O1 European Veterinary Code of Conduct

02 Veterinary Act

one profession one vision one voice



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Dear Reader,

Adopted by all FVE member organizations -representing the veterinary profession in 38 European countries as well as in all its disciplines - these documents aim to serve as guidance for the veterinary profession throughout Europe. They clearly demonstrate the profession's commitment to assuring the health and welfare of animals and people and its adherence to ethical standards. Both papers are a next step in our profession's policy towards the continuous improvement of the quality of its services.

I sincerely hope that this brochure will serve all those with an interest in the health and welfare of animals and people.



Dear Reader,

It is my pleasure to recommend the Veterinary Code of Conduct to you.

Drawn up by the Federation of Veterinarians of Europe, it clearly outlines the way the veterinary profession in Europe looks upon its role and responsibilities and how these should be delivered to societies.

Together with the definition of the Veterinary Act, it shows the profession's clear view on its tasks, the way these should be carried out, as well as the profession's wish to be accountable for these tasks.

I am particularly pleased by the fact that this Code was designed to apply to all veterinarians, including practitioners, hygienists, research workers and policy officers, both in the public and in the private sector. By working closely together towards the same goals, all veterinarians will reinforce their contributions to assuring the health and welfare of animals and people in Europe.

Dr Bernard Vallat

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European Veterinary
 Code of Conduct

Preamble

The role of the veterinarian in society

In answer to societal needs, veterinarians play an essential role in protecting animal health, animal welfare and public health as well as the environment by providing a wide range of services.

A veterinarian's function lays on him a variety of legal or moral obligations, namely towards:

- animals.
- customer,
- veterinary profession in general and each colleague in particular,
- professional veterinary team,
- society.
- competent authorities.

On occasions, these obligations may conflict with each other and therefore the veterinarian may be presented with a dilemma. In such situations it is the veterinarians' responsibility to balance these obligations.

The purpose of a professional Code of Conduct

A Code of Conduct is a standard specifying the veterinary ethics and principles of professional conduct. It should ensure that:

- Veterinarians provide high quality services for the benefit of animal health, animal welfare and public health,
- Customers can have confidence in the services provided.

The activities of veterinarians comprise intellectual tasks for the proper discharge of their duties which require a high level of legal, technical and scientific knowledge. Recognition of the veterinary degree is based upon minimum training requirements, as specified in article 38 and Annex V of the Directive on the Recognition of Professional Qualifications (2005/36/EC)¹.

For obtaining the authorisation to practice, additional requirements (e.g. registration with a competent authority) might have to be met.



Veterinarians are subject to the Code of Conduct drawn up by the appropriate competent authority. They should be aware that contravention of the provisions of the Code might lead to disciplinary sanctions.

Customers must have confidence that alleged contravention of the provisions of Codes of Conduct will be treated seriously by the appropriate competent authority concerned and, if proved, will result in action proportionate to the seriousness of that breach being taken.

(1) See Annex I

The purpose of a European Code of Conduct

The increase in cross-border activities and the development of a genuine Internal Market for services call for a greater convergence of professional rules at European level. It is therefore important that professional organizations reach agreement between themselves at European level on a common



set of rules which will ensure an equal level of protection for recipients and a high quality of services throughout the EU.

A European Code can:

- facilitate the free movement of service providers
- lead to recipients' enhanced trust and confidence in services offered by providers from other member states.

A European Code of Conduct should apply both to the provision of services cross-border as well as to the provision of services within the territory where the service provider is established: the aim is to establish a common set of rules at European level and not to draw a distinction between national and cross-border provision of services.

A European Code of Conduct should contain the principles which are at the core of the exercise of regulated professions in Europe such as professional independence, confidentiality, honesty, integrity and dignity. This does not exclude member states or national professional associations from stipulating more detailed rules aimed at greater protection in their national law or national Code of Conduct. (ref Handbook services)

In accordance with the Directive 2006/123/CE on Services (art. 15 freedom of establishment and art. 16 free movement of services) those more detailed rules should respect the following conditions:

- non-discrimination: the requirement may be neither directly (nationality or location of registered office) nor indirectly (residence or place of principal establishment) discriminatory;
- necessity: the requirement must be justified for reasons of public policy, public security, public health or the protection of the environment;
- proportionality: the requirement must be suitable for attaining the objective pursued, and must not go beyond what is necessary to attain that objective.

One of the challenges of an European Code of Conduct would also be its concrete implementation, in order to ensure that applications of these minimum set of rules can be enforced in practice.

The FVE European Code of Conduct

According to this preamble, the members of FVE agree on a FVE European code of conduct. This Code of Conduct contains principles which shall:

- be recognized at the present time as the expression of consensus of core values between all members of FVE and be implemented within national codes of conduct: CHAPTER 1
- be taken into account by all members of FVE in all revisions of national Codes of Conduct with a view to their progressive

implementation aimed at greater protection of recipients and a higher quality of services: CHAPTER 2.

This FVE European Code of Conduct will not be legally binding unless it is made binding either by the European Union or National legislation.

As the circumstances in which it may be implemented will vary widely, FVE does not accept responsibility and is not liable for any use that is made of this Code as a matter of private law.

Definitions:

Competent Authority

means any body or authority which has a supervisory or regulatory role in a Member State in relation to service activities, including, in particular administrative authorities, professional bodies, and those professional associations or other professional organisations which, in the exercise of their legal autonomy, regulate in a collective manner access to service activities or the exercise thereof. (Directive 2006/123/EC).

Regulated profession

means a professional activity or group of professional activities, access to which, the pursuit of which, or one of the modes of pursuit of which is subject, directly or indirectly, by virtue of legislative, regulatory or administrative provisions to the possession of specific professional qualifications; in particular, the use of a professional title limited by legislative, regulatory or administrative provisions to holders of a given professional qualification shall constitute a mode of pursuit. (Directive 2005/36/EC).

Service

means any self-employed economic activity, normally provided for remuneration, as referred to in Article 50 of the Treaty. (*Directive 2006/123/EC*). Veterinarian providing a service can be either self- employed either member of a company.

Customer

means a person, company or another entity (such as the government) which purchases goods and services provided by a veterinarian, his staff or his veterinary team.

Member State

means a Member State of the European Union.

Home Member State

means the Member State where the veterinarian acquired the right to bear his professional title.

Host Member State

means any other Member State where the veterinarian carries on cross-border activities to bear his professional title.

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Core Values of the FVE European Veterinary Code of Conduct.

These values shall be recognized at the present time as the expression of consensus of core values between all members of FVE and be implemented within national codes of conduct.

1.1 General **Principles**

Independence and impartiality

Veterinarians shall exercise personal and independent judgement after taking into account all relevant circumstances, without any application of personal interest or external influence.

Customers have the right to receive impartial, independent and objective advice.

Honesty and Integrity

Veterinarians shall act with courtesy, honesty and integrity in their relationships with customers and others, including professional colleagues and must not engage in any activity or behaviour that would be likely to bring the profession into disrepute or undermine public confidence in the profession.

Customers have the right to expect to be treated with courtesy and respect.

Confidentiality and professional secrecy

Veterinarians shall protect the customers' confidentiality² except in specified circumstances and, where possible, with the informed consent of the individual.

Customers have the right to expect that veterinarians will respect confidentiality except in specified circumstances, especially when disclosure concerns public or consumers health³, animal heath and/or welfare or when disclosure is required by law.

Competence and professionalism

In carrying out their profession, veterinarians shall act in all conscience and to the best of their professional knowledge.

Veterinarians shall maintain and enhance their knowledge and skills relating to the state of veterinary science.

Customers have the right to expect that veterinarians will keep their knowledge in their field of practice up-to-date and work within their competency level.

(2) Confidentiality/professional secrecy: safeguard information acquired in the course of providing professional services and ensure that information about an individual is not disclosed to others.

(3) See § 1.6.



12 Veterinarians & **Animals**

Veterinarians shall have knowledge of animal health and welfare legislation.

Veterinarians shall restore and/or ensure the welfare and health of the animals under their care in whichever section of the veterinary profession they work.

Veterinarians shall give emergency first aid and pain relief to any animal according to their skills and the specific situation.

1.3 Veterinarians & Customers

Veterinarians shall respect the needs and requirements expressed by their customer as long as such needs and requirements do not conflict with compliance with the Principles and Applications of this Code and/or with the laws of the Member State in which they wish to provide a service.

No veterinarian shall discriminate on grounds of race, gender, religion, politics, disability, marital status or sexual orientation.

All veterinarians owe a duty to their customers to carry out work and services faithfully, conscientiously, competently in a professional manner, and with independence, impartiality and integrity using due care, skill and diligence.

Veterinarians shall as far as reasonably possible ensure informed consent is obtained from a customer before treatment or procedures are carried out.

Veterinarians may inform the public about their services in an accurate and not misleading manner. Such communication must be truthful, transparent and correct. Commercial communications by veterinarians shall comply with Community law, aim in particular to guarantee the independence, dignity and integrity as well as professional secrecy. (ref Handbook services).

1.4 Veterinarians& VeterinaryProfession

Veterinarians shall familiarise themselves with and observe the relevant legislation and Code of Conduct in relation to veterinarians as individual members of an European veterinary profession.

Where a veterinarian of a Member State co-operates with a veterinarian from another Member State, both shall take into account the differences which may exist between their respective laws and the professional organisations, competences and obligations of veterinarians in the Member States concerned.

All veterinarians shall conduct themselves in a manner that respects the legitimate

Accountability and Insurance

Veterinarians shall ensure that the customer can be adequately compensated in the event of adverse effects resulting from errors or omissions made in the provision of a service. For that purpose, veterinarians should carry insurance or another form of guarantee.

The customers have the right to expect an adequate compensation in the event of a justified claim.

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rights and interests of others. They shall acknowledge the professional aspirations and contributions of their colleagues and respect their rights.

Veterinarians shall recognise all others veterinarians of Member States as professional colleagues and act fairly and courteously towards them.

Veterinarians shall ensure the integrity of veterinary certification. They shall not sign a certificate or any other relevant statutory application unless the signatory is the designer or:

- either where the design has been prepared under the signatory's direct supervision and/or authority,
- either on the basis of an official recognized certificate, designed as above, that has been signed by another authorized veterinarian.



1.5 Veterinarians& VeterinaryTeam⁴

Veterinarians shall maintain and enhance their knowledge of, and observe the relevant legislation applicable on Health and Safety to employers, employees, business owners.

All veterinarians shall ensure that conduct of their teams conforms to the Code of Conduct so that anybody dealing with any provider of veterinary services may have confidence in being protected against incompetence or false or misleading statements.

All veterinarians shall take all reasonable precautions to ensure the health, safety and welfare of their team.

Veterinarians shall communicate with colleagues and staff to ensure co-ordination of care of patients

Veterinarians shall ensure that any member of support staff to whom a task is delegated has the knowledge and skills necessary to undertake that task effectively and efficiently whilst maintaining overall responsibility. There shall also be appropriate supervision.

VeterinariansCompetentAuthorities

All veterinarians shall observe the laws governing their professional activities and so, shall foster and endeavour to maintain good relationships with Competent Authorities.

Veterinarians shall contact the relevant Competent Authorities and inform themselves as to the rules which will affect them in the performance of any particular activity in a particular Member State: they shall ensure that they abide by the reulations of the Competent Authority of the member State in which they wish to provide a service.

Veterinarians, when performing tasks on behalf of the Competent Authorities, shall ensure that there is no conflict of interest and shall not use their position to try to extend their clientele or to gain a personal advantage.

Veterinarians, when performing inspections on behalf of the Competent Authorities, shall understand the importance of impartiality and uniformity in enforcement of these inspections.

(4) employers, employees, business owners





1.7 Veterinarians & Society

Veterinarians shall maintain and enhance their knowledge of, and observe the relevant legislation applicable on public health.

Veterinarians shall understand their role and comply with legal obligations in the food chain. Veterinarians shall, whenever appropriate, bare in mind the possible impact his/her actions might have on the end product and the consumer.

Veterinarians shall seek to ensure the best protection of public and consumers health.

Veterinarians shall understand and comply with their legal obligations in relation to the prescription, safekeeping, use, supply and disposal of medicinal products, especially when relating to the handling or administration of medicinal products which shall be recorded and dealt with, according to general pharmacovigilance principles and requirements.

Veterinarians shall report any suspicion of a notifiable disease to the appropriate Authority.

1.8 Veterinarians & Environment

Veterinarians shall maintain and enhance their knowledge of, and observe the relevant legislation applicable on environment protection.

All veterinarians shall take account of the social and environmental impact of their professional activities in the implementation of such work and services.

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Further recommendations on implementation of core values.

These values should be taken into account in all revisions of national Codes of Conduct with a view to their progressive implementation aimed at greater protection of recipients and a higher quality of services.



Veterinarians should be aware of the particular ethical status of animals as sentient beings and the veterinary responsibility for animal health and animal welfare.

Veterinarians should always take into account the five freedoms for assessing animal welfare:

- Freedom from hunger and thirst,
- Freedom from pain, injury and disease,
- Freedom from fear and distress
- Freedom to express normal behaviour.
- Freedom from discomfort

Veterinarians should use the least stressful techniques necessary for a sound diagnosis and treatment.

Veterinarians should attempt to relieve animals of pain and suffering as soon as possible; if the condition is untreatable, they should perform euthanasia (killing with as little pain, distress and fear as possible).

Veterinarians should consider to euthanize an animal even without the owner's permission in urgent cases, in which there are no medical means to prevent excessive suffering of the animal (in case of accident, first aid etc., when the owner of the animal may not be present or cannot be contacted). Prior to taking such a decision, however, all possible treatments should have been carefully

considered and ruled out in all conscience and to the best of one's knowledge, assuming full responsibility for the act.

When aware of violations to animal welfare legislation, veterinarians should immediately bring this to the attention of the owner of the animal(s) and do everything within their power to solve the problem.

Where applicable, in these specified circumstances, veterinarians should report it to the appropriate legal authority.

Beyond first aid, veterinarians should only undertake veterinary services where they possess adequate knowledge and abilities: if they do not, veterinarians should refer the case to a veterinarian with the appropriate knowledge and skills.



22 Veterinarians & Customers

Veterinarians should give sound professional advice in terms customers will understand as well as information before and during the provisions of services, both on the procedure it is intended to pursue to achieve the desired objective (treatment options, prognoses, possible side effects) and on the fees involved.

Veterinarians should give information about emergency services systems where necessary. Veterinarians should respect the confidentiality of information acquired in the course of providing veterinary services and ensure that information about a client is not disclosed to others unless disclosure is required by law and, where possible, with the informed consent of the individual or any relevant party.

Veterinarians should respond promptly, fully and courteously to complaints and criticism.

If any dispute of a professional nature or a breach of a rule of professional conduct arises between customers and veterinarians, they should resolve the dispute locally or through the Competent Authority.

Veterinarians should respect the rules for pricing where they exist.

knows or can ascertain by reasonable inquiry that another provider of veterinary services has an existing contract with the same customer, should notify the other provider.

Veterinarians should deliver only those services for which they are competent. Veterinarians should help the client to find another veterinarian who is capable of providing the service asked for.

Veterinarians should acknowledge the contribution made to their services by organisations representing the veterinary profession. According to their possibility and ability, they should support the professional representation (suggestions, criticism, exercising voting rights...).

23 Veterinarians & Veterinary Profession

Veterinarians should not maliciously or unfairly criticise or attempt to discredit another veterinarian.

If any personal dispute of a professional nature or a breach of a rule of professional conduct arises amongst veterinarians, they should resolve the dispute locally or through the Competent Authority.

Veterinarians should maintain and develop their professional knowledge and skills.

Veterinarians, if approached to undertake a veterinary service upon which the provider

24 Veterinarians & Veterinary Team

Veterinarians should treat their colleagues and their staff in a fair and reasonable way and assure them a fair salary.

Veterinarians should encourage and ensure the continual improvement of the professional and/or technical knowledge and skills of their personnel.

Veterinarians and their staff should be insured for legal and professional liability.

Veterinarians should support the professional development of the next generation of veterinarians.

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25 Veterinarians & Competent **Authorities**

Veterinarians should fulfil, whenever required, promptly and in accordance with the instructions given, the obligations of public service which they undertake on behalf of the Competent Authorities.

When veterinarians are required by Competent Authorities to perform tasks for the customer of another veterinarian, and when asked by the customer to perform any task other than these, veterinarians should inform the other veterinarian

Veterinarians should not commence any form of proceedings against a colleague without first informing the Competent Authorities to which they both belong, specially if they are from different Member States: they such give Competent Authorities concerned an opportunity to assist in reaching a settlement.

26 Veterinarians & Society

Veterinarians should make animal owners aware of their responsibilities to the public.

Veterinarians should, whenever appropriate, advise their customers about measures to minimise the risk of zoonotic agents, food borne pathogens, residues, contaminants (biological and chemical agents) and antimicrobial resistance.

27 Veterinarians & Environment

Veterinarians should attempt to reduce pollution of the environment by appropriate use of disinfectants, medicinal products and other chemicals. Veterinarians should encourage customers to do the same.

Veterinarians should aim to be environmentally responsible by the economical use of energy and water.

Veterinarians should organise facilities for separate collection of different types of waste so that they can be sent to the appropriate recycling points

FVE Working Group Code of Conduct

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The Working Group was formed in September 2006. The draft Code of Conduct was adopted in the FVE General Assembly of Vienna in May 2008.

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- EC (2005) Directive
- 7. EC (2006) Directive 2006/123/CE on Services in
- 8. EC (2007) Handbook on Services directive
- 9. EC (2007) DG internal market services dans le marché intérieur: le rôle des codes
- 10. OIE Standards (2007) Terrestrial Animal Health

Annex 1

- Ref: Directive 2005/36/CE on recognition of professional qualifications
- L:2005:255:0022:0142:EN:PDF
- surgeons shall comprise a total at a university or at a higher to in Annex V, point 5.4.1. [...].
- 2. Admission to veterinary certificate entitling the holder question, university establish-Member State to be of an equivalent level for the
- 3. Training as a veterinary assurance that the person in following knowledge and skills:
- (a) adequate knowledge of the sciences on which the
- structure and functions of

- and preservation of foods
- (c) adequate knowledge of the behaviour and protection of
- (d) adequate knowledge of the treatment of the diseases of animals, whether considered including a special knowmay be transmitted to
- (e) adequate knowledge of
- (f) adequate knowledge of the involved in the production, manufacture and putting into circulation of animal animal origin intended for
- listed above;
- h) adequate clinical and other practical experience under

Annex 2

OIE standards: Terrestrial Animal Health Code (2007)

Chapter 3.1: Evaluation of veterinary services

Article 3.1.1.:

The quality of the Veterinary fundamental principles of an

conform to these fundamental political, economic or social

Article 3.1.2.:

of their activities: Professional organisation [...], Quality policy [...], Procedures and standards



Veterinary Act



01

The Federation of Veterinarians of Europe (FVE) is the representative body for approximately 200,000 veterinarians in 38 European countries. The General Assembly comprises representatives from 46 national organisations, including regulatory authorities, and 4 international groups representing specific spheres of activity.

02

The veterinary profession is a well-educated and trained liberal profession, practising a wide range of activities on the basis of specific qualifications which are not just limited to private clinical practice. These qualifications provide intellectual and practical services to clients and patients and to the general public in a personal, responsible and independent manner. The veterinary profession is also a regulated profession. In order to avoid inferior services which could harm animal health and welfare, as well as public health, access to and the practise of veterinary medicine and surgery is subject to adequate training for the particular purpose and to registration and/or control by national competent authorities.

03

The European public has come to demand a high level of protection of animal welfare for all species, and a high degree of quality assurance in the ethical production of food of animal origin as the profession assists in safeguarding both animal and public health. Companion animals have become even more important as 'members of the family'.

04

The FVE is concerned that there are too many people carrying out veterinary tasks without a clear mission, or without appropriate education or training. In many countries groups of non-veterinarians who perform certain 'veterinary tasks' are already established. Increasingly, these groups wish to undertake more of the traditional veterinary work and, in some countries at least, there are moves by government bodies to undermine the role of the veterinarian and to encourage the transfer of the veterinary role to others.



05

Where veterinary acts are undefined and unregulated, there is a danger that the welfare of animals and the reputation of the veterinary profession may suffer, and animal and public health are compromised.

06

The FVE believes that the veterinary profession should be acknowledged as possessing a unique competence and expertise which can guarantee a high level of animal health and welfare, as well as bringing an important contribution to human health and public safety. However, the purpose of this paper is not to protect the veterinary profession but to protect the welfare and improve the health of animals. FVE accepts that some veterinary Acts may be delegated to non-veterinarians but takes the view that such persons should be appropriately trained for what they do.

07

Such restrictions are in the interests of ensuring that animals are treated only by people qualified to do so.

08

FVE has therefore adopted the following definition of veterinary acts:

Definition of veterinary acts

- A. all material or intellectual interventions that have as their objective to diagnose, treat, or prevent mental or physical disease, injury, pain, or defect in an animal, or to determine the health and welfare status of an animal or group of animals, particularly its physiological status; including the prescription of veterinary medicines;
- B. all interventions that cause or have the potential to cause pain;
- C. all invasive interventions:
- **D.** all veterinary interventions, including food or feed chain activities. affecting public health;
- E. veterinary certification relating to any of the above.



09

Criterion (a) emphasises the traditional role of the veterinarian in the art as well as the science of veterinary medicine and surgery, whereas the remaining criteria refer to the more practical aspects of veterinary activities. It should be noted that some interventions may be either material or intellectual, or both, and may also satisfy either one or more of the criteria.

10

The FVE strongly believes that the acts of examination, diagnosis, recommendations for subsequent action, and the prescription of medicines or surgery are all strongly linked and must be the exclusive preserve of the veterinarian. A diagnosis cannot be made without examination, either physical examination of the animal or investigative examination of samples. A treatment cannot be recommended or a surgical intervention performed without an examination and a diagnosis. The same applies to a veterinary prescription.

11

The FVE makes the same argument in respect of the role of the veterinarian undertaking official tasks, who has an equally important role in Animal Health, Public Health and Animal Welfare.

12

Only a veterinarian can take the holistic approach in any given situation and, in addition to the application of scientific principles, to exercise the art of veterinary medicine and surgery by virtue of evidence based scientific knowledge and established experience.

13

The OIE Terrestrial Animal Health Code defines 'veterinary paraprofessional' as follows; a person who, for the purposes of the Terrestrial Code, is authorised by the veterinary statutory body to carry out certain designated tasks (dependent upon the category of veterinary para-professional) in a country, and delegated to them under the responsibility and direction of a veterinarian. The tasks authorized for each category of veterinary para-professional should be defined by the veterinary statutory body depending on qualifications and training, and according to need.



14

FVE accepts the delegation of certain tasks/interventions to those who are technically and legally competent and subject to varying levels of veterinary supervision appropriate to the specific task. Such delegation can be encouraged in the interests of the client, the consumer, and the general public, which has a right to expect economic activities as well as ethical procedures in terms of welfare and the environment.

15

In the course of encouraging the delegation of certain tasks it is expected that anomalies surrounding the current legality/illegality can be removed. It must also be expected that para-professionals are properly trained in full cooperation with the veterinary profession in certain, limited, procedures which provides effective treatment for all animals and ensures enhanced public confidence in the production of safe food and in the veterinary profession.



16

However, certain principles should be established first.

- A. Law and practise must conform. It is not acceptable that the different groups should be given the legal right to care for animals or to undertake certain interventions without an equal legal obligation for competence and regulation.
- **B.** The competence of the individual must be assured
- **C.** It is necessary to determine the level of responsibility and the relationship with the veterinarian who may have overall responsibility and control, for example:
- I. interventions may be carried out under the authority of and/or in the presence of the veterinarian
- II. interventions may be carried out under the authority of the veterinarian who is able to intervene in an emergency
- III. interventions carried out in the absence of the veterinarian
- IV. independent or autonomous interventions
- D. the level of legal responsibility must be proportional to the level of practical responsibility.

17

Overall, based on models already established in the medical health professions we can foresee a general, and sometimes specialised, competence for veterinarians (who are basically qualified to carry out all interventions) and specific or restricted competences for clearly identified professions or activities.

18

In conclusion, differences in historical and cultural backgrounds between countries and people have led to diversity in national legislation. Ever growing international contacts and the increasing number of veterinarians providing cross-border services or establishing in other countries have created a need for a clear, practical and international definition of veterinary acts. There is an unbreakable link between animal health (whatever the species), animal welfare, food safety and public health and welfare. It is the veterinarian who occupies a pivotal position within that chain.

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■ Nr of active Vets (data 2005)



