



# Veterinary Surgeons' Board



## GENERAL PUBLIC ENQUIRIES

### The Veterinary Surgeons' Board Roles and Responsibilities

- Ensure that veterinary surgeons working in Western Australia are competent and properly qualified.
- Supervise the professional conduct of veterinary surgeons.
- Ensure that veterinary services are advertised in a proper manner.
- Receive and investigate complaints about veterinary surgeons.
- Impose discipline or penalties on veterinary surgeons who breach the Veterinary Surgeons Act in relation to their conduct or the standard of treatments provided.
- Ensure that people who are not properly qualified do not claim to be veterinary surgeons or pretend to provide veterinary treatment.

### Types of Complaints

It is important for you to know that the Board can act only on complaints that concern breaches of the Veterinary Surgeons Act. Concerns about unprofessional conduct and professional incompetence fall into this category.

However, a mistake in diagnosis and treatment, or an error of judgement by a veterinarian would not necessarily sustain a charge under the Veterinary Surgeons Act. It is not easy for persons considering making a complaint to know if their concerns involve a breach of the Veterinary Surgeons Act. Please contact the Board if doubt exists.

### Disputes about fees and charges

Disputes about fees and charges can not normally be dealt with by the Board. The Department of Commerce 1300 304 054 may be able to assist with these matters.

### Complaints

If you believe a veterinary treatment has been unsatisfactory or you are concerned about your veterinary surgeon's behaviour, you should try to resolve the matter with the veterinary surgeon.

To start it is best to write to the veterinary surgeon concerned about the problem. The letter follows the following format:

- A brief summary of the situation (no more than one quarter of a page)
- A numbered or bullet pointed list of concerns (brief, to the point, non accusatory)
- A numbered or bullet pointed list of questions (short, snappy, related to your concerns)
- A statement requesting a response by a particular date (usually 10 to 14 days).

If no response to the letter is received, a copy of the above mentioned letter should be sent to the Board with a letter asking the Board to investigate the matter.

If an answer is received but is not satisfactory, a copy of the original letter to the veterinary surgeon, a copy of the response and a letter requesting to the Board to investigate the matter should be sent to the Board.

If the above procedure is not completed, the Veterinary Surgeons' Board may not be able to deal with your complaint.

The Board should also be told if you believe that an unqualified person is claiming to be a veterinary surgeon or offering veterinary treatment.

### **Lodging a Complaint**

A complaint to the Board about a veterinary surgeon should be in the form of a written submission and should give a clear description of events. A completed complaint form, a form that can either be down loaded from the Board's web site or supplied to you on request from the Board, should accompany the submission.

A summary of your complaint taken from your submission and the complaint form may be sent to the veterinary surgeon with the request for comments and/or explanations. Your complaint and the veterinary surgeon's response are then considered at a Board meeting.

If there is no basis for the complaint to be considered under the Veterinary Surgeons Act, the Board cannot take the matter further.

If the Board believes that the action of the veterinary surgeon could have breached the Veterinary Surgeons Act, the Board may refer the matter to the State Administrative Tribunal (SAT) where the evidence will be examined. You may be required to attend the SAT as a witness.

### **What happens at an Inquiry?**

If a matter is heard before the SAT the Veterinary Surgeons' Board prosecutes the matter before a Tribunal established under that body. Legal representatives may be present on behalf of the Board or the veterinary surgeon. Legal representatives acting for the Board may call you as a witness and will ask you questions about what occurred. You may also be asked questions by the SAT Tribunal, by the veterinary surgeon or by his/her legal representative.

### **Penalties**

If a veterinary surgeon is found guilty of breaching the Veterinary Surgeons Act, the SAT may impose any of the following penalties:

- A fine
- A reprimand
- Suspension of the veterinary surgeon from being able to work as a veterinary surgeon for a certain period of time
- Removal of the veterinary surgeon from the Veterinary Surgeons Register.

The SAT can also place limits on what type of work a veterinary surgeon can do in the future. A veterinary surgeon convicted by the SAT has the right to appeal.

### **Compensation**

The Veterinary Surgeons' Board cannot award compensation. If you believe you are entitled to compensation because of the actions of a veterinary surgeon, you may pursue the matter through the Department of Commerce or normal legal channels.