



2017 APEC Business Ethics for SMEs Forum

Hà Nội, Việt Nam | September 7–8, 2017

Advancing Code of Ethics Implementation Course A – Internal considerations module Case Study 3

Facilitators: Teodoro Padilla & Busakorn Lerswatanasivalee

Facilitators' Notes

This case study is aimed at economies where the association has already implemented a Code of Practice, consistent with the Mexico City Principles, some years ago which has been widely adopted by member companies. The challenge here is to maintain the implementation internally by companies and ensure that the Code of Practice keeps up to date with current thinking and practice. How can the industry association, the fictitious Pharmaceutical Association of Malicuria Inc. (PAMI), encourage member companies to maintain focus on the Code and take it to the next level.

1. How can you encourage your members to keep the PAMI Code of Ethics top of mind in their daily activities?

In order to get ongoing support from members and to maintain the momentum of internal implementation of the Code, keeping all members engaged is essential. Ideally you will have support from the Board of Directors of the Association to undertake initiatives that continue to encourage member companies' Code compliance.

Some suggestions the facilitators could make for engaging current member company personnel and new members and new company personnel:

- Make sure all personnel have a copy of the Code or know where to access it – your website; hard copies sent to all new Member companies; developing an App that provides easy access; sending a copy of the Code to all new CEOs of member companies when they arrive in the country
- Provide high quality training programs on the Code and its implementation/application (see expansion of this under question 2 below).

2. What activities can you conduct to ensure the Code is seen as an important tool for every PAMI member?



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As the Executive Director of PAMI, you should use every opportunity when talking to member companies (member meetings, General Meetings, AGMs, one on one meetings with company Managing Directors) to enquire about their Code implementation and offer support to them as required. Here are some examples of specific activities:

- Run Discussion Forums for member companies where company personnel can come together to discuss challenges and share solutions for Code implementation
- Provide regular reports to members on the level of Code compliance – publishing the reports of Code violations can be used as a valuable learning tool for others. The reports also encourage member companies to do their best to avoid being identified as non-compliant.
- Provide high quality training programs on the Code and its implementation/application. Is there an independent organisation that will accredit this training program? You could make these a requirement for all sales representatives and certain other company personnel e.g. those who approve promotional materials. Provide rewards and recognition for personnel and companies who excel in this training, such as mentioning their achievements and giving awards at member meetings; publishing their achievements in industry newsletters. Provide a certification of having undertaken the training and use this as a communication point to HCPs that the sales representatives visit.
- Look for opportunities for key stakeholders to give positive reinforcement and feedback to member companies that recognises their achievements and Code compliance.
- Conduct regular (e.g. annual) surveys of member companies to ask them to self-assess their Code compliance; and report on the results to the broader membership (consider de-identifying specific companies' results!)

3. How can you help minimize Code violations amongst members?

Ultimately the Code of Practice is “owned” by the membership. Keeping members engaged on a regular basis is essential to maintaining that sense of ownership. Whenever the Code is updated, members need to be closely involved in how the Code changes to keep pace with the changing environment. Asking members about whether they think the Code is consistent with the current environment is important – otherwise you might see a gap forming between the Code and members conduct.



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Here are some ideas for maintaining the engagement with members:

- Form a Code Committee and invite representatives of members to participate; meet on a regular basis to discuss ‘hot’ issues.
- Identify individuals within the membership as Code Compliance Leaders – provide them with opportunities to be spokespeople on behalf of the Association to other member companies.
- Ask the Board Directors of PAMI to also be spokespeople and champions of Code implementation and compliance.
- Don’t be afraid of examining the decisions made on Code violations – one reason for a higher number of violations could be that the Ethics Committee hearing complaints is applying a higher standard than the member companies expect. Is this appropriate? Having a good, collaborative relationship with the Ethics Committee chair and members is important for there to be a shared understanding of Code application and interpretation. Code violations can also inform whether the Code needs to change.