø **2 cases were referred to the Crown Solicitor**

1 is under investigation and 1 is proceeding as formal prosecution.

Ø **2 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. Continuing to carry out such acts may result in the Board laying charges in order to protect the community.

Ø **13 matters were settled informally**

These are usually attributable to misunderstandings and poor communication.

Ø **1 complaint was withdrawn**

Ø **14 complaints were determined as having no case**

Ø **7 complaints involved the preparation of a formal report**

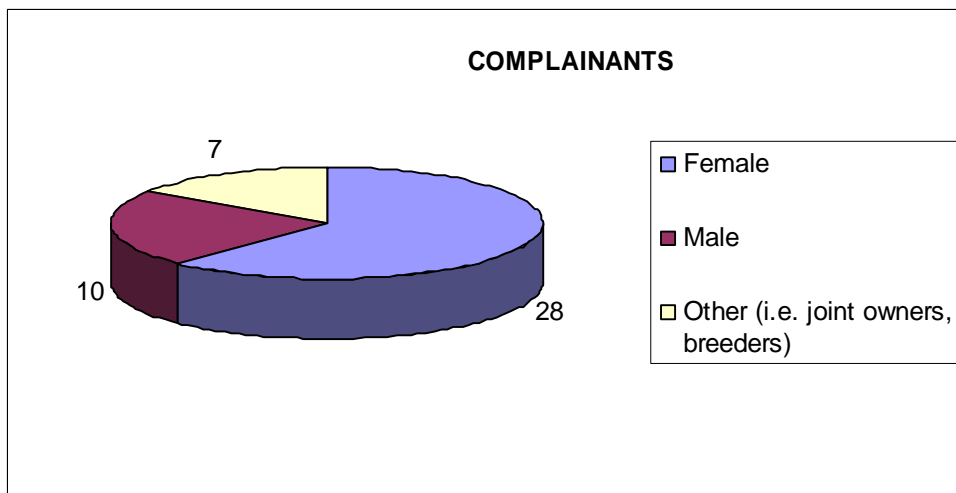
A formal report indicates that the veterinarian was informed that the matter could have been handled better. Eight separate veterinarians were involved in receiving this advice. In some instances, the veterinarians were required to demonstrate to the Board that their practice has

changed in order to avoid future problems (i.e. improved record keeping, medication protocols).

The remainder of the complaints are ongoing matters.

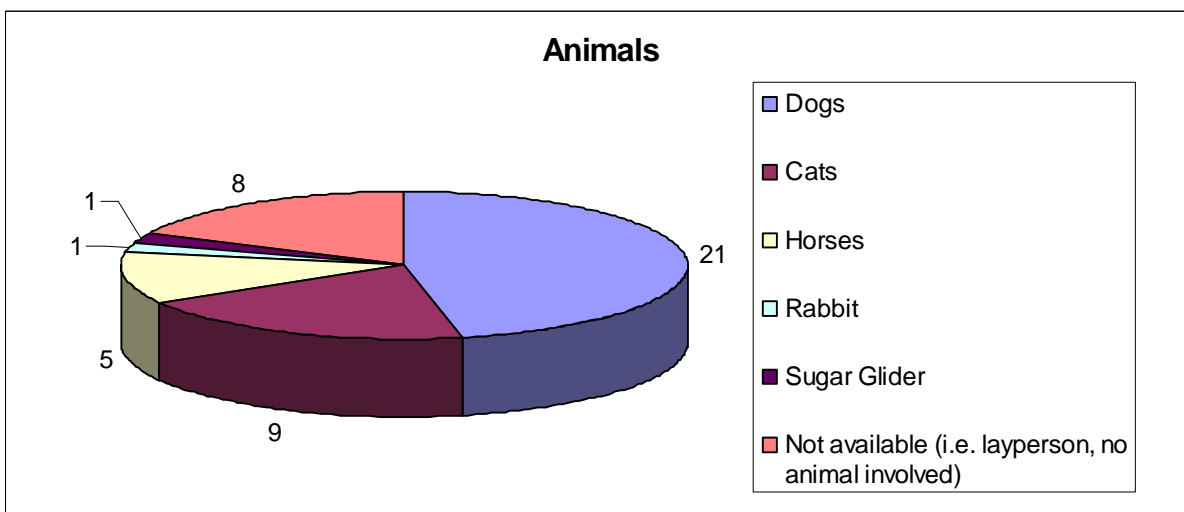
Complainants

From the 45 complaints received, 28 complainants were female, while 10 were male. The remaining 7 complainants were identified as the owner of the animal, which may include breeders or joint owners.



Animals

Dogs were the main animals subject of complaints (21), followed by cats (9) and horses (5). There was one complaint involving a rabbit, and one involving a sugar glider. Animals were not involved in the remainder of the complaints.



SECTION FIVE

PUBLICATIONS

The Board produces a *Handbook for Veterinary Surgeons*, (current edition **Handbook 2003**) 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.

The Handbook was updated in February 2005 to incorporate some of the changes which will come into effect when the Veterinary Practice Act 2003 is proclaimed.

The Board has a website, www.vsbsa.org.au, which is updated regularly. During 2004/05, the Board redesigned its website to make it more accessible to the variety of users. It now includes pages for the veterinary profession and the public, with information specific to users accessing these pages. Copies of the Handbook, Annual Reports, various articles, forms, information about the Board and its operations and current news can be accessed at this site.

All pages can still be accessed by any user as all information is public information. The site also has a 'Search' function, feedback function, and a quick link to assist people in finding a veterinarian.

SECTION SIX

FUTURE DIRECTIONS FOR 2005/06

The new *Veterinary Practice Act 2003* will be proclaimed when the Regulations are passed, which it is understood will happen in October 2005.

The changes which will occur with the proclamation of the new Act include:

- The composition of the Board
- Ownership of veterinary practices
- Reference to hospitals
- Recognition of registration requirements
- Recognition of specialisation categories
- Changes to the disciplinary process and investigatory powers.

The new Regulations may include:

- some deregulation of pregnancy testing (by *external* ultrasound or blood and/or milk testing only);
- laparoscopic artificial insemination or transfer of embryos to be performed by a registered veterinarian or under supervision of a veterinarian.

In addition, the new legislation will endorse the Code of Professional Conduct, and other Standards developed by the Board, including Standards for Commercial Boarding Establishments, and Hospital standards.

The Board intends to meet with the profession in 2005/06 to inform them about the changes in the new Act. At these events, the Board also proposes to inform the profession about its role, provide general advice and information, and respond to queries from the profession.

The Australasian Veterinary Boards Council met in April 2005, and approved in principle the development of a model of national registration for the veterinary profession. The Board supported this decision. Though it is expected this will take some time to develop and implement nationally, it will require the Board to monitor its development over the next 12 months. The Board's particular interest is in ensuring that smaller states, such as South Australia, are not disadvantaged by the development of a national model.

SECTION SEVEN

NATIONAL ISSUES

The ***Australasian Veterinary Boards Council Incorporated*** (AVBC) (www.avbc.asn.au) provides a forum where representatives of Australian and New Zealand Veterinary regulatory bodies and education providers discuss issues of national concern relating to maintaining the standards of veterinary practice. It provides a mechanism to foster standardisation and quality assurance of the delivery of veterinary sciences and enables Australia to liaise effectively with other countries. The Council is funded by the individual Boards. The AVBC administers the National Veterinary Examination and assesses overseas qualifications for the purpose of migration.

The last national conference was held in Brisbane in April 2005. Dr Julia Nicholls represented the Board as the South Australian delegate. Each sub-committee gave its annual report.

Items discussed included:

- ***Veterinary Schools Accreditation Advisory Committee (VSAAC)***
Ongoing assessment of Australian and overseas veterinary qualifications to ensure high academic standards are maintained and the professional competence of their graduates. This involves visitations to schools, along with Royal College of Veterinary Surgeons (UK) and American Veterinary Medical Association representatives. It includes recognition of the **European Association of Establishments for Veterinary Education (EAVE)** evaluations, including the **Educational Commission for Foreign Veterinary Graduates (ECFVG)** exam, and may ultimately include a global accreditation scheme.

The AVBC was also informed and updated on the accreditation status for 2 new Australian veterinary schools (James Cook University, Queensland and Charles Sturt University, New South Wales).
- ***Advisory Committee on Registration of Veterinary Specialist (ACVRS)***
The ACVRS makes recommendations on the recognition of specialist qualifications. The specialist-training programme has to be approved prior to the individual application.
- ***National Veterinary Examination (NVE) Panel & Board of Examiners***
The NVE is for overseas graduates with non-recognised qualifications wishing to gain full registration in Australia. All NVE graduates are now interviewed by the registrar prior to registering.
- ***Continuing Veterinary Education***
All States are using a similar model of CPD requirements, and will recognise the Australian Veterinary Association system.
- ***National Registration***
The AVBC supported the proposal to commence the development of a model for the national registration of veterinary surgeons. This proposal has been discussed in previous years, but has not received support from all States and Territories in the past.

The Registrar can be contacted for more details on items currently under discussion at AVBC level or copies of minutes.

The Registrars of Australian Boards and New Zealand met the day before the AVBC Conference to discuss matters of mutual interest.

SECTION EIGHT

ADMINISTRATION

□ **Freedom of Information**

The Registrar is designated as the Freedom of Information Officer for the Board. She 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, however, it may provide access under certain circumstances, and will treat each request on its merits.

No applications were received in 2004-05.

□ **Executive and staff employment & human resource matters including Workforce Diversity**

The Board employs two part-time people, the Registrar and an assistant.

□ **Equal Opportunity**

The gender balance of membership of the Board is taken into consideration when members are appointed.

□ **Remuneration**

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

Chairperson:	\$47.50 per hour	(\$190 for 4 hour sitting)
Members:	\$40.00	(\$160 for 4 hour sitting)

The last increase was on 1 June 2005.

£ **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.

£ **Workers Compensation**

No claims were made during 2004/05. This is a matter of continuing concern for the Board. Given its limited resources, the Board is concerned that it does not have the financial capacity to respond to any workers compensation claim. The Board has taken this matter up with the South Australian Government, and understands that the Office for Public Employment and Treasury is now examining the policy issues related to liability for small Boards and agencies. The Board will continue to seek clarification on this issue in order to gain a resolution which does not place the Board at financial risk.

£ **Use of Consultants**

The Board did not engage any consultants during the 2004/05 financial year. 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 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. Where a complainant is not able to make a written complaint a verbal statement is taken.

SECTION NINE

FINANCIAL PERFORMANCE

OVERVIEW

In 2004/05 the Veterinary Surgeons Board of SA made a small surplus of \$3,706. This compared with the 2003/04 surplus of \$2,865. Both Revenue and Expenditure increased in 2004/05 from the previous year.

The Board's legal fees for investigation and prosecution reduced slightly from 2003/04 (\$10,202 to \$9,080 for 2004/05), though Audit Fees increased (from \$2,150 in 2003/04 to \$5,818 in 2004/05).

Employee expenses increased in the current financial year from 2003/04. This was mainly due to the Registrar being paid a salary rather than being paid as a contract. In addition, 2004/05 was also the first full year of employment for an Assistant Registrar position at the Veterinary Surgeons Board.

Professional services, office expenses and sitting fees for Board members all decreased marginally from the previous financial year, as did revenue from the Board's investments.

The following pages provide the audited Statement of Financial Performance for 2004/05.