

SAFE EFFECTIVE PHARMACY PRACTICE

CODE OF ETHICS 2011



INTRODUCTION

PHARMACY PRACTICE

The philosophy of pharmacy practice acknowledges pharmacists as health professionals with the knowledge, skills and attributes to take responsibility for the management and utilisation of medicines, in order to optimise medicines related health outcomes. Pharmacy practice includes the technical aspects of pharmacy services, preparation of pharmaceuticals and medicines supply management as well as patient-centred care with counselling, providing drug information and monitoring drug therapy.

PHARMACY COUNCIL OF NEW ZEALAND

As the statutory authority, the Pharmacy Council of New Zealand (the Pharmacy Council) governs the practice of pharmacists. The Pharmacy Council sets and monitors standards in the interests of the public and profession. The Pharmacy Council's primary concern in discharging its functions under the Health Practitioners Competence Assurance Act 2003 is the protection of the health and safety of the members of the public.

LEGAL AUTHORITY OF THE CODE OF ETHICS

The following Code of Ethics was prescribed by the Pharmacy Council of New Zealand pursuant to Section 118(i) of the Health Practitioners Competence Assurance Act 2003 and came into effect from 01 January 2011.

CODE OF ETHICS

The principles of the Code of Ethics are intended to capture the philosophical foundation of pharmacy practice and to express the responsibilities and professional values that are fundamental and inherent to the pharmacy profession. They reflect and support developments in the profession, patient-centred practice and take into consideration patients' rights and responsibilities.

The Code is not intended to be exhaustive. There may be obligations or situations that are not expressly provided for, but pharmacists will still be required to meet all the implied requirements of ethical practice.

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- For those entering the profession, the Code identifies the basic moral commitments of pharmacy care and serves as a source of education and reflection
 - For those within the profession, the Code serves as a basis for pharmacists to monitor their own ethical conduct and that of their colleagues
 - For those outside the profession, the Code provides guidance for assessing the minimum ethical conduct expected of pharmacists
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The work of a pharmacy professional can take many forms and pharmacists may work with varying levels of responsibility and in different settings, including clinical practice, education, research and industry. These principles apply to all pharmacists, irrespective of whether they treat, care for or interact directly with patients and the public.

A pharmacist is professionally accountable for their practice, which means being responsible for what they do or do not do, no matter what advice or direction a manager or another professional gives them. A pharmacist may be faced with conflicting professional or legal responsibilities; therefore they must use their professional judgement when deciding on a course of action and should use their professional and ethical principles as a basis for making those decisions.



TREATY OF WAITANGI

The Code acknowledges the contemporary application of the Treaty of Waitangi in the delivery of pharmacy services through the principles of partnership, participation and protection.

BREACHES

Pharmacists are obliged to bring a breach of the Code of Ethics to the attention of the Registrar of the Pharmacy Council. However, pharmacists who bring matters to the attention of the Registrar must do so in good faith. Pharmacists who bring matters to the attention of the Registrar maliciously, or who make spurious or vexatious reports, may be in breach of Obligation 7.11.

DEFINITIONS

For an explanation of defined terms used in this Code of Ethics refer to the Definitions section.

RELEVANT LEGISLATION

For a list of relevant legislation, regulations, codes of practice, and standards impacting on the profession of pharmacy refer to the schedule.

ACKNOWLEDGEMENTS

The Pharmacy Council acknowledges the work carried out by all those involved in creating the previous Code of Ethics for the pharmacy profession, which forms the foundation of the new Code.

The Pharmacy Council would like to acknowledge the submissions by individuals and professional groups.

The Pharmacy Council acknowledges the Royal Pharmaceutical Society of Great Britain (RPSGB) Code of Ethics in the development of this Code.

PRINCIPLES

The principles of the Code and their supporting explanations and obligations form the basis for the provision of a consistent high quality professional service which safeguards and promotes the well-being of patients and society and maintains public confidence in the profession. The principles are equally important and are listed in no particular order.

AS A PHARMACIST YOU MUST:

1. Make the health and well-being of the patient your first priority.

2. Promote patient self-determination, respect patients' rights, autonomy and freedom of choice.

3. Use your professional judgement in the interests of patients and the public and promote family, whanau and community health.

4. Show respect for others and exercise your duties with professionalism.

5. Actively seek and apply contemporary pharmacy knowledge and skills to ensure a high standard of professional competence.

6. Act in a manner that promotes public trust and confidence in pharmacists and enhances the reputation of the profession.

7. Practise in a manner that does not compromise your professional independence, judgement or integrity, or that of other pharmacists.



PRINCIPLE ONE:

**MAKE THE HEALTH AND WELL-BEING OF THE PATIENT
YOUR FIRST PRIORITY.**

The care, well-being and safety of patients are at the centre of everyday professional pharmacy practice. Irrespective of your field of work, your decisions or behaviour can still affect their care or safety.

YOU MUST:

- 1.1** Take appropriate steps to optimise medicines-related health outcomes for the patient as a fundamental principle of pharmacy practice.
- 1.2** Take appropriate steps to prevent harm to the patient and the public.
- 1.3** Exercise compassion and care towards patients.
- 1.4** Take appropriate steps to provide professional patient focused care in all matters and take action to protect the well-being of patients, particularly children and other vulnerable individuals.
- 1.5** Ensure you have all the relevant, accurate, and independent information required to assess a patient's needs and to provide appropriate treatment and services.
- 1.6** When medicines are provided by any other means (for example, by post, courier, internet or by an agent on behalf of residential care patients) ensure you provide the same standard of information, advice and services to that which would have been received by a patient present in a pharmacy and in direct face to face consultation with a pharmacist.
- 1.7** Only supply a medicine, complementary therapy, herbal remedy or other healthcare product to a patient when you are satisfied that the patient understands how to use it safely and appropriately.
- 1.8** Refer a patient in your care to other team members or to other services when appropriate or consult with colleagues or other healthcare providers when additional knowledge or expertise is required, at all times being aware of the patient's right to confidentiality and informed consent.
- 1.9** Ensure that your duty of care to a patient (or patients) is not compromised by a commercial interest or interest of any other kind, including any loyalty to or interests of an employer or other healthcare provider.
- 1.10** Where you have reasonable grounds to consider that a prescription contains any error, omission, irregularity or ambiguity or is not legitimate, or that a prescribed medicine could be detrimental to a patient's health, consult with the prescriber and document the details and outcome.
- 1.11** Where you have reasonable grounds to suspect the misuse or abuse of prescribed medicines consult with the prescriber.
- 1.12** Take appropriate steps to ensure that any medicine or poison implicated in childhood poisonings is dispensed with child resistant packaging unless otherwise requested or if no suitable child resistant packaging exists for that medicine or poison.



PRINCIPLE TWO:

PROMOTE PATIENT SELF-DETERMINATION, RESPECT PATIENTS' RIGHTS, AUTONOMY AND FREEDOM OF CHOICE.

Patients and the public have a right to be involved in decisions about their treatment and care. This needs effective communication. They should be encouraged to work in collaboration with you and others to manage their healthcare needs.

YOU MUST:

- 2.1** Respect the rights of individual patients to participate in decisions about their treatment and encourage them to do so.
- 2.2** Take appropriate steps to communicate effectively with patients and the public, tailoring your communication to meet their needs.
- 2.3** Work in collaboration with patients, their carers and other professionals to manage their treatment and care.
- 2.4** Explain the options available to patients and the public, including the risks and benefits, to help them make informed decisions. Make sure the information you give them is impartial, relevant, up-to-date and independent of personal commercial considerations.
- 2.5** Respect a patient's right to refuse to receive a professional service.
- 2.6** Only enter into, or engage in, any arrangement, agreement or business association which does not limit or significantly influence a patient's free choice of who they use to provide health services.
- 2.7** Safeguard and respect the confidentiality of all information regarding the patient.
- 2.8** Obtain consent, where required, for the services and treatment you provide.
- 2.9** Only undertake research involving any individual or their health information when all requirements of the appropriate regulatory authorities have been met, including obtaining informed consent to participate if required.
- 2.10** Only request a prescription from a prescriber when the patient or their carer has given informed consent for you to do so and the prescription is for the continuation of existing therapy.



PRINCIPLE THREE:

USE YOUR PROFESSIONAL JUDGEMENT IN THE INTERESTS OF PATIENTS AND THE PUBLIC AND PROMOTE FAMILY, WHĀNAU AND COMMUNITY HEALTH.

Balancing the needs of individual patients with those of the community as a whole is essential to professional practice. Guidelines, targets and financial constraints need to be taken into account, but they must not compromise your ability to make an informed professional judgement on what is appropriate for patients within the health resources available.

YOU MUST:

- 3.1** Endeavour to collaborate with other health professionals to achieve optimal medicines related health outcomes for patients and the community.
- 3.2** Provide high standards of service and patient focused care within the resources available.
- 3.3** Ensure that all information provided to healthcare providers, patients and the community is accurate and objective and is given in a manner designed to ensure it is understood.
- 3.4** Take appropriate steps to advocate for patients to access services and resources appropriate to their needs.
- 3.5** Be fair and equitable when responsible for the allocation of health resources, balancing the needs of patients and society and make best use of the resources available.
- 3.6** Practise in a manner that demonstrates financial stewardship of both public funding and payments contributed by patients.
- 3.7** Provide all services within the context that public funds are made available and provide only those services that the patient requires.
- 3.8** Only claim appropriate benefits or reasonable remuneration for services provided and at all times use your professional judgement.



PRINCIPLE FOUR:

SHOW RESPECT FOR OTHERS AND EXERCISE YOUR DUTIES WITH PROFESSIONALISM.

Showing respect for the dignity, views and rights of others is essential in forming and maintaining professionally appropriate relationships. This includes patients, their carers, pharmacy colleagues and other healthcare providers you come into contact with.

YOU MUST:

- 4.1** Maintain proper professional boundaries in your relationships with patients, their carers and any other person during the course of your professional practice, and ensure that such a relationship will neither exploit nor harm nor have the potential to exploit or harm the patient, carer or the family/whānau of the patient.
- 4.2** Take appropriate steps to foster, develop and maintain effective, professional relationships with colleagues and other healthcare providers.
- 4.3** Take appropriate steps to maintain the confidence and trust placed in colleagues and other healthcare providers by patients. Do not make any statements that could detract from their reputation or harm the relationship they have with patients.
- 4.4** Recognise the status of Māori, Te Tiriti o Waitangi and the Treaty of Waitangi in the New Zealand health sector and take appropriate steps to ensure Māori receive services appropriate to their needs, and in a way that respects and acknowledges their individual and cultural values and beliefs.
- 4.5** Recognise and respect the cultural differences, beliefs and values of others and ensure those individuals receive services appropriate to their needs and which optimise the health outcomes of all cultural, religious, social and ethnic groups.
- 4.6** Take appropriate steps to ensure people with disabilities receive services appropriate to their needs and in a way that respects and acknowledges their cultural values and beliefs.
- 4.7** Refer patients and the public to alternative providers if your moral or religious beliefs prevent you from providing a particular professional service and advise the relevant people or authorities.
- 4.8** Only collect and use patient information for the purposes it was obtained or in circumstances where it is otherwise lawful to disclose or use that information. Take appropriate steps to prevent unauthorised disclosure of or access to patient's health information.
- 4.9** Take all reasonable steps to respect and protect the dignity and privacy of patients at all times.
- 4.10** Respect the special competencies and responsibilities of your own and other professions, and of the institutions, statutory and voluntary agencies that make up your working environment.
- 4.11** Demonstrate concern and compassion for colleagues in need.



PRINCIPLE FIVE:

**ACTIVELY SEEK AND APPLY CONTEMPORARY
PHARMACY KNOWLEDGE AND SKILLS TO ENSURE A
HIGH STANDARD OF PROFESSIONAL COMPETENCE.**

Up-to-date and relevant professional knowledge and skills are essential for safe and effective pharmacy practice. At all stages of your professional working life you must ensure that your knowledge, skills and performance are of a high standard, up-to-date and relevant to your field of practice.

YOU MUST:

- 5.1** Be accountable for practising safely and maintain and demonstrate professional competence relative to your sphere of activity and scope of practice.
- 5.2** Only practise within your scope of practice and in accordance with any conditions entered on the Pharmacy Council register.
- 5.3** Only provide professional services in those areas in which you are competent to do so.
- 5.4** At all times practise in accordance with accepted best practice guidance and the current version of the Health and Disability Services – Pharmacy Services Standard or equivalent.
- 5.5** Maintain a working knowledge of current Acts, Regulations, Rules, Codes, and Council statements which impact on your area of pharmacy practice and comply with the obligations contained in them at all times.
- 5.6** Take appropriate steps to contribute to the development, education and training of colleagues and students, sharing relevant knowledge, skills and expertise.
- 5.7** Undertake continuing education and professional development relevant to your field of practice.



PRINCIPLE SIX:

ACT IN A MANNER THAT PROMOTES PUBLIC TRUST AND CONFIDENCE IN PHARMACISTS AND ENHANCES THE REPUTATION OF THE PROFESSION.

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

YOU MUST:

- 6.1** Act with honesty and integrity to maintain public trust and confidence in your profession.
- 6.2** Attain and maintain the highest possible degree of ethical conduct and accept responsibility and accountability for membership in the profession. Avoid any conduct that might bring the profession into disrepute or impair the public's confidence in the pharmacy profession.
- 6.3** Practise only if you are fit and competent to do so. Report to the Registrar of the Pharmacy Council any concerns where your own or another pharmacist's professional performance or health may compromise patient care or public safety.
- 6.4** Co-operate with investigations into your or another healthcare professional's fitness to practise and abide by commitments you give or any restrictions placed on your practice.
- 6.5** Ensure you do not abuse your professional position or exploit the vulnerability or lack of knowledge of others.
- 6.6** Take appropriate steps to be accurate and impartial when teaching others and when providing or publishing information to ensure that you do not mislead others or make claims that cannot be justified.
- 6.7** Respond honestly, openly, courteously and promptly to complaints and criticism.
- 6.8** Avoid conflicts of interest and declare any personal or professional interests you have. Do not offer, ask for or accept incentives, gifts, hospitality or referrals that may affect or be seen to affect, your professional independence or judgement.
- 6.9** Only purchase, supply or promote any medicine, complementary therapy, herbal remedy or other healthcare product where there is no reason to doubt its quality or safety and when there is credible evidence of efficacy.
- 6.10** Ensure you do not purchase or sell from a pharmacy any product or service which may be detrimental to the good standing of the profession or bring the profession into disrepute.
- 6.11** Ensure that medicines restricted to sale from pharmacies are stored or displayed in such a way that you can supervise their sale.
- 6.12** Make certain the public cannot self-select medicines you know or should reasonably be expected to realise are likely to cause or have a potential for misuse, abuse or dependency.
- 6.13** Take appropriate steps to prevent the supply, by any means, of unnecessary or excessive quantities of any medicine or healthcare product which you know or should reasonably be expected to realise is likely to cause or have a potential for misuse, abuse or dependency.



PRINCIPLE SEVEN:

PRACTISE IN A MANNER THAT DOES NOT COMPROMISE YOUR PROFESSIONAL INDEPENDENCE, JUDGEMENT OR INTEGRITY, OR THAT OF OTHER PROFESSIONALS.

Working in a team is an important part of professional practice and relies on respect, co-operation and communication between colleagues from your own and other professions. When working as part of a team you are accountable for your own decisions and behaviour and any work you supervise.

YOU MUST:

- 7.1** Be responsible and accountable for the work you do and for all services provided under your direct supervision. This includes all dispensing activities undertaken or directly supervised by you regardless of the packaging, manufacturing or compounding process involved.
- 7.2** Ensure that you only delegate tasks to people appropriate to their qualifications, ability and experience.
- 7.3** Ensure that all professional activities that you undertake or are responsible for are covered by appropriate professional indemnity arrangements.
- 7.4** Ensure that at all times there is a pharmacist in the pharmacy who has agreed to perform the role of Charge Pharmacist.
- 7.5** Ensure that if you are the Charge Pharmacist that all dispensing is under the supervision of a pharmacist who must be available and willing to intervene, advise or check the dispensing and issuing of any prescription.
- 7.6** Ensure that you are able to comply with your legal and professional obligations and that your workload or working conditions do not compromise patient care or public safety.
- 7.7** Make sure your actions do not prevent others from complying with their ethical, legal and professional obligations, or present a risk to patient care or public safety.
- 7.8** Ensure that appropriate standard operating procedures are in place, maintained and followed.
- 7.9** Raise concerns and take appropriate steps if policies, systems, working conditions or the actions of others may compromise patient care or public safety.
- 7.10** Take appropriate steps to foster, develop and maintain the role of the pharmacist as a member of the healthcare team with expertise in optimising medicines-related health outcomes.
- 7.11** Take appropriate steps to promote collegial relationships by assisting colleagues and other healthcare providers when asked for advice or support to enable them to carry out their professional duties and in order to maintain standards in the interests of patient care and public safety.
- 7.12** Only enter into, or engage in, any agreement, arrangement or business association which does not compromise your professional independence or judgement.

DEFINITIONS

Charge Pharmacist

The pharmacist who is present in the pharmacy from which pharmaceutical services are provided, and at any particular time is responsible for overall control of the provision of pharmaceutical services from that place.

Intern pharmacist

A New Zealand or Australian B.Pharm graduate from an accredited provider who is registered as an intern pharmacist having met the qualifications for practice in the scope of practice of an intern pharmacist.

Patient

Any person receiving any health or disability service from the pharmacy or other place from which services are provided by the pharmacist or other personnel for whom he or she has responsibility.

Pharmacist

A health practitioner who is registered with the Pharmacy Council of New Zealand in the scope of practice of a pharmacist. For the purposes of this Code, any reference to a pharmacist also refers to an Intern pharmacist and Charge pharmacist.

Pharmacy practice

Pharmacy practice embraces a diverse range of medicines-related services and initiatives designed to optimise the benefits and safe and effective use of medicines.

Practising Pharmacist

A health practitioner who is registered with the Pharmacy Council in the scope of practice of a pharmacist, and who holds an Annual Practising Certificate.

Professionalism¹

Professionalism is active demonstration of the following traits:

- i. Knowledge and skills of a profession
- ii. Commitment to self-improvement of skills and knowledge
- iii. Service orientation
- iv. Pride in the profession
- v. Collaborative relationship with the patient
- vi. Creativity and innovation
- vii. Conscience and trustworthiness
- viii. Accountability for his/her work
- ix. Ethically sound decision making
- x. Leadership

Professional services²

Professional services mean the activities, advice, products, treatment or care that pharmacy professionals provide.

1 Benner J, Beardsley R. *White Paper on Pharmacy Student Professionalism*, J Am Pharm Assoc, 2000, 40(1), pp96-102.

2 UK General Pharmaceutical Council, *Standards of conduct, ethics and performance: glossary of terms*, April 2010.

SCHEDULE

The Code of Ethics is to be read in conjunction with current Acts, Regulations and Codes of Practice.

Legislation, regulations, codes of practice (and any subsequent amendments), and standards that directly or indirectly impact on the professional practice of pharmacy are listed below. This list is not exhaustive and all pharmacists are expected to practise in accordance with all legislation, regulations, codes of practice and standards which impact on the practice of pharmacy and the delivery of health and disability services.

LEGISLATION

Commerce Act 1986

Consumer Guarantees Act 1993

Crimes Act 1961

Fair Trading Act 1986

Health and Disability Commissioner Act 1994

Health and Disability Services (Safety) Act 2001

Health and Safety in Employment Act 1992

Health Act 1956

Health Practitioners Competence Assurance Act 2003

Human Rights Act 1993

Injury Prevention, Rehabilitation and Compensation Act 2001

Medicines Act 1981

Misuse of Drugs Act 1975

New Zealand Bill of Rights Act 1990

New Zealand Public Health & Disability Act 2000

Official Information Act 1982

Privacy Act 1993

REGULATIONS

Dietary Supplement Regulations 1985

Health and Disability Commissioner (Code of Health and Disability Consumers' Rights) Regulations 1996

Health and Safety in Employment Regulations 1995

Health (Needles and Syringes) Regulations 1998

Health (Retention of Health Information) Regulations 1996

Health Practitioners Competence Assurance (Restricted Activities) Order 2005

Medicines Regulations 1984

Medicines (Designated Prescriber: Nurse Practitioners) Regulations 2005

Medicines (Designated Prescriber: Optometrists) Regulations 2005

Medicines (Standing Order) Regulations 2002

Misuse of Drugs (Changes to Controlled Drugs) Order 2003

Misuse of Drugs Regulations 1977

CODES

Advertising Standards Authority Inc. Code for Therapeutic Advertising 1999

Health Information Privacy Code 1994

Ministry of Health, Code of Practice for Child Resistant Packaging of Toxic Substances, 1998

STANDARDS

Health and Disability Services – Pharmacy Services Standard NZS 8134.7:2010

Additional references that directly or indirectly impact on the professional practice of pharmacy include:

- He Korowai Oranga: Māori Health Strategy 2002
- Māori Health Strategy for the Pharmacy Profession 2007
- New Zealand Disability Strategy 2001
- Pharmacy Council Protocol for the Sale and Supply of Pharmacist Only Medicines for Chronic Conditions 2004
- Pharmacy Council Statement on Cultural Competence 2011
- Pharmacy Council Statement on Promotion and Supply of Medicines over the Internet 2007
- Pharmacy Council Statement on Raising Concerns with Prescribers 2008
- Pharmacy Council & Pharmaceutical Society Inc. Guidelines Advertising to the Consumer and Promotion of Products of Potential Misuse 2009
- United Nations Convention on the Rights of Persons (ratified by New Zealand in 2008)

