

# ANONYMOUS v SANOFI

## Conduct of representative

An anonymous, non-contactable complainant criticised the conduct of a named Sanofi medical representative.

The complainant alleged that the named representative had visited a local hospital on a number of occasions and behaved rudely. The complainant stated that on his latest visit (25 July 2013), the representative had sworn a number of times in front of staff and patients. The complainant alleged that the representative's aggression was unacceptable.

The detailed response from Sanofi is given below.

The Panel noted that extreme dissatisfaction was usually required on the part of an individual before he or she was moved to complain. The Panel noted Sanofi's submission that the representative in question had not worked at Sanofi since March 2013 and it could find nothing related to the representative's behaviours, either with customers or within the team in which he/she worked, which was a cause for concern during his time at Sanofi. The Panel further noted Sanofi's submission that there was no record of any Sanofi representative attending the hospital in question on 25 July.

The Panel noted that the complainant was anonymous and non contactable and could therefore not be asked for more information. A complainant had the burden of proving his/her complaint on the balance of probabilities. The complainant had not provided any material to support his/her allegations. The Panel noted that it was extremely difficult in such cases to know exactly what had transpired. The representative in question no longer worked for Sanofi. A judgement had to be made on the available evidence and on the balance of probabilities. The Panel did not consider that the complainant had established that the representative in question had behaved as alleged and therefore failed to maintain a high standard of ethical conduct. No breaches of the Code were ruled, including no breach of Clause 2.

An anonymous, non-contactable complainant criticised the conduct of a named Sanofi medical representative.

### COMPLAINT

The complainant alleged that the named representative had visited a local hospital on a number of occasions and behaved rudely. The complainant stated that on his latest visit (25 July 2013), the representative had sworn a number of times in front of staff and patients. The complainant was very proud of the hospital and alleged that the representative's aggression was unacceptable. The

complainant stated that he/she had submitted this complaint on the advice of a local cardiologist.

When writing to Sanofi, the Authority asked it to respond in relation to Clauses 2, 9.1 and 15.2 of the Code.

### RESPONSE

Sanofi stated that no-one of the name referred to by the complainant worked for the company in the UK. There had previously been a representative of a similar name (but slightly different spelling) but he had not been employed by Sanofi since March 2013. Sanofi stated that it was thus unable to provide any information in relation to the representative's alleged visit on 25 July 2013.

In response to a request for further information from the case preparation manager, Sanofi noted that the complainant had also commented on the individual's rude manner 'on a number of occasions'. With this in mind, Sanofi submitted that it had asked the representative's previous line manager to provide evidence of the representative's behaviours at various field visits over the last year at Sanofi. Sanofi confirmed that the representative's role (as a representative of its cardiology division) included visits to the hospital in question; Sanofi provided a copy of the various field visit reports as requested, along with a statement from the manager on his overall assessment of the representative. Sanofi noted that at his end-of-year appraisal assessment in December 2012, the representative achieved all of his priorities (objectives) and demonstrated the appropriate level of expected competencies (behaviours). The representative had passed the ABPI Representatives Examination.

Sanofi stated that it had assessed the collected evidence and could find nothing related to the representative's behaviours, either with customers or within the team in which he worked, which was a cause for concern during his time at Sanofi.

Sanofi therefore denied any breach of the Code.

In response to a request for further information from the Panel, Sanofi submitted that it had checked its sales team call recording database and could find no record of any Sanofi representative attending the hospital in question on 25 July 2013.

### PANEL RULING

The Panel noted that extreme dissatisfaction was usually required on the part of an individual before he or she was moved to complain. The Panel noted Sanofi's submission that the representative in question had not worked at Sanofi since March

2013 and it could find nothing related to the representative's behaviours, either with customers or within the team in which he/she worked, which was a cause for concern during his time at Sanofi. The Panel further noted Sanofi's submission that there was no record of any Sanofi representative attending the hospital in question on 25 July.

The Panel noted that the complainant was anonymous and non contactable and could therefore not be contacted for more information. A complainant had the burden of proving his/her complaint on the balance of probabilities. The complainant had not provided any material to support his/her allegations. The Panel noted that it was extremely difficult in such cases to know exactly

what had transpired. The representative in question no longer worked for Sanofi. A judgement had to be made on the available evidence and on the balance of probabilities. The Panel did not consider that the complainant had established that the representative in question had behaved as alleged and therefore failed to maintain a high standard of ethical conduct. No breach of Clause 15.2 was ruled. The Panel also ruled no breach of Clauses 9.1 and 2.

**Complaint received**

**2 August 2013**

**Case completed**

**9 September 2013**

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