The Consumer Protection Act

Many pharmacist’s assistants come into daily contact with consumers, and all pharmacist’s assistants are themselves consumers.

The Consumer Protection Act (CPA) came into effect earlier this year. It applies to all goods and services, including those supplied in health facilities. Everyone is now looking very carefully at their business or professional activities to make sure that they do not run the risk of consumer complaints.

How does it affect you as a pharmacist’s assistant?

The starting point must be the nine consumer rights that are listed in the CPA. These are:

- The right to equality in marketing
- Privacy
- Choice
- Fair and responsible marketing
- Fair and honest dealing
- Disclosure and information
- Fair, just and reasonable terms and conditions
- Fair value, good quality and safety
- The right to hold a supplier accountable.

When you think about a pharmacy facility, you may think that most of these are not your problem. I guess that in many cases you would be right in thinking that most of this would be your employer’s problem. Certainly, marketing and the decision of which products to stock would usually be the employer’s responsibility.

There are, however, some aspects that are very important, such as the right to disclosure and information. At first glance you may feel that this has nothing to do with you, but actually, if you sell over-the-counter medicines or if you hand over prescription medicines to the patient, you need to be aware of what the CPA requires.

The CPA says that the consumer has the right to information in plain and understandable language. This sounds so obvious that you would be forgiven for thinking that it is not necessary to put this into the law. Surely we always give information in plain and understandable language in a pharmacy? We certainly try to, but it is the first time that the law actually requires us to do so.

So what is plain and understandable language? The Act says that something is in plain language if the ordinary consumer, with average literacy skills and minimal experience in using the goods or services, can understand the content, significance and importance of the information.

In the pharmacy we know that we must give information to the patient. And we do. Don’t we? We know that it is important to make sure that the patient understands the information. Don’t we? So we always try our best to check that the patient knows and understands what we say or give to him or her. Don’t we?

I know we have spoken about it before, but it is always good to be reminded. When you hand out medicines, do not just give them to the person without telling them how to take it and how to manage the side-effects. That is an important part of your scope of practice.

What about package inserts? Surely we should make sure that every patient gets a package insert! Well, if someone with average literacy skills and minimal experience in using the product can understand it, that would work. But can most people understand a package insert? I am absolutely convinced that they cannot. Can you understand everything in a package insert? Be honest now!

We must not forget that a package insert is a legal document, and it contains anything but plain language. The language used is technical and medical language, which is not one of our eleven official languages!

Ideally, we should have patient information leaflets (PILs), preferably with well-tested pictograms or pictures, that explain the use of the medicine clearly and simply. Unfortunately, there are very few PILs available. So until such time as they become available, and probably even after that, we need everyone who deals directly with consumers to make sure that enough relevant information is given and that the consumer understands the information.

Pharmacy Week

Pharmacy Week has come and gone for another year. What did you do during Pharmacy Week? I know that there were lots of activities around the country, and I am reasonably sure that many pharmacist’s assistants were involved in these. If you did something special, please write and tell me about it. Send photographs if you can. We all need to be reminded of how hard our colleagues work at making pharmacy understood by consumers. So do not be shy: tell us what you have been doing!

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