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## FVE EUROPEAN CODE OF CONDUCT

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## **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)<sup>1</sup>.

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.

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<sup>1</sup> 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 across-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.

## **CHAPTER I: 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' confidentiality<sup>2</sup> 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 health<sup>3</sup>, animal health 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.

#### **❖ 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.

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<sup>2</sup> 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.

<sup>3</sup> See § 1.6.

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

### **1.2 Veterinarians and 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 and 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 and Veterinary Profession**

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

Veterinarians shall recognise all other 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 and Veterinary Team<sup>4</sup>**

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.

#### **1.6 Veterinarians and Competent Authorities**

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 regulations 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.

#### **1.7 Veterinarians and 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, bear in mind the possible impact his/her actions might have on the end product and the consumer.

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<sup>4</sup> employers, employees, business owners



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 and 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.

## **CHAPTER II: 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.

### **2.1 Veterinarians and Animals**

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.

### **2.2 Veterinarians and 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.

### **2.3 Veterinarians and 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 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 ....)

### **2.4 Veterinarians and 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.

### **2.5 Veterinarians and 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.

## **2.6 Veterinarians and 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.

## **2.7 Veterinarians and 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

## **Bibliography**

- (1) FVE (2002) European Code of Good veterinary practice
- (2) ACE (2005) European Deontological Code for providers of Architectural Services
- (3) CCBE (2006) Code of Conduct for European Lawyers
- (4) CEPLIS (2006) Common Values of the Liberal Professions in the European Union
- (5) EC - Treaty establishing the European Community
- (6) EC (2005) Directive 2005/36/CE on recognition of professional qualifications
- (7) EC (2006) Directive 2006/123/CE on Services in the Internal Market
- (8) EC (2007) Handbook on implementation of the Services directive
- (9) EC (2007) DG internal market – Développer la qualité des services dans le marché intérieur: le rôle des codes de conduite européens
- (10) OIE Standards (2007) Terrestrial Animal Health Code

## **Annex I - Ref: Directive 2005/36/CE on recognition of professional qualifications**

"The training of veterinary surgeons"

1. The training of veterinary surgeons shall comprise a total of at least five years of full-time theoretical and practical study at a university or at a higher institute providing training recognised as being of an equivalent level, or under the supervision of a university, covering at least the study programme referred to in Annex V, point 5.4.1.

The content listed in Annex V, point 5.4.1 may be amended in accordance with the procedure referred to in Article 58(2) with a view to adapting it to scientific and technical progress.

Such updates may not entail, for any Member State, any amendment of its existing legislative principles relating to the structure of professions as regards training and conditions of access by natural persons.

2. Admission to veterinary training shall be contingent upon possession of a diploma or certificate entitling the holder to enter, for the studies in question, university establishments or institutes of higher education recognised by a Member State to be of an equivalent level for the purpose of the relevant study.

3. Training as a veterinary surgeon shall provide an assurance that the person in question has acquired the following knowledge and skills:

(a) adequate knowledge of the sciences on which the activities of the veterinary surgeon are based;

(b) adequate knowledge of the structure and functions of healthy animals, of their husbandry, reproduction and hygiene in general, as well as their feeding, including the technology involved in the manufacture and preservation of foods corresponding to their needs;

(c) adequate knowledge of the behaviour and protection of animals;

(d) adequate knowledge of the causes, nature, course, effects, diagnosis and treatment of the diseases of animals, whether considered individually or in groups, including a special knowledge of the diseases which may be transmitted to humans;

(e) adequate knowledge of preventive medicine;

(f) adequate knowledge of the hygiene and technology involved in the production, manufacture and putting into circulation of animal foodstuffs or foodstuffs of animal origin intended for human consumption;

(g) adequate knowledge of the laws, regulations and administrative provisions relating to the subjects listed above;

(h) adequate clinical and other practical experience under appropriate supervision."

## **Annex 2 : OIE standards : Terrestrial Animal Health Code (2007)**

### CHAPTER 1.3.3.

#### **EVALUATION OF VETERINARY SERVICES**

##### Article 1.3.3.1.

The quality of the [Veterinary Services](#) depends on a set of factors, which include fundamental principles of an ethical, organisational and technical nature. The [Veterinary Services](#) shall conform to these fundamental principles, regardless of the political, economic or social situation of their country.

Compliance with these fundamental principles by the [Veterinary Services](#) of a Member Country is important to the establishment and maintenance of confidence in its [international veterinary certificates](#) by the [Veterinary Services](#) of other Member Countries.

The same fundamental principles should apply in countries where the responsibility for establishing or applying certain animal health measures, or issuing some [international veterinary certificates](#) is exercised by an organisation other than the [Veterinary Services](#), or by an authority or agency on behalf of the [Veterinary Services](#). In all cases, the [Veterinary Services](#) retain ultimate responsibility for the application of these principles.

##### Article 1.3.3.2.

#### **Fundamental principles of quality**

The [Veterinary Services](#) shall comply with the following principles to ensure the quality of their activities:

1. Professional judgement

The personnel of [Veterinary Services](#) should have the relevant qualifications, scientific expertise and experience to give them the competence to make sound professional judgements.

2. Independence

Care should be taken to ensure that [Veterinary Services](#)' personnel are free from any commercial, financial, hierarchical, political or other pressures which might affect their judgement or decisions.

3. Impartiality

The [Veterinary Services](#) should be impartial. In particular, all the parties affected by their activities have a right to expect their services to be delivered under reasonable and non-discriminatory conditions.

4. Integrity

The [Veterinary Services](#) should guarantee that the work of each of their personnel is of a consistently high level of integrity. Any fraud, corruption or falsification should be identified and corrected.

## 5. Objectivity

The *Veterinary Services* should at all times act in an objective, transparent and non-discriminatory manner.

## 6. General organisation

The *Veterinary Services* must be able to demonstrate by means of appropriate legislation, sufficient financial resources and effective organisation that they are in a position to have control of the establishment and application of animal health measures, and of international veterinary certification activities. Legislation should be suitably flexible to allow for judgements of equivalence and efficient responses to changing situations. In particular, they should define and document the responsibilities and structure of the organisations in charge of the animal identification system, control of animal movements, animal disease control and reporting systems, epidemiological surveillance and communication of epidemiological information.

A similar demonstration should be made by *Veterinary Services* when they are in charge of veterinary public health activities.

The *Veterinary Services* should have at their disposal effective systems for animal disease surveillance and for *notification* of disease problems wherever they occur, in accordance with the provisions of the *Terrestrial Code*. Adequate coverage of animal populations should also be demonstrated. They should at all times endeavour to improve their performance in terms of animal health information systems and animal disease control.

The *Veterinary Services* should define and document the responsibilities and structure of the organisation (in particular the chain of command) in charge of issuing *international veterinary certificates*.

Each position within the *Veterinary Services* which has an impact on their quality should be described. These job descriptions should include the requirements for education, training, technical knowledge and experience.

## 7. Quality policy

The *Veterinary Services* should define and document their policy and objectives for, and commitment to, quality, and should ensure that this policy is understood, implemented and maintained at all levels in the organisation. Where conditions allow, they may implement a quality system corresponding to their areas of activity and appropriate for the type, range and volume of work that they have to perform. The guidelines for the quality and evaluation of *Veterinary Services* propose a suitable reference system, which should be used if a Member Country choose to adopt a quality system.

## 8. Procedures and standards

The *Veterinary Services* should develop and document appropriate procedures and standards for all providers of relevant activities and associated facilities. These procedures and standards may for example relate to:

- a. programming and management of activities, including international veterinary certification activities;
- b. prevention, control and notification of disease *outbreaks*;
- c. risk analysis, epidemiological surveillance and zoning;
- d. inspection and sampling techniques;
- e. diagnostic tests for animal *diseases*;
- f. preparation, production, registration and control of biological products for use in the diagnosis or prevention of *diseases*;
- g. border controls and import regulations;
- h. *disinfection* and *disinfestation*;
- i. treatments intended to destroy, if appropriate, pathogens in animal products.

Inasmuch as the OIE has adopted standards on these matters, the *Veterinary Services* should comply with these standards when applying animal health measures and when issuing *international veterinary certificates*.

#### 9. Information, complaints and appeals

The *Veterinary Authority* should undertake to reply to legitimate requests from *Veterinary Authorities* of other Member Countries or any other authority, in particular ensuring that any requests for information, complaints or appeals that they may present are dealt with in a timely manner.

A record should be maintained of all complaints and appeals and of the relevant action taken by the *Veterinary Services*.

#### 10. Documentation

The *Veterinary Services* should have at their disposal a reliable and up-to-date documentation system suited to their activities.

#### 11. Self-evaluation

The *Veterinary Services* should undertake periodical self-evaluation especially by documenting achievements against goals, and demonstrating the efficiency of their organisational components and resource adequacy.

A procedure for evaluating *Veterinary Services* by OIE experts, on a voluntary basis, is described in Article [1.3.3.5](#).

#### 12. Communication

*Veterinary Services* should have effective internal and external systems of communication covering administrative and technical staff and parties affected by their activities.

#### 13. Human and financial resources

Responsible authorities should ensure that adequate resources are made available to implement effectively the above activities.