

PRIMARY CARE TRUST HEAD OF PRESCRIBING v ASTRAZENECA

Conduct of representative

The head of prescribing at a primary care trust (PCT) complained that a representative from AstraZeneca had failed to keep an appointment.

The representative had failed to arrive on time for an earlier appointment but had contacted the PCT and the meeting was rebooked. However the representative neither kept the second appointment nor explained his failure to attend. The PCT considered that this disregard wasted staff time and failed to meet high standards. The complaint had originally been taken up with Abbott (Case AUTH/1914/11/06) but it transpired that at the time in question the representative was employed by AstraZeneca.

The Panel considered that the AstraZeneca representative had been foolish to use his own electronic diary instead of that issued by AstraZeneca as he had been unable to back up his appointment information which had been lost due to a battery failure. By the time the representative contacted the PCT he had already missed his appointment. Although the representative's conduct was regrettable and ill-advised the Panel considered that, on balance, there was no breach of the Code.

The head of prescribing at a primary care trust (PCT) complained about the conduct of a representative of AstraZeneca UK Limited.

The matter had originally been taken up with Abbott Laboratories Limited (Case AUTH/1914/11/06) but it had transpired that at the time in question the representative was no longer employed by that company and so no breach of the Code was ruled. The complainant was so informed and he asked for the matter to be pursued with the representative's new employer, AstraZeneca.

COMPLAINT

The complainant explained that earlier in 2006 the representative from Abbott Laboratories had failed to arrive on time for an appointment but had contacted the PCT and the meeting was cancelled and rebooked. However the representative neither kept the second appointment nor explained his failure to attend. The PCT considered that this disregard wasted staff time and failed to meet high standards.

Given the PCT's experiences the first time around, it was somewhat surprised by the representative's failure to attend the second appointment [when unbeknown to the complainant the representative was now

working for AstraZeneca] and further surprised that there was no contact to explain what had happened.

The PCT considered this disregard for the appointment system not only wasted staff time but also failed to meet the high standards it had come to expect of representatives' conduct in performing their business duties.

When writing to AstraZeneca, the Authority asked it to respond in relation to Clauses 15.2 and 15.4 of the Code.

RESPONSE

AstraZeneca stated that the representative had joined its salesforce from Abbott where he had a similar role.

In 2006 the representative in question had used his own personal digital assistant (PDA) to store and record customer appointments, as opposed to his company issued device because he found the satellite navigation facility on his own PDA useful. However as a direct result of this, all information regarding his appointments could not be synchronised with his company laptop. It also meant that appointment information was not backed up anywhere.

In October 2006 whilst the representative was on an initial training course (ITC) his PDA ran out of battery power and he lost all his stored details. The representative consequently told his customers that all his appointment details had been lost and he needed to reconfirm appointments or rearrange.

Unfortunately when he contacted the complainant's PCT, he discovered that he had already missed his appointment. When the representative explained he had lost his customer appointment information from his PDA, the person he spoke to seemed very understanding and implied that it was not a problem and an alternative appointment was offered. It was therefore a little surprising to see the letter of complaint.

The ITC the representative attended included a section on the Code and in particular relevant requirements for the salesforce. Within this the importance of maintaining high ethical standards was emphasised as well as taking personal responsibility in respecting a health professional's time when conducting calls. However in light of this complaint AstraZeneca would revise this training to give guidance when circumstances necessitated the cancellation of appointments.

The representative in question was now required to use his AstraZeneca issued PDA so as to avoid this situation occurring in the future.

AstraZeneca considered that in this particular instance the representative had made every effort to contact his customers with whom he might have had appointments, to let them know that he had lost his diary notes. Unfortunately by the time he spoke with the complainant's PCT his appointment had already been missed. Overall AstraZeneca considered the way in which the representative tried to rectify the problem was professional and timely; he had tried to avoid or minimise inconvenience for his customers and demonstrated his respect for health professionals' time. AstraZeneca thus considered that high ethical standards had been maintained. AstraZeneca regretted that this matter had led to a complaint from the PCT. Given the circumstances AstraZeneca did not believe that there had been a breach of Clauses 15.2 and 15.4.

PANEL RULING

The Panel considered that the representative had been foolish to use his own diary management system instead of that issued by AstraZeneca as he had been unable to back up any of his appointment information. By the time the representative contacted the PCT in question he had already missed his appointment. Although the representative's conduct was regrettable and ill-advised the Panel considered that, on balance, there was no breach of either Clause 15.2 or 15.4.

Proceedings commenced 23 January 2007

Case completed 8 March 2007