

GUIDELINE 16

CONFLICT OF INTEREST FOR VETERINARY PRACTITIONERS

Registered veterinary practitioners should ensure they are familiar with the contents of this Guideline. The Board considers this Guideline to be the minimum standard expected from a registered veterinary practitioner exercising reasonable skill and care in the course of providing treatment to animals.

Practitioners should read this Guideline in conjunction with the Definitions listed in the introductory pages.

16 PREAMBLE

Conflict of interest issues are particularly relevant to veterinary activities associated with certification, accreditation, and the provision of an expert opinion, including acting as an expert witness in legal proceedings. In addition, some registered veterinary practitioners hold membership of and/or office bearer positions in various organisations, and may be called on by such an organisation to assist in a veterinary capacity when they are expected to put aside any other interest. When third parties rely upon veterinary advice or services, they need to be confident that practitioners are providing that advice or service in the absence of any conflict of interest.

16.1 CONFLICT OF INTEREST

16.1.1 A conflict of interest issue arises if there exists:

- a conflict between one person's own interests and that of another person or body.
- a conflict between a person's differing obligations to two or more other people.
- the appearance of such a conflict.

16.1.2 Perceptions of conflict of interest vary from individual to individual and from situation to situation. However even a perceived conflict of interest that remains un-managed can harm the reputation of, or affect the confidence of a client or third party in, a veterinary practitioner.

16.1.3 A veterinary practitioner should not carry out for a third party any tests, certifications or related tasks involving any animal or property in which:

- the practitioner has a financial interest.
- One of the practitioner's associates has an interest.
(An associate may include, for example, a family member or business partner.)
- Any corporate entity or organisation of which the practitioner is an executive office holder or manager has an interest.

16.2 EXAMPLES OF CONFLICT OF INTEREST

A conflict of interest issue may arise in the course of providing veterinary services or advice, if, for example, a veterinary practitioner:

- Has any financial or pecuniary interest in stock or land involved;
- Has a relationship with a client, vendor or purchaser involved;
- Has a business or social interest with any party;
- Has been under pressure or offered an inducement in relation to the service;

- Holds an elected or executive office within an organisation which has powers under legislation to make decisions about animals, instigate prosecutions or has some other interest in the animals or services in question;
- Performs an autopsy on an animal which has died unexpectedly while under their care.

16.3 MANAGING A CONFLICT OF INTEREST

16.3.1 When faced with a potential conflict of interest situation, veterinary practitioners should:

- Promptly declare any apparent, actual or potential conflict of interest to the party or parties involved, and/or
- Take all reasonable practicable steps to avoid that conflict.

16.3.2 This enables the person/s concerned (usually the owner of an animal) to choose whether to continue with the service or procedure, or to engage another veterinary practitioner.

16.3.3 Failure to resolve a conflict of interest may result in the veterinarian being required to withdraw from the certification or relevant activity. The Board considers that to not do so when a conflict of interest issue cannot be resolved to the satisfaction of all parties could constitute unprofessional conduct.

16.4 PERFORMING AUTOPSIES

16.4.1 It is recommended that in the event of an unexplained/unexpected death of an animal whilst under the care of a veterinary practitioner, the practitioner should advise the owner a post-mortem may be performed in order to ascertain the cause of death.

16.4.2 Options for performing the autopsy should be provided to the owner, and the fees for these services negotiated between the owner and the veterinary practitioner.

16.4.3 Where an owner has given permission for a post-mortem to be performed on an animal, this must be performed without undue delay or the body stored in a manner to prevent deterioration of tissues before the autopsy is conducted.

16.4.4 To prevent potential conflict of interest, ideally an independent practitioner should carry out the autopsy.