

VETERINARY BOARD OF THE NORTHERN TERRITORY

GUIDELINES ON STAFF

LEGISLATIVE CONTEXT

Veterinarians Act

The Board is empowered under section 6(e) of the *Veterinarians Act* to issue guidelines on standards in relation to the provision of veterinary services that must be observed by registered veterinarians and veterinary specialists.

Failure to uphold or maintain contemporary professional standards constitutes incompetence within the meaning of misconduct as defined in section 28 of the *Veterinarians Act*.

Code of Conduct – Regulation 9 - Veterinarians Regulations

The Code of Conduct prescribed at Regulation 9 of the Veterinarians Regulations requires registered veterinarians to be familiar with and abide by all legislation pertaining to veterinary practice; to maintain current standards of practice in their chosen areas of veterinary practice; and to carry out all veterinary services in accordance with the Board's guidelines.

Specifically,

Clause 1 BASIC PRINCIPLES OF PROFESSIONAL CONDUCT

includes the requirement under 1(1)(b) for registered veterinarians to be familiar with and abide by all relevant legislation affecting their professional activity and behaviour (**which includes** the *Veterinarians Act*, Veterinarians Regulations, **the Code of Conduct, and the Board's Guidelines**).

Clause 4 KNOWLEDGE OF CURRENT STANDARD OF PRACTICE

provides at 4(1) that a registered veterinarian must maintain current standards of veterinary practice in their areas of veterinary practice and **requires at 4(1)(b) that registered veterinarians "always carry out veterinary services in accordance with those current standards and in accordance with the Board's guidelines."**

Clause 5 STAFF - provides that:

"A registered veterinarian who"

- (a) employs a person other than a registered veterinarian to assist in the provision of veterinary services; or
- (b) is responsible for the supervision of a person other than a registered veterinarian who is so employed;

must ensure to the best of his or her ability that the person carries out the duties of his or her employment effectively and in compliance with any law relating to the provision of veterinary services."

Clause 14 SKILLS, KNOWLEDGE AND EQUIPMENT OF ASSISTANTS

“A registered veterinarian must ensure that all persons assisting in the provision of veterinary services to animals in his or her care have the skills, knowledge and available equipment to enable the registered veterinarian to perform his or her duties according to the current standards of the practice of veterinary science, except in case of an emergency.”

GUIDELINES UNDER SECTION 6(e) OF THE *VETERINARIANS ACT*

STAFF

(1)

Employees

Employed veterinarians should be aware of their competencies and encouraged to seek assistance within the practice whenever they find themselves at the limit of their own experience and knowledge.

(2)

Employers

Employers have a key role in ensuring the competency of their employees. This is particularly important in relation to newly registered or inexperienced veterinarians.

Employers have an obligation to ensure that their employees have sufficient surgical, medical and communication skills to meet contemporary professional standards.

The practice culture should facilitate and encourage:

- formal and informal discussion and feedback on cases and the expectations of clients;
- guidance on adherence to established practice protocols and procedures; and
- general compliance with all governing legislation (including the scope of practice permitted by non-veterinary staff).

Performance management systems may need to be put in place in situations where a veterinary employee continues to make errors or demonstrates poor practice such as a lack of skill or knowledge or poor judgement.

(3)

Vicarious Liability

Employers may be responsible for the acts or omissions of their employees. Under common law, an employer may be vicariously liable for negligent acts carried out by employees in the course of their employment if the acts are authorised or seen as a mode of doing something that is authorised.

It is the employer's responsibility to ensure that the requirements of the Act and regulations, and all legislation impacting on veterinary practice, are complied with.

Employers should recognise that they have an obligation to guide and assist the veterinarians they employ, particularly recent graduates.

Please Note:

Practitioners should read these Guidelines in conjunction with the Code of Conduct prescribed in the Veterinarians Regulations and the additional Guidelines published by the Board under Section 6(e) of the *Veterinarians Act* on the Minimum Standards for:

- Anaesthesia
- Record Keeping
- Veterinary Premises
- House-Call Practices

Copies can be accessed from the Board website: www.vetboard.nt.gov.au

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