

CODE OF ETHICS FOR MEMBERS OF THE ONTARIO COLLEGE OF PHARMACISTS

Preamble

All members of the College have moral obligations in return for the trust given them by society. They are obliged to act in the best interest of and advocate for the patient, observe the law, uphold the dignity and honour of the profession, and practice in accordance with ethical principles and their respective standards of practice.

Principle One

The patient's well-being is at the centre of the member's professional and/or business practices. Each member develops a professional relationship with each patient at a level that is consistent with his or her scope of practice. Patients have the right to self-determination and are encouraged to participate in decisions about their health.

Principle Two

Each member exercises professional judgment in the best interest of the patient, at a level consistent with his or her scope of practice to ensure that patient needs are met.

Principle Three

Each member preserves the confidentiality of patient information acquired in the course of his or her professional practice and does not divulge this information except where authorized by the patient, required by law, or where there is a compelling need to share information in order to protect the patient or another person from harm.

Principle Four

Each member respects the autonomy, individuality and dignity of each patient and provides care with respect for human rights and without discrimination. No patient shall be deprived of access to pharmaceutical services because of the personal convictions or religious beliefs of a member. Where such circumstances occur, the member refers the patient to a pharmacist who can meet the patient's needs.

Principle Five

Each member acts with honesty and integrity.

Principle Six

Each member commits to continually improve his or her professional competence.

Principle Seven

Each member collaborates with other health care professionals to achieve the best possible outcomes for the patient, understanding the individual roles and contributions of other health care providers and consulting with or referring to them as appropriate.

Principle Eight

Each member practices under conditions which neither compromise professional standards nor impose such conditions on others.

The “Code of Conduct” and Procedures for Council and Committee Members

1. Conduct of members of Council

For the College to command the confidence of the government, the public and the profession it is necessary that the Council, as its governing body, should adopt and comply with appropriate standards of conduct. The By-laws provide that all Council members shall comply with the Code of Conduct adopted by the Council, and with the procedures for its enforcement. The Code and procedures are set out below.

1.1 Preface

The objects of the College are set out under sub-section 3(1) of Schedule 2 of the Regulated Health Professions Act (RHPA) and section 6 of the Pharmacy Act (PA). As outlined in Subsection 3 (2) of the RHPA, *“In carrying out its objects, the College has a duty to serve and protect the public interest”*. Section 4 of the RHPA establishes the Council as the board of directors that shall manage and administer the College’s affairs. In the exercise of these powers, in discussions at meetings of the Council and its committees, in decision-making and in communications, Council members are expected to observe the highest standards of impartiality, integrity and objectivity. Council members should faithfully support Council policy.

The Code of Conduct sets out in general terms the duties of each member of the Council, but the Council expects its members to adopt high standards of conduct in all aspects of their activities as members of the Council. So long as they continue to serve on the Council, members of Council cannot, by their actions or behaviour, divest themselves of their role in such capacity in matters concerning the profession.

Every member of the Council is bound by the Code of Conduct from the date they are elected under Article IV of the By-laws, or appointed by the Lieutenant Governor in Council. Council members will be asked each year to sign a statement that they have received and read the Code of Conduct.

1.2 The Code

1. Members of Council must at all times while acting in that capacity ensure that their activities are directed toward the fulfillment of the College’s Objects specified in the legislation, the College’s responsibilities specified in legislation, and the interests of the public.
2. Any member of Council, who wishes to engage in litigation against the College, the Council or any member thereof, or any officer or employee of the College in their capacity as such, must resign from the Council before taking such action.
3. Members of Council must not make use of information acquired solely by virtue of their position as such for personal gain, whether financial or non-financial.
4. Members of Council must not use their position as such to promote their personal, professional or business interests.
5. Members of Council must respect the confidentiality of information identified as confidential, acquired by them solely by virtue of their position as such.
6. Members of Council must not use their position as such to seek to influence the conduct of any aspect of the Council’s business for the benefit of any individual,

body corporate or other association rather than for the benefit of the public as a whole.

7. Members of Council must ensure, when speaking in their capacity as such at any meetings of the Council, its committees or outside, that they declare any personal or business interests relevant to the matter in hand.
8. Members of Council must avoid any conduct that impairs the ability of the Council to perform its functions or to enjoy the confidence of the public or government.
9. Members of Council should support in public the policies of Council. Where a member of Council feels compelled publicly to oppose or speak against a policy adopted by Council, the member should first resign from Council.
10. Members of Council must not solicit or accept money, gifts or other benefits for performing acts related to the member's position at the College. Members must accurately and completely report any reasonable customary hospitality received (meals, tickets to events) from consultants, suppliers and other persons doing business with the College.
11. Members of Council must comply with the College's Policy on Harassment.

1.3 Conduct procedure

If a concern is raised that a member of Council has breached the Code of Conduct, the matter shall be referred to the Elections Committee (ELC) in accordance with the procedure below.

1.3.1 Concerns

- a) A concern must be documented specifying the questionable conduct in sufficient detail to enable it to be understood and answered. It should identify the provision(s) of the Code alleged to have been breached and include, where relevant, any supporting evidence.
- b) Concerns may be raised against former members of Council where the concerns relate to his/her conduct whilst a member of Council and references in this section to a member of Council include a former member.
- c) The concern should be brought to the attention of the President of the College
- d) Concerns should be considered within three months of receipt by the President but the President may extend this period in exceptional circumstances.

1.3.2 Procedure

- a) The President notifies the ELC members of the concern which must be documented and provide relevant documentation to the member(s) of Council to whom the concern relates (respondent(s)). The President requests a written response, and supporting evidence, if any, from each respondent, within a reasonable time determined.
- b) The ELC considers any response, and initiates any further enquiries needed to enable it to consider the issue.
- c) On conclusion of its enquiries the ELC determines whether the concern is valid and if so, what action or sanction is recommended.
- d) The ELC prepares for the Council a report of its concern, its findings and its recommendation(s).
- e) If the ELC determines that the concern is not valid or is not supported by sufficient evidence, it must dismiss the matter.

- f) The College will not be responsible for the costs of the respondent(s).

1.3.3 Administrative provisions

- a) All decisions of the ELC will be by a simple majority of votes. In any case of equality of votes, the President will have an additional, casting vote.
- b) Meetings of the ELC shall be held in private, unless otherwise determined by the President.
- c) The ELC may seek such advice, including legal advice or secretarial support as it sees fit.

1.3.4 Sanctions

If the ELC concludes that there has been a breach of the Code, it may recommend to the Council one or more of the following:

- a) that the respondent(s) be censured by the Council, such censure to be recorded in the relevant minutes
- b) that the respondent(s) be removed from the Council and/or from any office held as a Council member (including chairmanship or membership of one or more committees)
- c) that the respondent not be permitted to serve on Council for a specified period of time not to exceed six years.
- d) that a report be made to the police or other authority.

1.3.5 Council Procedure

- a) The report of the ELC will be taken and the ELC's recommendation(s) considered, in public business at the next meeting of the Council, except where the ELC has dismissed the concern, in which case the report will be taken in Confidential business, and excluding any case in which the ELC has recommended that the police be informed of the matter; in which case no report shall be made public until the conclusion of any action by the police or prosecuting authorities.
- b) The Council may
- resolve to impose the recommended sanction(s) by a two-thirds majority vote of those present and voting (excluding the respondent(s)) provided that those voting in favour of the resolution constitute an absolute majority of members of Council excluding the respondent(s); or
 - by similar resolution impose one or more of the other available sanctions.