

WORCESTERSHIRE MENTAL HEALTH PARTNERSHIP NHS TRUST

RELATIONSHIPS WITH COMMERCIAL SPONSORS

This document should be read in conjunction with the Trusts Medicines Policy

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A. INTRODUCTION

The NHS acknowledges the value of partnerships in promoting future health care developments. It is widely understood that in excess of 60% of research and development, including education within the NHS in the UK today is funded by commercial sponsorship.

The Trust is a publicly funded organisation and therefore has a duty to ensure that any relationship with a commercial sponsor does not affect the way it applies its everyday business activity. There are five basic principles that must be applied: -

- All commercial sponsors must be treated equally.
- If the commercial sponsor is from the pharmaceutical industry then the “Association of the British Pharmaceutical Industry” (ABPI) code of practice should be applied, even if that company is not a member.
- Specific products are not endorsed.
- Hospitality must not exceed that which would be provided by the trust organisation itself or purchased by the individuals attending.
- Any guidance produced should be auditable through a register, which is reported to the Trust board. (NHS2000) - The Chief Executive’s office at Isaac Maddox House holds this register.

What is Sponsorship?

“funding from any external source, including funding of all or part of the costs of employing a member of staff, research, training, pharmaceuticals, equipment, meeting rooms, costs associated with meetings, meals, gifts, hospitality, accommodation and transport costs (including trips abroad), and provision of free services (speakers), buildings or premises”

Adapted from “Commercial Sponsorship – Ethical Standards for the NHS” (DoH 2000)

B. EMPLOYEE RESPONSIBILITIES

- a. Put patients first
- b. Observe professional code of conduct relating to inducements and incentives
- c. E.g. NMC, Royal College of Psychiatrists, Royal Pharmaceutical Society of Great Britain, General Social Care Council, British Psychological Society
- d. Ensure any commercial sponsors adhere to agreed standards (ABPI) Up to date ABPI guidance is available online from “www.abpi.org.uk”
- e. Declare any commercial interests through line manager on an annual basis
- f. Seek approval from line manager before public speaking on behalf of the Trust as per the trusts communications policy
- g. Not misuse position or any privileged information to further private interests
- h. Act impartially in all aspects of work
- i. Refuse gifts or inducements that might be seen to compromise personal judgement, integrity or practice. (see Appendix 1 for examples)

- j. Declare and register gifts in accordance with this policy and trust standing financial instructions – Register is held within the Chief Executive’s office at Isaac Maddox House.
- k. Report any Company behaviour that is of concern, to the mental health pharmacy team who will give guidance on action to be taken alternatively the Medical Director

C. GIFTS AND HOSPITALITY

1 Gifts

- a. No conditions should be attached to the receipt of gifts, items of equipment or other forms of aid from a commercial organisation.
- b. No gift should exceed a realisable value of £6.00 (inc VAT) from a commercial sponsor. On educational materials, i.e., pens, notepads, etc, references to the donor company should be indicated by no more than a company name and logo.
- c. Gifts accumulated over a 12-month period should not exceed a maximum of £100.00 from any one sponsor or related company.
- d. Gifts in the form of cash or other financial benefits directly to individuals are not acceptable.

2 Sponsorship of local educational meetings

- a. Two thirds 2/3 of the meeting time must be educational and a maximum of one third 1/3 hospitality, e.g. a one hour talk would be broken down into 40 mins educational activity and 20 mins hospitality (food, refreshments etc)
- b. All speakers/presenters are chosen or approved by the Trust, not dictated by sponsors.
- c. A speaker should provide an oral declaration of competing interests at the beginning of any presentation.
- d. Company products and advertising materials should be kept to a discreet minimum and in a separate room to the educational presentations.
- e. Materials used should be of the speaker’s own work – or fully disclosed as to source of the content.
- f. Any material originating from a sponsoring company should be clearly identified as such.
- g. Information presented must be balanced and not overly reflect the interests of the commercial sponsors

3 Company-organised meetings

- a. Accommodation / meals / refreshments should only be supplied to person(s) appropriately attending or speaking at a meeting, and **NOT** extended to family or friends.
- b. Prior to participation in meetings, employees must be satisfied that the meeting will be predominantly scientific/educational, rather than promotional.
- c. Travel, accommodation and provision of food and drink should not of a greater standard that that which the participants would normally provide for themselves.
- d. Honoraria and fees should be paid directly to the Trust, if carried out in business time. These fees may be attached to a departmental trust fund or be retained with in a central fund which will be used to improve Trust business, not used to offset overspends. Contact

the “Management Accountant”, Finance Department, Isaac Maddox House to raise an invoice or obtain banking details.

The organisation of larger meetings should be coordinated in collaboration with the Trust Education and Training department. **NB** Attendance at such a meeting will require a trust study leave form to be completed in line with existing study leave policy.

4 Research and development (R&D) including clinical practice guideline development

All research projects must be approved by the Audit and Research Group and subject to ethics committee approval.

- a. No individual should receive payment for R&D activity.
- b. All payments for research projects should be open and transparent.
- c. R&D should be carried out within a contractual framework in line with national guidelines.
- d. As part of the sponsorship agreement the commercial sponsor will be required to continue its support until completion of the research, or otherwise terminated by mutual agreement.
- e. The sponsoring company must indemnify patients or health volunteers for any harm that might arise as a result of participation where the research has been carried out in accordance with a previously agreed protocol. This doesn't apply if a company is providing some funding but is not the sponsor; in that event, the indemnity is the responsibility of the investigator or employer.
- f. Employees should have the freedom to publish valid findings in appropriate professional magazine arising from sponsored studies, even if the findings are not particularly supportive of the sponsors' product.
- g. Raw data arising from the study should be made available to the employee for scrutiny, if the data is being processed by the sponsoring company.

Only representatives authorised by the Trust Audit and Research Group should approach sponsors.

5 Authorship and Publications

- a. Any publication made by staff must abide by the Trusts' publication policy.
- b. Any publication made by staff should have specifically named intellectual copyright and acknowledge the nature and extent of sponsorship.
- c. No staff member may author a “ghost written article” but collaboration is acceptable if the nature of the work undertaken by each author is explicit.
- d. Honoraria or similar funding for written work should be explicit.
- e. Publications available in electronic formats, i.e., intranet, must not contain promotional materials from commercial sponsors.
- f. Links to sponsored educational sites are permitted, but there should be no direct link to commercial sponsors.

COMMERCIAL REPRESENTATIVES ACTIVITY CHECKLIST

- a. A company representative may only request a maximum of FOUR appointments per year to an individual employee.
- b. Appointments should be made according to local protocol, which may involve NOT directly contacting the staff member.
- c. Inducements or subterfuge must never be used to seek appointments.
- d. The representative must abide by the agreed topic relating to the visit, notwithstanding the clinical demands of the employee.
- e. Must always have available a summary of product characteristics of products they promote (or equipment specification if not medicines).
- f. No samples must be left or supplied to staff or departments.
- g. A representative must never make claims which are either inaccurate or misleading.
- h. Company representatives must never “stalk” corridors in the hope of accosting employees.
- i. The representative must not offer inducements to promote their products.

Any behaviour listed above should be reported to your line manager at the earliest opportunity.

Examples of gifts or inducements that might be seen to compromise personal judgement, integrity or practice:

- Bags advertising company product
- Attendance to various conferences by same company
- Hospitality at high class restaurants'
- Offers of non clinical equipment (tv's, radios, guest entry to clubs etc)