

# Malta Veterinary Surgeons' Council Guide to Professional Conduct

2011

The Guide to Professional Conduct identifies the key responsibilities of veterinary surgeons to their patients, clients, the public and professional colleagues, as well as their responsibilities under the law. It is a set of fundamental principles which have to be applied to all areas of veterinary practice.

## **RESPONSIBILITIES OF A VETERINARY SURGEON**

Veterinary surgeons registered in Malta in the Veterinary Surgeons' Register accept certain responsibilities that their professional status confers on them. These are detailed in the sections below:

1. Introduction
2. Responsibilities towards Patients
3. Responsibilities to Clients
4. Responsibilities to the General Public
5. Responsibilities in relation to Professional Colleagues
6. Responsibilities under the Law
7. Additional Guidelines of Professional Behavior
8. The Twelve Principles of Certification

## **INTRODUCTION**

1. Accessibility, accountability and transparency are expected of every self regulating profession. All legislation governing the various professions is designed to meet these requirements and to protect the public interest by ensuring a high level of education and training combined with personal and professional integrity.
2. Rights and responsibilities are complimentary. In exchange for the right to practice the veterinary profession in Malta, every veterinary surgeon must accept to be loyal to the Malta Veterinary Surgeons' Council, maintaining and promoting its interests, pursue the work of his/her profession with the uprightness of conduct and constantly endeavor to ensure the welfare of the animals under his/her care.
3. These principles acknowledge the obligation of every veterinary surgeon registered in the Malta Veterinary Surgeons' Register to observe the provisions of the "Malta Veterinary Surgeons' Council Guide to Professional Conduct".

## **THE GUIDING PRINCIPLES**

Veterinary surgeons must:

1. make animal health and welfare and veterinary public health their first consideration in seeking to provide the most appropriate attention for animals committed to their care
2. ensure that all animals under their care are treated humanely and with respect
3. maintain and continue to develop personal professional knowledge and skills
4. foster and maintain a good relationship with clients, earning their trust, respecting their views and protecting their confidentiality
5. uphold the good reputation of the veterinary profession
6. ensure the integrity of veterinary certification
7. foster and endeavour to maintain good relationships with other professional colleagues
8. understand and comply with the obligations in relation to the prescription, safe-keeping and supply of veterinary medicinal products
9. observe the relevant legislation in relation to veterinary surgeons as individual members of the profession, employers, employees and business owners
10. respond promptly, fully and courteously to complaints and criticism

## **RESPONSIBILITIES TOWARDS PATIENTS**

*A patient, in this context, means any animal under the care of a veterinary surgeon acting in his or her professional capacity.*

A veterinary surgeon must:

1. Treat all patients of whatever species humanely and with respect.
2. In practice, make adequate arrangements for the provision for emergency cover.
3. After taking into account the patient's age, the extent of any injuries or disease and the likely quality of life after treatment, make a full and realistic assessment of the prognosis and the options for treatment or euthanasia.
4. All efforts should be made to provide suitable options in such a way as to avoid unnecessary suffering of the patient if an owner cannot afford treatment.
5. Maintain proper standards in the practice premises and equipment, and in relation to animals.
6. Prescribe medicinal products responsibly.
7. Not cause any patient to suffer:
  - a. by carrying out any unnecessary mutilation
  - b. by excessive restraint or discipline
  - c. by failing to maintain adequate pain control and relief of suffering
  - d. by neglect.

## **RESPONSIBILITIES TO CLIENTS**

*Client in this context is the person who requests veterinary professional services for an animal*

1. The provision of veterinary services creates a contractual relationship under which veterinary surgeons should:
  - a. ensure that clear information is provided about practice arrangements and on how to obtain out of hours attention
  - b. take all reasonable care in using their professional skills to treat patients
  - c. keep their skills and knowledge up to date
  - d. keep within their own areas of competence. However when a veterinarian is confronted with an emergency situation which is not of his competence s/he should make all necessary efforts to provide aid.
  - e. maintain clear, accurate and comprehensive case records
  - f. ensure that a range of reasonable treatment options are offered and explained, including prognoses and possible side effects
  - g. give realistic fee estimates based on treatment options
  - h. keep the client informed of progress, and of any escalation in costs once treatment has started
  - i. obtain the client's consent to treatment unless delay would adversely affect the animal's welfare
  - j. recognise that the client has freedom of choice.
2. The professional/client relationship is one of mutual trust and respect, under which a veterinary surgeon must:
  - a. maintain client confidentiality
  - b. treat the client with respect, and observe professional courtesies
  - c. avoid conflicts of interest
  - d. give due consideration to the client's concerns and wishes where these do not conflict with the patient's welfare
  - e. provide fully itemized accounts if requested.

- f. not participate in any division of fees of which the client is not aware.
- g. communicate information in a way that is understood by the client, especially in cases where any mistakes could lead to serious consequences. In the case that the veterinary surgeon and the client do not speak the same language, it is the responsibility of the Veterinary Surgeon to ensure effective communication. If this is not possible, then the veterinary Surgeon should not take responsibility for the treatment of the client's animals, except in an emergency situation.

## **RESPONSIBILITIES TO THE GENERAL PUBLIC**

*The veterinary profession has a vital part to play in terms of education and protection in matters of animal welfare and public health*

Veterinary surgeons must:-

1. ensure the integrity of all veterinary certification ([Twelve Principles of Certification](#))
2. ensure that medicines are used responsibly, particularly in food producing animals
3. report to the appropriate competent authority any suspected occurrence of a notifiable disease
4. report to the appropriate competent authority any suspected adverse reaction to medication
5. base any offer submitted for veterinary services on considerations which will ensure that these can be provided at a proper professional level and without compromising public health or animal health and welfare
6. co-operate with colleagues and other health professionals when appropriate
7. promote responsible animal ownership
8. use their professional status to provide only factual information to the general public about veterinary products and services.

## **RESPONSIBILITIES TO PROFESSIONAL COLLEAGUES**

*Overtly poor relationships between veterinary surgeons undermine public confidence in the whole profession*

1. Veterinary surgeons must:-
  - a. always liaise with colleagues where more than one veterinary surgeon is involved in or has responsibility for the care of a group of animals
  - b. provide all relevant clinical information promptly to colleagues taking over responsibility for a case
  - c. provide proper documentation for all referral or re-directed cases
  - d. refer cases responsibly
  - e. advertise in a professional manner.
  
2. Veterinary surgeons must not:
  - a. speak or write disparagingly about another veterinary surgeons
  - b. obstruct a client from changing to another veterinary practice
  - c. discourage a client from seeking a second opinion

## **RESPONSIBILITIES UNDER THE LAW**

1. Veterinary surgeons should be sufficiently familiar with and comply with relevant legislation including:
  - a. the Veterinary Services Act, 2002 (CAP 437) and associated Regulations and statutory instruments arising out of Maltese Law and EU Legislation
  - b. the Medicines Act 2003 (CAP 458) and associated legislation as it applies to the use, prescription, sale and supply of veterinary medicinal and related products
  - c. the Data Protection Act 2004 (CAP 440) as they apply to professional and client records
  - d. Employment, Inland Revenue, VAT and Social Security legislation as it applies to veterinary practice
  - e. the Animal Welfare Act 2002 (CAP 439) and associated Regulations and statutory instruments arising out of Maltese Law and EU Legislation
  - f. the Services (Internal Market) Act, 2009 (CAP 500) and associated Regulations and statutory instruments arising out of Maltese Law and EU Legislation, as it applies to veterinary practice
  - g. any other relevant animal health or welfare legislation relating to animal health, disease control, animal breeding, public health and zoonoses arising out of Maltese Law and EU Legislation.
2. the Prevention of Disease Ordinance, 1908 (CAP 36) and associated Regulations and statutory instruments arising out of Maltese Law and EU Legislation
3. Veterinary surgeons must be aware of their responsibilities as witnesses to fact, as professional witnesses, or as expert witnesses in any civil or criminal proceedings in which they may be involved.
4. Veterinary practices should carry third party insurance for the protection of the public.

### **ADDITIONAL PROFESSIONAL BEHAVIOR**

1. When dealing with clients
  - a. All clients should be actively encouraged in the first instance to discuss any problems which they may have with the veterinary surgeon treating their animal, or the treatment being administered or with the handling of the case.
  - b. Complaints by clients should be dealt with in a fast and appropriate manner. Response should not amount to immediate denials.
2. Veterinary surgeons must:
  - a. respond promptly and constructively to any request from the Veterinary Surgeons Council for comments in relation to any allegation or complaint made against them. Failure to do so may in itself be held to amount to professional misconduct
  - b. be prepared to explain and justify to clients or colleagues any action or decision taken in the course of their professional activities.
3. A veterinary surgeon must be aware that his/her name may be removed from the Veterinary Surgeons' Register, and/or any other disciplinary action taken:
  - a. when found to be in breach of any obligations or conditions laid down under Veterinary Services Act, 2002 (CAP 437)
  - b. when convicted in Malta and abroad of a criminal offence
  - c. when found guilty of disgraceful conduct by the Disciplinary Committee . Such disgraceful conduct includes:
    - i. acts of immorality, indecency, dishonesty or abuse of a professional relationship.
    - ii. practicing the veterinary profession while under the influence of alcoholic beverages or psychoactive drugs.
    - iii. forgery, fraud, embezzlement and cognate offences.
    - iv. Gross or prolonged neglect of duties and disregard of responsibilities to patients , clients and the general public.
  - d. when registration has been obtained fraudulently
4. No veterinary surgeon shall enable an unqualified person to exercise the veterinary profession, issue any professional document, or otherwise act as if he or she were a duly qualified or registered veterinarian.

This shall not apply in the case when a student of veterinary medicine provides service under the direct supervision and responsibility of a fully qualified and registered veterinary surgeon as part of the his or her training.

## **THE TWELVE PRINCIPLES OF CERTIFICATION**

1. A veterinarian should be asked to certify only those matters which are within his own knowledge, can be ascertained by him personally or are the subject of a supporting certificate from another veterinarian who does have personal knowledge of the matters in question and is authorised to provide such a supporting document. Matters not within the knowledge of a veterinarian and not the subject of such a supporting certificate but known to other persons, e.g. the farmer, the breeder or the truck driver, should be the subject of a declaration by those persons only.
2. Neither a veterinarian nor any person described in 1. above should be requested or required to sign anything relating to matters which cannot be verified by the signatory.
3. Veterinarians should not issue a certificate which might raise questions of a possible commercial conflict of interest, e.g. in relation to their own animals.
4. All certificates should be written in terms which are as simple and easy to understand as possible.
5. Certificates should not use words or phrases which are capable of more than one interpretation.
6. Certificates should be:-
  - a. produced on one sheet of paper or, where more than one page is required, in such a form that any two or more pages are part of an integrated whole and indivisible;
  - b. given a unique number, and records of these certificates should be retained.
7. Certificates should be written in the language of the veterinarian signing them and translated into English or Maltese if necessary.
8. Certificates should identify animals individually except in cases where this is impractical, e.g. day old chicks.
9. Certificates should not require a veterinarian to certify that there has been compliance with the law of the European Union or a third country unless the provisions of the law are set out clearly on the certificate.
10. Where appropriate, notes for guidance should be provided to the certifying veterinarian by the issuing authority indicating the extent of the enquiries he is expected to make, the examinations he is required to carry out, or to clarify any details of the certificate which may require further interpretation.
11. Certificates should always be issued and presented in the original. Photocopies are not acceptable.

Provided that:-

- a. a copy of the certificate (clearly marked “COPY”) should always be provided to the authority by whom the certificates were issued - see 6. above; and
- b. where, for any good and sufficient reason (such as damage in transit) a duplicate certificate is authorised and supplied by the issuing authority, this must be clearly marked “duplicate” before issue.

12. When signing a certificate, a veterinarian should ensure that:

- a. he signs, stamps and completes any manuscript portions in a colour of ink which is not easily photocopied, i.e. a colour other than black;
- b. the certificate contains no deletions or alterations, other than those indicated as permissible on the face of the certificate; any changes must be initialed and stamped by the certifying veterinarian;
- c. the certificate bears his name, qualifications and address in clear lettering and (where appropriate) his official or practice stamps;
- d. the certificate bears the date on which the certificate was signed and issued and (where appropriate) the time for which the certificate will remain valid;
- e. no portion of the certificate is left blank, which could subsequently be completed by some person other than the certifying veterinarian.