



Policy guideline on the Veterinary Council framework for Professional Standards

1.0 Introduction

The primary purpose of the Veterinary Council is to protect the public interest by ensuring that veterinarians are fit and competent to practise. One of the ways the Council achieves this purpose is by setting and monitoring the professional standards veterinarians are required to observe.

The purpose of this document is to set out the processes the Council uses in developing professional standards and to explain the status and purpose of the various Council publications on professional standards.

1.1 Interpretation

Minimum standards are prescribed by the Council. They set out the minimum standards of expertise, performance, behaviour, integrity and accountability that the public can expect from a registered veterinarian exercising reasonable skill and care in the course of providing treatment to animals or undertaking any other area of veterinary practice. The word 'must' is generally used in descriptions of minimum standards.

Recommended practice is taken to mean –

The recommended practice agreed at a particular time, following consideration of scientific information, accumulated experience and veterinary peer practice. It is sometimes a higher standard of practice than the minimum standard, except where the minimum standard is recommended practice. It is a practice that can be varied as new information comes to light. The term 'should' is generally used in descriptions of recommended practices.

1.2 Legislation

1.2.1 The Veterinarians Act

Section 3(c) (iii) of the Veterinarians Act (Purpose) provides for the Veterinary Council to:

- (i) register people qualified to practise as veterinarians; and
- (ii) issue practising certificates to specialists and people qualified to practise as veterinarians; and
- (iii) set and implement standards for veterinary performance; and
- (iv) monitor performance and, if necessary, discipline veterinarians and certain other people

Section 75(c) of the Veterinarians Act requires the Council:
to promote and encourage high standards of professional education and conduct among veterinarians.

Section 75(i) of the Veterinarians Act 2005 provides for the Veterinary Council: *to prescribe the minimum standards for practising as a veterinarian, including standards relating to either or both of the following:*

- (i) *a person's fitness to practise as a veterinarian;*
- (ii) *the maintenance, examination, or improvement of the overall competence of a veterinarian to practise.*

1.2.2 Prescription

This power of the Council, as stated in 75(i) and elsewhere in the Act is effected by the Council publishing the notice of its prescribed standard in the Gazette (s88). Under s89 of the Act any matter required to be published in the Gazette becomes regulation for the purposes of the Regulations (Disallowance) Act 1989. This means that they are subject to the scrutiny of the Parliamentary Regulations Review Committee.

1.2.3 Legal status of standards documents

- a) The Council's Code of Professional Conduct (COPC) is prescribed under Section 75(i)(i) of the Act, and therefore has regulatory status.
- b) The Council may prescribe some of its other statements on minimum standards in which case they will have regulatory status.
- c) Aspirational guidance on recommended practice standards will not be prescribed. This advice is provided to guide veterinarians as to how they can:
 - (i) best meet minimum prescribed standards
 - (ii) achieve recommended practice standards. Recommendations on practice standards may be made by Council from time to time for educational and information purposes, in line with the Council's function under 75(c).
- d) Council's interpretative policy guidelines on the implementation of the Veterinarians Act are not prescribed.

1.2.4 Currently prescribed standards

The Council has to date prescribed minimum standards in relation to:

- fitness to practise
- competency – including recency of practise
- continuing professional development
- professional conduct requirements (the Code of Professional Conduct)

2.0 Professional Standards Documents and Their Use

The following describes each of the standards, guidelines and policy documents, their purpose and intended use.

2.1 The Code of Professional Conduct (COPC) sets out the fundamental principles of professional behaviour and conduct veterinarians must abide by. Each overarching principle is supported by a series of statements setting out the specific expectations. More detail on the expectations and how veterinarians can comply with them, is provided in comprehensive explanatory notes which are embedded in the online version of the COPC at www.vetcouncil.org.nz

2.1.1 The COPC is the Council's primary vehicle for outlining the professional and ethical standards to be observed by veterinarians

2.1.2 The COPC is used by the Veterinary Council and its Committees in evaluating whether a veterinarian's behaviour meets the required standard.

2.1.2 As part of applying for a practising certificate veterinarians are asked to formally declare that they will comply with the professional standards set out in the COPC

2.2 Council statements on minimum standards clarify and expand on principles and standard statements set out in the Code of Professional Conduct

2.3 Council guidance on professional standards

The Council may also endorse or develop guidance on:

- a) recommended practice in a particular standard area,
- b) how veterinarians can best meet minimum standards.

2.4 Council Policy Guidelines

From time to time, the Council needs to make interpretations of the Act. The Council will issue policy guidelines, which set out the policy it has adopted in relation to the administration and interpretation of the Veterinarians Act

2.5 All of the above documentation will be accessible to the public and to veterinarians.

2.6 In the absence of a defined Veterinary Council statement it is desirable to look to the codes and practice guidelines developed by the NZVA and other relevant organisations or government agencies.

3.0 Development Processes for Professional Standards documents

The following processes will be followed for the development of the professional standards documents, statements, guidance on professional standards and policy guidelines.

3.1 Co-operation and consultation

3.1.1 The Code of Professional Conduct is developed by the Council in consultation with veterinarians, veterinary representative organisations and relevant Government organisations. The Council considers that the profession is a key contributor to veterinary professional standards. As such it is of the view that the Veterinary Council and the NZVA should maintain close co-operation in the development of the Code of Professional Conduct and any other professional standards.

3.1.2 Council statements on minimum standards may be developed and proposed by another organisation, such as the New Zealand Veterinary Association (NZVA) or other relevant organisation, and then accepted by the Council in consultation with the profession and with relevant parties. Alternatively Council statements may be developed by the Council in consultation with the profession and relevant parties.

3.1.3 NZVA Codes of Practice and Practice Guidelines

The Council understands that the NZVA will continue to develop codes of practice and practice guidelines and that these may reflect NZVA's views on minimum standards but also promote best practice standards. The Council will review these codes of practice at NZVA request. Elements of the codes of practice may be accepted by the Council as minimum standards (either in the Code of Professional Conduct itself, or in Council standard statements.) The Council may also agree to endorse a code of practice (or part thereof) as guidance for recommended and/or best practice. The Council may also advise the NZVA of any areas, which it considers require the development of a defined professional standard.

3.1.4 Other Regulators

Where the Council sets a standard that may affect a standard set by another regulator, the Council will closely consult with the regulator with the aim of attaining consistency between regulations/laws. The Council expects to be

closely consulted when another regulator, such as the Ministry for Agriculture and Forestry, is setting a standard that directly impacts upon the professional behaviour or performance of a veterinarian.

- 3.1.5 The Council may develop a standard in cooperation with like bodies (for example Australasian veterinary registration authorities). In such a situation, the Council would consult with relevant New Zealand organisations and authorities before finalising the standard

3.2 Development, Review and Changes to Council Code of Professional Conduct, Standards Documents, Guidelines and Policy Documents

3.2.1 Code of Professional Conduct

The Council undertakes a major review of the Code of Professional Conduct every three years. It is the role of the Professional Standards Committee of the Council to oversee this triennial review and to make recommendations to the Council on amendments to the COPC.

The three year review process does not preclude the Council from undertaking a major review of the COPC should the need arise, or from making changes to the Code if they are required.

When undertaking major reviews or changing the COPC the Council will consult with the profession, with relevant professional organisations and with relevant government and non-government agencies. If necessary a working group will be set up comprising members of relevant organisations.

The Council may also ask experts to assist and/or advise on the development of standards.

3.2.2 Council statements on minimum professional standards

At any time the Council may issue a statement regarding a minimum professional standard. Prior to making a statement the Council will:

- a) inform itself as fully as possible
- b) consult with the NZVA and other relevant organisations.
- c) post the draft statement on its website and publish it in other ways, seeking feedback on the statement

The Council will take into account all feedback received before finalising its statement.

3.2.3 Council guidance on professional standards

From time to time the Council may endorse guidelines (developed by the NZVA or by another organisation) on a matter of professional standards. These guidelines may describe minimum standards and/or recommend standards of practice. This is in keeping with the requirement, set out in Section 75(c) of the Veterinarians Act that the Council promote and encourage high standards of conduct.

It is expected that a guideline endorsed by the Council would have been developed, perhaps as a Code of Practice, recommended practice or best practice, by NZVA or some other organisation. There will normally be an opportunity for comment before the guideline is endorsed. There may also be a need for consultation if matters in the guideline cross regulatory boundaries of other organisations.

Guidelines on professional standards will be accessible to the public and to veterinarians.

3.2.4 Council policy guidelines

From time to time, the Council needs to make interpretations of the Act. Council will issue guidelines, which set out the policy it has adopted in relation to the administration and interpretation of the Veterinarians Act.

There will normally be a period of notice to allow comment before the guideline is adopted. During any such period the proposed policy guideline may be posted on the Council's website and published in other ways. Professional organisations and other bodies that may be interested in the Council's policies may be contacted and advised of the proposed policy guideline. The Council has the ultimate responsibility for the development of its own policy guidelines but will consider all comments during the process.

The majority of Council policy guidelines will be accessible to the public and to veterinarians.

4.0 Documentation

The Code, statements and policies will be documented in a standard way. They will each have dates of issue and will normally be reviewed every three years. They will normally be available on the Council's website within four weeks of the Council's decision. Printed versions may not always be available but can be downloaded from the website or obtained by contacting the Council office.

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