



## Veterinary Surgeons Board of Queensland

Primary Industries Building  
80 Ann Street, Brisbane

Address Correspondence to:

The Registrar  
Veterinary Surgeons Board of Qld  
GPO Box 46, Brisbane Qld 4001  
Telephone: (07) 3087 8777  
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### **GUIDELINES TO VETERINARY PROFESSIONAL STANDARDS AND COMPLAINTS**

The Veterinary Surgeons Board of Queensland (the Board) has a responsibility to ensure veterinary treatment is delivered in a safe and competent way, and will investigate complaints about a veterinary surgeon's professional performance. Eligible complaints lodged with the Board are thoroughly assessed. The Board's aim is to ensure that everyone involved is treated fairly and understands the process that an assessment will follow.

If a consumer of veterinary services is dissatisfied with a registered veterinary surgeon's professional performance or conduct, the client should, where possible, attempt to resolve the issue directly with the practitioner or the practice principal veterinary surgeon. If the matter can not be resolved or direct resolution is not appropriate, a complaint can be lodged with the Board.

Provisions of the *Veterinary Surgeons Act 1936* (the Act) allow the Board, of its own motion or upon the complaint of a person aggrieved, to cause an investigation to be made of the conduct or professional performance of a veterinary surgeon in the practice of the profession.

Please note that the Board has no jurisdiction in matters relating to veterinary fees or compensation. Complainants should *not* include issues relating to fees, fee disputes or compensation in their complaints. Please contact the Office of Fair Trading or seek legal advice in regard to these issues.

The Australian Veterinary Association (AVA) offers a member only service with the objective of assisting in negotiations between AVA members and their clients. Contact: [avaqld@ava.com.au](mailto:avaqld@ava.com.au)

The Board is limited in its ability to conduct assessments of anonymous or verbal complaints. The Board cannot investigate any complaint that falls under the control of another statutory authority or an agency given specific powers under other legislation.

Complaints alleging a failure in the standard of professional practice, i.e. incompetent or negligent veterinary treatment given to an animal by a veterinary surgeon, can be submitted to the Board by completion of the Complaints Form published on the Board website.

The Board Registrar is authorised to assess the complaint in the first instance to ascertain if the matter the subject of complaint comes within the Board's jurisdiction. If there is uncertainty as to jurisdiction, the Board in session will adjudicate the merits of the complaint in the first instance.

The aim of the assessment process undertaken by the Board is to discover whether there is potential for a case of professional misconduct against the veterinary surgeon named in the complaint. If there is evidence of professional misconduct, the Act provides for proceedings to be initiated against the veterinary surgeon and for the veterinary surgeon to defend the proceedings.

Veterinary surgeons who are provided with a copy of a complaint, and asked to respond, should be aware that the request is the initial step in an assessment process, not a formal investigation.

The Board's assessment process is illustrated by the flowchart in Attachment 1. Depending on the nature of the complaint, certain components in the process may not be justified. Please note that the assessment process usually takes a minimum of three to four months.

In instances where the assessment process discovers prima facie evidence\* of professional misconduct, the Board can (i) take proceedings against the veterinary surgeon, or (ii) refer charges to the independent Queensland Civil and Administrative Tribunal (QCAT)\* for hearing. The veterinary surgeon has a choice to have charges heard by QCAT rather than undergo Board proceedings.

Charges are referred by the Board to QCAT in circumstances where the Board, having undertaken a formal investigation and taken legal advice, has assessed the conduct/performance of a veterinary surgeon to be of such a standard that if proven would warrant, in its view, a higher degree of penalty than that which the Board can itself impose. Only QCAT has the power to remove or suspend veterinarians from the Register of Veterinary Surgeons.

The assessment may alternatively discover no grounds to support a case of professional misconduct in terms of the Act or that there is an insufficient standard of evidence to progress a case to proceedings or charges. In the majority of such cases no further action is warranted or taken. The Board may, in some circumstances, consider that an informal interview with the veterinary surgeon is justified to discuss issues discovered in the assessment process that may be influencing the individual's professional performance. The Board can also choose to monitor practice standards and/or recommend that continuing veterinary education be undertaken.

In the event that a complainant is dissatisfied with the outcome of an assessment, a review of the Board's clinical findings can be sought. There must be clear grounds to do this, *i.e.*, previously undivulged clinical information or differing veterinary opinion. A request for review must be lodged within 28 days from receipt of the outcome of assessment.

Points to remember:

- Veterinary surgeons have clinical freedom to treat animals; therefore, veterinary surgeons may have different approaches to the same problem.
- Diagnosis is not an exact science. Misdiagnosis or missed-diagnosis is not necessarily professional misconduct.
- In veterinary medicine (just as in human medicine) the outcome of treatment or medication may not be what the owner or veterinary surgeon would wish.

**Time limits** apply for lodging of complaints. Any proceedings under the Act must be initiated within twelve (12) months after an offence is committed or within twelve (12) months of discovery of the offence, whichever is the latter.

**Complaints can be lodged with the Board by:**

Post: The Registrar  
Veterinary Surgeons Board of Queensland  
GPO Box 46  
BRISBANE QLD 4001

Email: [vsbqld@daff.qld.gov.au](mailto:vsbqld@daff.qld.gov.au)

Fax: 3087 8144

**Information Privacy Notice (Information Privacy Act 2009)**

*The Veterinary Surgeons Board of Queensland is an 'Agency' in terms of the Right to Information Act 2009 and Privacy Information Act 2009 and the provisions of those statutes applies to documents in the possession of the Board.*

*The Board will only use and disclose the personal information given in the lodgment of a complaint for the purpose of conducting an assessment of the complaint. The information will not be disclosed to any other parties unless authorised or required by law.*

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\* Meaning of prima facie – 'at first sight, accepted as so until proved otherwise' (Oxford English Dictionary)

\* QCAT is established under the QCAT Act 2009 and its purpose, jurisdiction and operations can be accessed through its website [www.qcat.qld.gov.au](http://www.qcat.qld.gov.au).

