

PHARMACY COUNCIL



CODE OF ETHICS AND PROFESSIONAL CONDUCT

FOR

PHARMACEUTICAL PERSONNEL

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I would like to thank all the stakeholders and Secretariat of the Pharmacy Council for the development of this Code of Ethics and Professional Conduct.

A code of Ethics and Professional Conduct has been developed to set principles to all pharmaceutical professionals who are practicing in Tanzania. A code is intended to be a central guide and reference for uses in support the day - to - day decision making while link them with standard practice.

To this point I would like to thank each individuals who have contributed towards drafting, commenting and finalization of this handbook.

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**Dr. Romuald Mbwasi
Chairman of the Council
Pharmacy Council**

FOREWORD

In Tanzania the Pharmacy profession continues to grow and roles pharmaceutical personnel increases, with the increasing number of pharmaceutical personnel and their roles, there was a concern about the need to have standard Codes of ethics and professional conduct in pharmacy profession. These principles 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.

Any profession is distinguished by the willingness of individual practitioners to comply with ethical and professional standards, which exceed minimum legal requirements. It is therefore anticipated that pharmaceutical personnel will strive to comply to professional standards as stipulated under this Code of Ethics so as to ensure quality pharmaceutical care services are provided and ultimately promote and improve public health. Furthermore; a code will be used as a tool to encourage discussions among stakeholders when deal with ethical dilemma that encounter in everyday work; It will also offer an invaluable opportunity for a profession to create a positive public identity which can lead to a more improved working environment to a professionals and increased level of public confidence and trust among important constituents and stakeholders.

This Code of Ethics will be revised regularly to respond on the information gathered from its utilization. I therefore encourage all users and the public at large to provide comments and inputs at any time.

Elizabeth Shekalaghe
Registrar, Pharmacy Council

DEFINITIONS OF TERMS

Pharmaceutical personnel - as per this Code of Ethics and Professional conduct means registered pharmacist, enrolled pharmaceutical technician, enlisted pharmaceutical assistant and intern pharmacist.

Pharmacist – means a person registered under section 16 as per Pharmacy Act, Cap 311.

Pharmaceutical Technician – means a person enrolled under section 24 as per Pharmacy Act, Cap 311.

Pharmaceutical Assistants – means a person enlisted under section 28 as per Pharmacy Act, Cap 311.

Intern Pharmacist – means any person registered as such under section 17 as per Pharmacy Act, Cap 311.

Professional misconduct - means any conduct, which is in breach of the Code of Conduct, prescribed under the Pharmacy Act, Cap 311.

Pharmacy Practice - means any acts pertaining to the scope of practice of a pharmacist, pharmaceutical technician or pharmaceutical assistant as approved by the Council.

Professionalism - is active demonstration of the following traits: Knowledge and Skills of a profession, Commitment to self-improvement of skills and knowledge, Service orientation, Pride in the profession, Collaborative relationship, Creativity and innovation, Conscience and Trustworthiness, Accountability for his/her work, ethically sound decision making and Leadership.

Pharmacy Council - is a body corporate established under Section 3 of the Pharmacy Act, Cap 311.

Breaches - means an act of breaking, violating or disregarding any obligation of code of ethics and professional conduct.

BACKGROUND

A profession is distinguished by the willingness of individual practitioners to comply with ethical and professional standards, which exceed minimum legal requirements. The role of pharmaceutical personnel is developing and recognized as the expert on medicines within the overall health system, to ensure people maintain good health, through responsible use of medicines.

To practice as pharmaceutical personnel means undertaking any role, whether remunerated or not, in which an individual uses his professional skills and knowledge. Pharmaceutical practice are not restricted to the provision of direct clinical care, but also include working in a non-clinical relationship with consumers, patients or care takers, in the discovery, development, manufacturing of medicines, in maintaining the supply chain or in procurement. Besides this, pharmaceutical management or administrations, in education, research, advisory, regulatory, or policy development roles are considered to be important role to this cadre.

The code of ethics will therefore apply to pharmaceutical personnel in all pharmacy practice settings. At all times, Codes should strive to provide the best possible care for consumers, patients and care-takers, with due regard for the limitations of available resources and the principles of equity and justice.

These Codes of Ethics and Professional Conduct for pharmaceutical personnel therefore are intend to reaffirm and state publicly the obligations that form the basis of the roles and responsibilities of pharmaceutical personnel. These obligations that based on established ethical principles are provided to enable and guide pharmaceutical personnel in their daily practice of the profession.

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. The Codes reflect and support development in the profession, patient-centered practice and take into consideration patients' rights and responsibilities.

There may be obligations or situations that are not expressly provided for, but pharmaceutical personnel will still be required to meet all the implied requirements of ethical practice.

- 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 pharmaceutical personnel 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 from pharmaceutical personnel.

This Codes of Ethics and Professional Conduct was prescribed under Section 38 of the Pharmacy Act cap 311 in order for the Pharmaceutical personnel to adhere to the mission and vision of the pharmacy profession.

Code of Ethics within the meaning of the Pharmacy Act, Cap 311 comprises of two parts; CODES or PRINCIPLES and OBLIGATIONS. The Codes express the broad ideas of pharmacy practice, while obligations spell out what a value requires under particular circumstance. Which set out the fundamental duties that apply to all pharmaceutical personnel.

The Code deals with the ethics rather than the laws governing pharmacy practice. Laws and ethics of health care necessarily overlap considerably, since both shares the concern that the conduct of healthcare professionals reflects respect for the well-being, dignity and self determination of patients.

Adoption of the code represents a conscious undertaking on the part of the members of the pharmacy profession to be responsible for practicing in accordance with the expressed principles (values and obligations).

Pharmaceutical personnel are obliged to bring a breach of the Code of Ethics to the attention of the Registrar and must do so in good faith. A breach of code of Ethics could form the basis of a complaint of the misconduct.

OATH

An Oath of allegiance and the Code of Ethics constitute the formal declarations of ethics of pharmacy profession. Swearing an oath is symbolically a formal step in the professional socialization process.

Oath of a Pharmacist.

“At this time, I vow to devote my professional life to the service of mankind through the profession of pharmacy. I will consider the welfare of humanity and relief of human suffering my primary concerns. I will use my knowledge and skills to the best of my ability in serving the public and other health professionals.

I will do my best to keep abreast of developments and maintain professional competence in my profession of pharmacy. I will obey laws governing the practice of pharmacy and will support enforcement of such laws. I will maintain the highest standards of moral and ethical conduct. I take these vows voluntarily with the full realization of the trust and responsibility with which I am empowered by the public”.

ETHICAL PROBLEMS:

Situations often arise that present ethical problems for pharmaceutical personnel in their practice. These situations may fall but not limited to the following categories:

- (a) Ethical violations involving the negligence of moral obligations or failure to provide competent pharmaceutical services.
- (b) Ethical dilemmas arise where ethical reasons both for and against a particular course of action are present and one option must be selected.
- (c) Ethical distress occurs when pharmaceutical personnel experience the imposition of practices that provoke feeling of guilt, concern or distaste.

Therefore the code tries to provide guidance for those pharmaceutical personnel who face ethical problems. Hence the Code should lead to better decision-making when ethical problems are encountered.

CODES

The principles or 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 the community and maintains public confidence in the profession. The principles are equally important and are listed in no particular order.

As pharmaceutical personnel:

1. Must have regard for human life
2. Must honor and dignify the profession
3. Should ensure availability of safe, efficacious and quality medicines.
4. Should Ensure access to essential medicines
5. Should promote and ensure rational use of medicines
6. Should have good pharmaceutical personnel – patient/clients relationship
7. Must ensure privacy and confidentiality
8. Should be competent and have a lifelong learning
9. Should have good pharmaceutical personnel-other health care providers relationship
10. Must ensure well-being of the community

GENERAL OBLIGATION

In the areas of practice pharmaceutical personnel must promote, develop, implement and maintain policies, laws, regulations and standard guidelines that are designed to ensure provision of quality pharmaceutical care services.

CODE ONE: REGARD FOR HUMAN LIFE

Pharmacy profession aspires to improve the quality of human life through the provision of medicines and related services. Therefore, pharmaceutical personnel have the highest regard for human life and are dedicated to increasing opportunities for individuals to enjoy the full benefits of healthy lives within the limits of their natural endowments.

Obligations:

(i) Induction or inhibition of gestation:

A pharmaceutical personnel must not:

- a. Provide contraceptives to under-aged persons, or any other persons legally incapable of making independent decisions, without involving medical practitioner, their parents or legal guardians in the decision making process.
- b. Provide medicines for the purposes of inducing illegal abortion.

(ii) Growth, development and performance enhancer:

A pharmaceutical personnel must:

- a. Disregard the use of performance enhancing, growth and sexual stimulants drugs without medical supervision.
- b. Disregard the use of medicines that are intended to modify the physical, mental or psychological personality of a person.

(iii) Termination of life:

A pharmaceutical personnel must not:

- a. Supply medicines for any criminal termination of human life and should take reasonable precaution against those who intend to procure medicines for such purpose.
- b. Support the use of medicines in any act of voluntary euthanasia.
- c. Participate in any act or scheme designed to cause mass annihilation or suffering of other human beings.

CODE TWO: HONOR AND DIGNITY OF PROFESSION

Pharmaceutical personnel by virtue of their mission are health care providers and therefore derive much respect from the community. They are also respected by other health care workers as experts on medicines and as a reputable source of information. Therefore, pharmaceutical personnel rightfully regard and should portray themselves as responsible persons specialized on medicine activity, use and custodians. They uphold the honor and dignity of the profession and do not engage in any activity that may bring their profession into disrepute.

Obligations:

(i) Adherence to the law:

A pharmaceutical personnel must :

- a. Observe the provision of the Pharmacy Act, Cap 311 and Tanzania Food, Drugs and Cosmetics Act, 2003 and other related laws.
- b. Ensure the observance of all legal and professional requirements in relation to pharmaceutical aspect of the business.
- c. Ensure there is no any breach of the law, whether or not directly related to pharmacy professional practice, which may bring the profession into disrepute, if happens it may be considered to be misconduct.

(ii) Allegiance to the profession:

A pharmaceutical personnel should:

- a. Play his part in providing the best services and should avoid any act or omission that could prejudice the public or impair confidence in the pharmaceutical profession as a whole.
- b. Have due regard for the reasonably accepted standards of behaviour both within and outside his professional practice.
- c. Not use or permit the use of his qualifications or position to mislead or defraud.
- d. Not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill that cause deterioration of the quality of professional services, or require consent of unethical conduct.

(iii) Relation with other pharmaceutical personnel:

A pharmaceutical personnel:

- a. When appropriate demonstrates willingness at all times to provide advice and support to colleagues.
- b. Should actively be involved with his professional organization in the provision of training, coaching and mentoring.
- c. Should refrain from publicly criticizing colleagues or their actions, exercising discretion in relation to all professional matters.

**CODE THREE: AVAILABILITY OF SAFE, EFFICACIOUS AND QUALITY
MEDICINES**

Pharmaceutical personnel are involved in all activities that lead to the availability of medicines to patients: These activities include research, training, manufacture, supply chain, regulatory, advisory, policy development, prescribing and dispensing. Pharmaceutical personnel must ensure that the medicines are safe, efficacious and of good quality and his professional services is available all the time.

Obligations:

A pharmaceutical personnel:

- a. While assuring the safety, efficacy and quality of medicines under his charge, must act with all honesty, integrity and concern for the patient.
- b. In any practice must ensure compliance, with all professional and ethical requirements for conducting his professional roles in the respective Authorities.
- c. Should not collude with any person to perform acts specifically pertaining to the profession of pharmacy, which have negative implications to the professional, patients and public in general.
- d. Must not withhold any information relating to the efficacy, safety or quality of any medicine or method of practice whenever required to do so by a Governing Authority.
- e. Must condone any act by a fellow pharmaceutical personnel, another healthcare professional or any other person that withholds information on safety, efficacy or quality of any medicine or method of practice.

- f. Must not make false or unjustified claims as to the efficacy, safety or quality of any medicine.
- g. Should not enter into any agreement with a medical practitioner, other healthcare worker or any other person that put in danger the right of the patient to the most appropriate medicines.
- h. Should only offer advice on homoeopathic or herbal medicines or other complementary therapies or medicines if he has undertaken suitable training or have specialized knowledge.

CODE FOUR: ACCESS TO ESSENTIAL MEDICINES

Equitable access to essential medicines is a major concern to pharmaceutical personnel. There are patients who cannot afford medicines they need, therefore a pharmaceutical personnel should promote the use of cost effective therapies and discourage the purchase or use of non-essential products.

Obligations:

A pharmaceutical personnel:

- a. Should not participate in any scheme designed to profit him or his partner(s)/employer by sacrificing the quality of medicines or the well-being of the patient.
- b. Should assist patients to make choices about their own best interests.
- c. Has a professional obligation in ensuring that the patient is provided with the right, cost effective and safe therapies.
- d. Should facilitate access of medicines to the patients without showing personal interest.
- e. Beyond any reasonable doubt and for the interest of the well-being of the patient may establish repeat medical services, however must guard against any possible misuse of such services.

CODE FIVE: PROMOTE RATIONAL USE OF MEDICINES

Technical, legal, social-cultural restrictions and lack of awareness prevent many clients to access medicines they need and therefore are major concern of

pharmaceutical personnel. However, pharmaceutical personnel should only participate in promoting methods and campaigns that encourage rational use of medicines so as to prevent unnecessary effects that may occur on use of medicines.

Obligations:

A pharmaceutical personnel:

- a. Must ensure all information and publicity for medicines and services are legal, decent and truthful; Be presented and distributed in a manner so as not to bring the profession into disrepute; and not to abuse the trust or exploit the lack of knowledge of the public.
- b. Must guarantee that information and promotional material relating to professional services comply with the role of pharmaceutical personnel as skilled and informed advisers about medicines, common ailments general healthcare and well-being.
- c. During promotion must present so as to allow the client to decide independently whether or not to use a service and should not disparage the professional services of other pharmacies or pharmaceutical personnel.
- d. Must not make any solicited approach, for promotion of medicines to a member of the public by any means of communication.
- e. May display the prices at which they sell medicines.
- f. Shall not deviate from the prescriber's instructions when dispensing, except when necessary to protect the patient.

CODE SIX: PHARMACEUTICAL PERSONNEL – PATIENT RELATIONSHIP

Pharmaceutical personnel's establish and maintain a unique relationship with each patient that is based on an ethical covenant. The word "covenant" means that Pharmaceutical personnel have moral obligations in return for the trust given to them by society. Pharmaceutical personnel's encourage shared responsibility for adherence to medication regimens and achieving desired drug therapy outcomes. This principle implies that the best pharmaceutical service, no matter how provided it occurs where the opportunity exists for direct contact between patient and pharmaceutical personnel.

Obligations:

A pharmaceutical personnel:

- a. Has a duty to tell the truth, to act with conviction of conscience, and to avoid discriminatory practices and behavior.
- b. Should try to have a direct contact and communication with patient as a person in the process of providing pharmaceutical care services.
- c. Must be aware that individual patients have a right, under data protection legislation, to access his records.
- d. Must assist patients in their expression of needs and values, and should recognize their rights, but not prejudiced by, factors such as patient's race, ethnic origin, culture, belief, social and marital status, gender, sexual orientation, age, or health status.

CODE SEVEN: PRIVACY AND CONFIDENTIALITY

The pharmaceutical personnel preserves the confidentiality of information about individual patients acquired in the course of his professional practice and does not divulge this information except where authorized by the patient or required by law. Pharmaceutical personnel protect their patients by serving them in a private and confidential manner. Pharmaceutical personnel should not divulge information that identifies the patients; except in instances where there is a compelling need as for professional judgment grounds, to share information in order to protect the patient from harm, or where authorized by the patient or required by law.

Obligations:

A pharmaceutical personnel:

- a. Must provide pharmaceutical care services with consideration for the personal privacy of patients.
- b. Must ensure affirmative duties exist to institute and maintain practice that protects patient confidentiality.
- c. Should make sure where appropriate, reveals to the patient the boundaries of professional confidentiality. Pharmacy care may require that other health care personnel have access to or be provided with relevant information. Whenever possible, the patient should be informed, and generally, it is up to the patient to determine who should be informed and what personal information should be released.
- d. When is confronted with the necessity to disclose, confidentiality should be preserved as much as possible. Both the amount of information disclosed and those to whom the disclosure is made should be restricted only to that information which is necessary.
- e. Must ensure that electronic and manual systems, which include patient specific information, incorporate access control systems to minimize the risk of unauthorized access to the data.
- f. May recognize the patient's family member of choice, and with patient's consents attempts to facilitate, where appropriate the participation of others should be allowed in the care of the patient.

CODE EIGHT: COMPETENCE AND LIFE LONG LEARNING

Pharmaceutical personnel's should take responsibility to maintain their own competence and strive always to perfect and enhance their professional knowledge.

Obligations:

A pharmaceutical personnel:

- a. Must commit himself to lifelong learning designed to maintain relevant knowledge, skills and attitude in order to execute its duties, development or improvement and audits their performance as part of the review.

- b. Should be professionally competent and abreast of the latest developments in the area which associated with his functions and scope of practice.
- c. Must undertake a minimum of hours continuing education structured to meet their personal needs, and be able to provide evidence when required.

CODE NINE: PHARMACEUTICAL PRACTITIONER-OTHER HEALTH CARE PROVIDERS RELATIONSHIP

Close professional cooperation between pharmaceutical personnel and other health care providers is encouraged to achieve the best possible outcomes for the patient. Therefore, Pharmaceutical personnel's should maintain an effective professional relationship with other health care providers and respect their abilities, opinions and achievements.

Obligations:

A pharmaceutical personnel:

- a. Should refrain from publicly criticizing other health professionals or their actions, exercising discretion in relation to all health matters.
- b. Should as much as possible maintain an effective communication with other health professionals
- c. Must share information relating to the efficacy, safety or quality of any medicine or method of practice with other health care professionals.
- d. Must cooperate with other health professionals in matters relating to health care.

CODE TEN: WELL-BEING OF THE COMMUNITY

Pharmaceutical personnel understand that the well-being of the community rests on the good health of individuals that make it. He should promote healthy lifestyles, hygiene and provide health care services that promote individual's health. Also they should lead lives that are exemplary to the rest of the community.

Obligations:

A pharmaceutical personnel:

- a. Must promote, develop, implement and maintain policies which are designed to prevent ill health and to promote healthy lifestyle of the community.
- b. Has a professional obligation to exercise control over all medicinal and related products that are manufactured, purchased or supplied so that they are safe, efficacious and of good quality.
- c. Must not condone the use and abuse of drugs or any other substance that can induce changes in the personality of a person.
- d. Shall not sell in a pharmacy products such as tobacco, liquor and related products except when meant for medicinal purposes.
- e. Must take sufficiently reasonable steps to ensure that working conditions are so arranged so as to protect the safety of the public and people working in the premises.
- f. Must ensure that the external and internal appearance of community pharmacy and hospital pharmacy are dignified, reflects the professional nature of pharmacy and inspires confidence in the nature of healthcare it provides as stipulated under the Pharmacy Act, Cap 311 and its regulations.
- g. Should ensure that before providing diagnostic testing and health screening services they must comply with standards and all other concerned strive.
- h. Should have completed the training required to ensure competency with the diagnostic services, equipments and procedures to be used in the interpretation of results and must be aware of limits of the test provided.
- i. Engages in dialogue with patients, provides public education to community groups and seeks opportunities to advocate for health promotion to benefit society as a whole.