



# VETERINARY SURGEONS BOARD OF SOUTH AUSTRALIA

## NOTIFICATIONS ABOUT VETERINARY SURGEONS

The Veterinary Surgeons Board of South Australia (the 'VSBSA') administers the *Veterinary Practice Act 2003* (the 'VP Act'). One of the roles of the VSBSA is to regulate the professional conduct and competence of veterinary surgeons, in order to maintain a high standard of service for the community.

If you wish to notify the VSBSA of any matter of concern regarding the conduct or competence of a veterinary surgeon, please complete a Notification Form (Form 11).

Please note that the VSBSA has no power under the VP Act to assess notifications relating to professional fees or charges for veterinary medicines or products.

Please also note that the VSBSA has no power under the VP Act to order veterinary surgeons to pay compensation to any party.

The steps involved in processing and investigating a notification are as follows:

1. The Registrar of the VSBSA (the 'Registrar') will consider whether the notification raises concerns with respect to the conduct or competence of a veterinary surgeon.
2. The Registrar will confirm receipt of the notification and seek further information from you, if required.
3. The Registrar will provide a copy of the notification to the veterinary surgeon and ask the veterinary surgeon to respond to the matters raised therein. If other veterinary surgeons are involved in the matter, the Registrar will request relevant information from those veterinary surgeons. Copies of patient records will also be requested.
4. You may be contacted by the VSBSA staff to provide further information or relevant documentation.
5. If there is proper cause for disciplinary action against the veterinary surgeon:
  - (a) the matter may be resolved with the veterinary surgeon (for example, the veterinary surgeon may enter into an undertaking with the VSBSA to do a course of continuing education); or
  - (b) the Registrar may lay a complaint before the South Australian Civil and Administrative Tribunal ('SACAT') alleging that the veterinary surgeon is guilty of unprofessional conduct.
6. If a complaint is laid by the Registrar before SACAT, you will be notified and may be asked to attend a hearing to give evidence.
7. If SACAT determines that the veterinary surgeon is guilty of unprofessional conduct, sanctions may be imposed under the VP Act, ranging from censure to disqualification from registration.

*Unprofessional conduct* is defined in the VP Act to include:

- (a) improper or unethical conduct in relation to professional practice;
- (b) incompetence or negligence in relation to the provision of veterinary treatment;
- (c) a contravention of or failure to comply with -
  - (i) a provision of the Act; or
  - (ii) a code of conduct or professional standards prepared or endorsed by the Board under the Act;and
- (d) conduct that constitutes an offence punishable by imprisonment for one year or more under some other Act or law.

Due to the confidentiality provision of the Act, the VSBSA will not be able to disclose to you information about the progress of assessment of a notification, details of and reasons for the outcome of assessment, information about any subsequent investigation into the matter or the details or contents of any disciplinary action taken against a veterinary surgeon. However, if conditions are imposed on a veterinary surgeon's registration or a veterinary surgeon is removed from the register(s), that information can be disclosed as a matter of public record.

If you are aggrieved by the conduct of a veterinary surgeon, you have the right, pursuant to section 62(1)(c) of the VP Act, to personally lay a complaint before SACAT setting out matters that are alleged to constitute grounds for disciplinary action against a veterinary surgeon. If you lay a disciplinary complaint against a veterinary surgeon before SACAT, SACAT will inquire into the subject matter of your complaint unless it is considered to be frivolous or vexatious. A disciplinary hearing would be held at which you will be required to present evidence in support of your complaint.

Information about lodging a professional disciplinary application ('complaint') to SACAT is available at <http://www.sacat.sa.gov.au/application-form>.

**PLEASE RETURN THE ATTACHED FORM COMPLETED, SIGNED AND DATED.**

The Board will only use and disclose personal information about you for the purpose of assessing and conducting an investigation into the matters raised by the notification, unless consent has been obtained from you to use the information for other purposes.



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## NOTIFICATION FORM

This form allows the Veterinary Surgeons Board of South Australia to gather as much information as possible about the incident and relevant circumstances. It is important that you complete **BOTH** pages of this form and sign the declaration.

### PERSON MAKING THE NOTIFICATION

Name: .....

Owner of animal: Yes  No

Address: .....

Telephone Number: .....

Email (if applicable): .....

Name of Owner (if not person making the notification): .....

### PERSON WHO PRESENTED THE ANIMAL TO THE VETERINARY SURGEON

Tick the box if same as above Yes  No  (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 VETERINARY SURGEON(S)

Name of veterinary surgeon(s): .....

Name of Clinic/Hospital: .....

Address: .....

Date(s) on which the incident occurred: .....

Have you attempted to resolve the matter directly with the veterinary surgeon(s)?  Yes  No

If not, please provide a brief explanation: .....

### DECLARATION

I understand that a copy of this notification form will be sent to the veterinary surgeon(s). I give permission for the release of clinical records relating to the animal to the Board.

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



# VETERINARY SURGEONS BOARD OF SOUTH AUSTRALIA

If another veterinary surgeon was involved in the subsequent care of my animal, I give permission for that veterinary surgeon to comment on the case, and provide clinical records to the Board.

Name of second veterinary surgeon:.....

Clinic/Hospital:.....

Signature: ..... Date:.....

Please outline the basis of the notification below including all relevant facts in chronological order.

If there is insufficient space, please attach a separate sheet.

\* Please note the Veterinary Surgeons Board of South Australia is not able to enquire into the fees charged by veterinary surgeons, except in circumstances where the fees charged significantly exceed the quoted price.

\* Please also note that the Board is not empowered by the *Veterinary Practice Act 2003* to order a veterinary surgeon to issue a refund of fees charged for veterinary treatment.