

## Council Meeting 5 & 6 December 2006

## PUBLIC BUSINESS

### Code of Ethics Review

#### Purpose

To ratify Council's decision at the November 2006 strategy day to consult on the Code of Ethics Review Working Group's proposed text for the revised Code of Ethics.

#### Recommendation

Council is asked to ratify the decision made at the Strategy day on 1 November 2006 to consult on the Code of Ethics Review Working Group's proposed text for the revised Code of Ethics outlined in Appendix 1.

#### Strategic objective domain

- Influencing the development of the pharmacist to play a more inclusive part in healthcare, public health and social care
- Improving member engagement in the work of the Society
- An organisation that consistently performs as a regulator, professional representative leader and publisher

#### 1. Background

In June 2006 Council agreed to consult on the Code of Ethics Review Working Group's proposals for the draft structure of the revised Code of Ethics. A three month consultation was held from June- September 2006. The consultation was published in *The Pharmaceutical Journal* and made available on the RPSGB and APTUK websites. Copies of the consultation were also sent to a range of stakeholders, including pharmacy organisations, other health care organisations, regulatory bodies and public interest groups. Discussion sessions were held at Branch meetings, Committee and Sector Group meetings and BPC 2006. In addition, a patient work shop was held to explore the key values, attitudes and behaviours that patients expect of pharmacists.

Overall the respondents were very supportive of the proposed structure of the revised Code of Ethics and there was widespread agreement on the seven ethical principles outlined in the consultation document. The Working Group has held two meetings since the consultation closed to develop and refine the detailed wording and content of the revised Code in the light of the responses received (Appendix 1).

Council agreed to consult on the Code of Ethics Review Working Group's proposed text for the revised Code of Ethics at the 1 November 2006 strategy day and is now asked to formally ratify this decision.

#### 2. The Revised Code

The revised Code is based on seven principles that will inform the conduct, performance and practice of all registered pharmacists and pharmacy technicians. Each principle is supported by a series of statements to explain the types of actions and behaviours that will be expected of pharmacy professionals when applying these principles in practice.

The revised Code does not contain detailed standards or guidance. Where more detailed guidance is required for a specific area of practice or professional activity, this will be provided in separate supporting guidance documents. Work is underway to develop guidance for pharmacy owners, superintendent pharmacists and other pharmacists and pharmacy technicians with management responsibilities. Additional guidance on the sale and supply of medicines, patient consent and confidentiality is also planned. It is intended that there will be an opportunity to comment on these supporting guidance documents in due course.

### **3. Next Steps**

Following Council's agreement at the 1 November 2006 strategy day, a 3 month consultation has begun on the Working Group's proposals for the detailed content and wording of the revised Code outlined in Appendix 1. As with previous consultations, this consultation has been published in *The Pharmaceutical Journal*. It is also available to complete on-line and copies have been sent to key stakeholders. Following this consultation, the Working Group will make any further changes to the text of the revised Code with a view to presenting the completed Code for Council's agreement before the 2007 AGM.

### **4. Risk Implications**

The Society needs to ensure it provides a robust and enduring ethical framework of professional obligations that it expects pharmacists and pharmacy technicians to operate within. This must continue to reflect and support the roles and responsibilities of the professions and must be applicable to all fields of practice. Failure to do so could risk patient safety and damage the public's trust in the pharmacy professions.

### **5. Resources Implications**

The resource implications for this consultation have been built into the 2006 budget.

### **6. Recommendation**

Council is asked to ratify the decision made at the 1<sup>st</sup> November 2006 Strategy day to consult on the Code of Ethics Review Working Group's proposed text for the revised Code of Ethics outlined in Appendix 1.

Lynsey Balmer  
Head of Professional Ethics

**Appendix 1****Code of Ethics for Pharmacists and Pharmacy Technicians- Draft for consultation****About this document**

Registration as a pharmacist or pharmacy technician carries obligations as well as privileges. It requires you to:

- develop and use your professional knowledge and skills for the benefit of those who seek your professional services,
- maintain good professional relationships with others, and
- act in a way that promotes confidence and trust in the pharmacy professions.

The Code of Ethics sets out the principles that you must follow as a pharmacist or pharmacy technician. The Code is the Society's core guidance on the conduct, practice and professional performance expected of you. It is designed to meet our obligations under The Pharmacists and Pharmacy Technicians Order 2006 and other relevant legislation. The principles of the Code are intended to guide and support the work you do and the decisions you make. They also inform the general public of the standards of behaviour that can be expected from the pharmacy professions. The Code underpins all other guidance we issue. We will review the Code in the light of changes within the professions or healthcare environment.

The Code is founded on seven principles which express the values central to the identity of the pharmacy professions. The seven principles and their supporting explanations encapsulate what it means to be a registered pharmacist or pharmacy technician. Making these principles part of your professional life will maintain patient safety and public confidence in the professions.

**Status of the Code of Ethics**

The principles of the Code of Ethics are professional requirements. As a registered pharmacist or pharmacy technician your professional and personal conduct will be judged against the Code. You must abide by its principles irrespective of the job you do. Disreputable behaviour, even if it is not directly connected to your professional practice, or failure to comply with the principles identified in the Code, could put your registration at risk. The Society's fitness to practise committees will take account of the Code in considering cases that come before them, but are not limited solely to the matters mentioned in it. They will consider the circumstances of an individual case when deciding whether or not action should follow.

### **The Seven Principles**

As a pharmacist or pharmacy technician you must:

- **Make the care of patients your first concern**
- **Exercise your professional judgment in the interests of patients and the public**
- **Show respect for others**
- **Encourage patients to participate in decisions about their care**
- **Develop your professional knowledge and competence**
- **Be honest and trustworthy**
- **Take responsibility for your working practices**

### **Applying the principles**

It is your responsibility as a pharmacist or pharmacy technician to apply the principles of the Code of Ethics to your daily work, whether or not you routinely treat or care for patients. You must be able to show that you are aware of the Code and have followed the principles it lays down.

You are professionally accountable for your practice. This means that you are answerable for your acts and omissions, regardless of advice or directions from your manager or another professional. You are expected to use your professional judgement in the light of the principles of the Code and must be prepared to justify your actions if asked to do so.

The work of pharmacists and pharmacy technicians takes many different forms and accordingly not all of the principles will be applicable to every situation you find yourself in. Each principle is supported by a series of statements that explain the types of actions and behaviours expected of you when applying the principles in practice. These are not exhaustive. In meeting the principles of the Code you are expected to comply with other accepted standards and take account of guidance issued by the Society or other relevant organisations.

From time to time you may be faced with conflicting professional obligations or legal requirements. In these circumstances you must consider fully the options available to you, evaluate the risks and benefits associated with possible courses of action and determine what is most appropriate in the interests of patients and the public.

## **1. MAKE THE CARE OF PATIENTS YOUR FIRST CONCERN**

The care, well-being and safety of individual patients and the public are at the centre of everyday professional practice and must be your first and continuing concern irrespective of your field of work. Even if you do not have direct contact with patients your actions or behaviour can still impact on patient care or public safety. You must:

- 1.1 Provide a good standard of practice and care to those for whom you provide professional services.
- 1.2 Promote the health of individuals and the community.
- 1.3 Safeguard the well-being of patients, particularly children and other vulnerable individuals.
- 1.4 Obtain the information required to assess an individual's needs and provide appropriate treatment and care. Where necessary, refer patients to other health or social care professionals, or other relevant organisations.
- 1.5 Ensure safe access to medicines and encourage their effective use. Be satisfied about the clinical appropriateness of medicines supplied to individual patients and make sure that patients know how to use their medicines.
- 1.6 Be satisfied as to the integrity and quality of products to be supplied to patients and the public.
- 1.7 Maintain accurate and adequate records and include all relevant information in a clear and legible form.
- 1.8 Ensure you have access to the facilities, equipment and materials necessary to provide services to professionally accepted standards.
- 1.9 Undertake regular audits and risk assessments to improve the quality of services you provide and minimise risks to patient and public safety.

## **2. EXERCISE YOUR PROFESSIONAL JUDGEMENT IN THE INTERESTS OF PATIENTS AND THE PUBLIC**

The need to balance the requirements of individuals with society as a whole and manage competing priorities and obligations is a feature of professional life. Guidelines, targets and financial constraints need to be taken into account, but they must not be allowed to compromise your ability to make an informed professional judgement on what is appropriate for patients in specific situations. You must:

- 2.1 Consider and act in the best interests of individual patients and the public.
- 2.2 Make best use of the resources available to you.

- 2.3 Be prepared to challenge the judgement of colleagues and other healthcare professionals if you have reason to believe that their decisions could compromise the safety or care of others.
- 2.4 Make sure that your professional judgement is not impaired by personal or commercial interests, incentives, targets or similar measures. Base decisions, or recommendations for the use of a particular product or service, on professional judgement, not personal or commercial gain.
- 2.5 Conduct research and development with the utmost integrity; put the care and safety of the individual patients involved first and be satisfied that potential benefits for the wider community outweigh risks.
- 2.6 In an emergency take appropriate action to provide care and reduce risks to patients and the public, taking into account your competence and other options for assistance or care available.

### **3. SHOW RESPECT FOR OTHERS**

Respecting the dignity, views and rights of others is fundamental in forming and maintaining professionally appropriate relationships with patients, their carers, colleagues and other individuals that you come into contact with during the course of your professional practice. You must:

- 3.1 Recognise diversity and respect the cultural differences, values and beliefs of others.
- 3.2 Treat others politely and considerately.
- 3.3 Respect and protect the dignity and privacy of others. Take all reasonable steps to prevent accidental disclosure or unauthorised access to confidential information and ensure that you do not disclose confidential information without consent, apart from where permitted to do so by the law, or in exceptional circumstances.
- 3.4 Do not allow your views about a person's lifestyle, beliefs, race, gender, age, sexuality, disability or other perceived status to prejudice their treatment or care. If you have a conscientious objection to providing a particular professional service, ensure that relevant persons or authorities are informed of this and patients are referred to alternative sources of the service they require, either by you or by one of your colleagues.
- 3.5 Obtain consent for the professional services, treatment or care you provide and the patient information you use.
- 3.6 Use information obtained in the course of professional practice only for the purposes for which it was given.
- 3.7 Take all reasonable steps to ensure suitable levels of privacy for patient consultations.

- 3.8 Maintain proper professional boundaries in the relationships you have with patients and other individuals that you come into contact with during the course of your professional practice, taking special care when dealing with vulnerable individuals.

#### **4. ENCOURAGE PATIENTS TO PARTICIPATE IN DECISIONS ABOUT THEIR CARE**

Patients have a right to be involved in decisions about their treatment and care. They should be encouraged to work in partnership with you and other members of the professional team to manage their healthcare needs. Successful partnership working requires effective communication and an ability to identify the individual needs of patients. You must:

- 4.1 When possible, work in partnership with patients, their carers and other healthcare professionals to manage the patient's treatment and care. Explain the options available and help individuals to make an informed decision about whether they wish to use a particular service or treatment option.
- 4.2 Listen to patients and their carers and endeavour to communicate effectively with them. Ensure that, whenever possible, reasonable steps are taken to meet the particular language and communication needs of the patient.
- 4.3 Take all reasonable steps to share information that patients or their carers want or need in a way that they can understand, and make sure that the information you provide is relevant and up to date.
- 4.4 Ensure that information is appropriately shared with other healthcare professionals involved in the care of the patient.
- 4.5 Respect a patient's right to refuse to receive treatment, care or other professional services.
- 4.6 Consider and, whenever possible take steps to address, factors that may prevent or deter individuals from obtaining or taking their treatment.

#### **5. DEVELOP YOUR PROFESSIONAL KNOWLEDGE AND COMPETENCE**

Your qualification for registration is the first stage in your professional education. You must go on to ensure that your knowledge, skills and performance are of a high quality, up to date and relevant to your field of practice throughout your working life. You must:

- 5.1 Maintain and improve the quality of your work by keeping your knowledge and skills up to date, evidence-based and relevant to your role and responsibilities.
- 5.2 Appropriately apply your knowledge and skills to your professional responsibilities.
- 5.3 Recognise the limits of your professional competence; practise only in those areas in which you are competent and refer to others where necessary.

- 5.4 Undertake and maintain up to date records of continuing professional development relevant to your field of practice.
- 5.5 Respond constructively to the outcomes of assessments, appraisals and reviews of your professional performance and undertake further training where necessary.
- 5.6 Practise only if you are fit and competent to do so. Promptly declare to the Society, your employer and other relevant authorities any circumstances that may call into question your fitness to practise or bring the professions into disrepute, including ill health that impairs your ability to practise, criminal convictions and findings by other regulatory bodies or organisations.

## **6. BE HONEST AND TRUSTWORTHY**

Patients, colleagues and the public at large place their trust in you as a pharmacy professional. You must behave in a way that justifies this trust and maintains the reputation of the professions. You must:

- 6.1 Uphold public trust and confidence in the professions by acting with honesty and integrity.
- 6.2 Do not abuse your professional position for personal gain, or exploit the vulnerability or lack of knowledge of others.
- 6.3 Avoid conflicts of interest by declaring any personal or professional interests to those who may be affected. Do not accept gifts, inducements, hospitality or referrals that may affect, or be perceived to affect, your professional judgement.
- 6.4 Be accurate and impartial in relation to the teaching of others and the publication or provision of information to ensure that you do not mislead or make claims that cannot be justified.
- 6.5 Adhere to accepted standards of personal and professional conduct.
- 6.6 Comply with legal requirements, mandatory professional standards and accepted best practice guidance.
- 6.7 Honour commitments, agreements and arrangements for the provision of professional services.
- 6.8 Respond honestly, openly and courteously to complaints and criticism.

## **7. TAKE RESPONSIBILITY FOR YOUR WORKING PRACTICES**

Team working is a key feature of everyday professional practice and requires respect, co-operation and communication with colleagues from your own and other professions. When working as part of a team you remain accountable for your own decisions, behaviour and any work done under your supervision. You must:

- 7.1 Communicate and work effectively with colleagues from your own and other professions to serve the best interests of patients and the public. Ensure that both you and those you employ or supervise have sufficient language competence to do this.
- 7.2 Share relevant knowledge, skills and expertise with others and support colleagues and trainees in developing their professional competence.
- 7.3 Take responsibility for all work done by you or under your supervision. Ensure that individuals to whom you delegate tasks are competent and fit to practise and have undertaken, or are in the process of undertaking, the training required for their duties.
- 7.4 Be satisfied that appropriate standard operating procedures exist and are adhered to, and that clear lines of accountability and verifiable audit trails are in place.
- 7.5 Ensure that you are able to comply with your legal and professional obligations and that your workload or working conditions do not compromise patient and public safety.
- 7.6 Make sure that your actions do not prevent others from complying with their legal and professional obligations, or present a risk to patient and public safety.
- 7.7 Ensure that all professional activities undertaken by you, or under your control, are covered by professional indemnity arrangements.
- 7.8 Be satisfied that there is an effective complaints procedure where you work and follow it at all times.
- 7.9 Raise concerns if policies, systems, working conditions, or the actions, professional performance or health of others may compromise patient or public safety. Take appropriate action if something goes wrong or if others report concerns to you.
- 7.10 Co-operate with investigations into your or another healthcare professional's fitness to practise and abide by undertakings you give, or any restrictions placed on your practice.

### **Guidance that Supports the Code of Ethics**

As well as the Code of Ethics, we have produced supporting guidance and standards documents that expand on aspects of the Code, or provide more detailed guidance on specific areas of pharmacy practice. You can download these documents and more copies of the Code from our website ([www.rpsgb.org](http://www.rpsgb.org)), or you can telephone us on 020 7572 XXXX.

### **Other Sources of Advice**

Further information or advice on the Code, or other professional or legal obligations, can be obtained by contacting our legal and ethical advisory service on 020 7572 2308.