Barts Health NHS Trust

TRUST CORPORATE POLICY
COMMERCIAL REPRESENTATIVES AND SPONSORSHIP POLICY (INCLUDING EXTERNAL COMPANY SPONSORSHIP FOR RESEARCH, TRAINING, GIFTS AND HOSPITALITY)

APPROVING COMMITTEE(S)	Trust Policies Committee	Date approved:	19 October 2020
EFFECTIVE FROM	Date of Approval		
DISTRIBUTION	All Wards and Departments via Trust Bulletin		
RELATED DOCUMENTS	Raising Concerns (Whistleblowing) (COR/POL/005/2018-001) Research & Development Policy (COR/POL/028/2016-001) Tendering for Goods and Services (COR/POL/016/2020-001) Standards of Business Conduct (COR/POL/003/2017-001) Standing Orders (COR/POL/002/2019-001) Visitors to the Operating Theatre Incident Reporting Policy Clinical Procurement Policy (COR/POL/059/2015-001) BLT/WX/NHUT policies on Temporary Signage BLT/WX/NHUT policies on Training & Development BLT/WX/NHUT policies on Consultant Leave BLT/WX/NHUT policies on Medical Equipment Management BLT/WX/NHUT policies on Fraud and Corruption		
STANDARDS	Commercial Sponsorship – Ethical Standards for the NHS, Department of Health, November 2000 (click here) First Do No Harm Report (click here)		
OWNER	Director of Procurement & eCommerce		
AUTHOR/FURTHER INFORMATION	Director of Procurement & eCommerce		
SUPERCEDED DOCUMENTS	COR/POL/060/2015-001		
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INTRANET LOCATION(S)	https://weshare.bartshealth.nhs.uk/trust-wide-policies		

CONSULTATION	*Barts Health*	Chief Finance Officer Workstream Medical Director Quality Board (21 September 2020) Trust's Chief Pharmacist
	External Partner(s)	

SCOPE OF APPLICATION AND EXEMPTIONS	**Included in policy:** *For the groups listed below, failure to follow the policy may result in investigation and management action which may include formal action in line with the Trust's disciplinary or capability procedures for Trust employees, and other action in relation to organisations contracted to the Trust, which may result in the termination of a contract, assignment, placement, secondment or honorary arrangement.*
	All Trust staff, working in whatever capacity
	Other staff, students and contractors working within the Trust
	Exempted from policy: *The following groups are exempt from this policy*
	No staff groups or Partners are exempt from this policy

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1 INTRODUCTION

1.1 The Trust recognises the important role that its suppliers and potential suppliers play in supporting health practitioners in providing safe, effective and economic products and services to the patients in their care, and to other staff working within the NHS, in the delivery of their duties.

1.2 The aim of this policy is to put the relationship between Trust staff and the Trust's suppliers and potential suppliers on a sound and professional footing. It provides suppliers and their commercial representatives with guidance on how they are expected to behave when working with the Trust; and it similarly provides staff with guidance on their relationship with suppliers and their commercial representatives.

Application

1.3 This policy applies to all those working in the Trust, in whatever capacity. A failure to follow the requirements of the policy may result in investigation and management action being taken as considered appropriate. This may include formal action in line with the Trust's disciplinary or capability procedures for Trust employees; and other action in relation to other workers, which may result in the termination of an assignment, placement, secondment or honorary arrangement.

Scope

1.4 The policy covers all areas of the Trust. Additional requirements (see Appendix A) apply to representatives from pharmaceutical companies.

2 DEFINITIONS

Code of Conduct	Behaviours and actions, based on principles set out by the Chartered Institute of Procurement & Supply, which Trust staff must commit to maintain in all aspects of their work
Commercial Representatives	Agents/ staff/ consultants of companies either already working with the Trust or seeking to commence a relationship with the Trust
Joint Research Management Office (JRMO)	The Barts Health NHS Trust and Queen Mary University of London joint office whose role is to facilitate and enable research, supporting academics and clinicians and those who work with them across all sites and helping them to conduct world-class research
Medical Industry Accredited (MIA)	The service allows members of the medical technology industry to apply for an ID card which demonstrates that they have successfully completed an accredited training course, qualifying them to be present in hospital environments
Register of Interests	Maintained by the Trust Secretary to record all staff interests

Standards of Business Conduct	Any officer or employee of the Trust who i) comes to know that the Trust has entered into or proposes to enter into a contract in which he/she or any person connected with him/her, has any pecuniary interest, direct or indirect; or ii) intends to receive a gift or hospitality shall declare their interest by giving notice in writing of such fact to the Trust Secretary as soon as practicable

3 COMMERCIAL REPRESENTATIVES

3.1 It is recognised that, in addition to providing information to health practitioners, the prime function of commercial representatives is to promote and sell the products and services of the companies that they represent. This function should be carried out in a proper and ethical manner and not contravene Trust, NHS or wider government policies and guidelines.

3.2 When on Trust premises, all commercial representatives must:

- ensure their presence on Trust premises has been approved in advance;
- comply with any instructions given to them by a member of Trust staff in the event of an emergency situation arising, e.g. a fire or major incident;
- comply with all relevant Trust core policies and guidelines which are available on request from the Procurement team Some policies of particular relevance include clinical confidentiality, data protection, use of mobile phones, smoking, and alcohol;

Visits by Commercial Representatives to Trust Sites

3.3 Commercial representatives may not enter any hospital area (including hospital wards, theatres, laboratories and outpatient areas) or visit the Procurement Department without an appointment. Staff members can be contacted via the Trust main switchboard. The Procurement Team (barts.procurement@nhs.net) can also provide advice on how appointments might be made with individual departmental managers.

3.4 Commercial representatives must register their visit on the MIA website (www.miaweb.co.uk) in advance. The Procurement Team will issues a monthly report to Site Medical Directors of visits logged through the MIA website.

3.5 Commercial representatives should respect their position as a visitor to the Trust and comply with security regulations by wearing a company identification badge and carrying their MIA photo ID card at all times. Where the representative has no company identification, they should not enter any clinical areas within the Trust. Representatives found in clinical areas without the above ID will be asked to leave the premises and reported to the MIA scheme and their company management.

3.6 A commercial representative arriving for an appointment must arrange to be met by the host (an authorised member of Trust staff). Hosts will be expected to remind commercial representatives of all security protocols.

3.7 Parking at all Trust sites is limited and all vehicles that are not authorised or not parked in accordance with site regulations will be issued with a parking charge notice. If any indicated parking restrictions are contravened, parking charges will apply and any vehicle illegally parked is liable to be clamped or removed. Vehicles parked at Trust sites are done so at their owners' risk. The Trust cannot accept responsibility for loss or damage to any vehicles or property left in any of its car parks. Visitors are encouraged to read parking signange.

Personal appointments and group meetings

3.8 Commercial representatives may only seek one to one (individual) appointments with authorised budget holders. No appointments should be made with nursing staff unless authorised by a member of the Procurement Team. Representatives from Pharmaceutical companies must meet the additional requirements outlined in Appendix A.

3.9 Commercial representatives may seek open meetings with these and/or other staff in a group. The emphasis in such meetings must be primarily educational and not promotional. In line with NHS guidance (click here), any hospitality offered by commercial representatives at such meetings must be secondary to the purpose of the meeting. The level of hospitality must be appropriate and not out of proportion to the occasion; and the costs involved must not exceed that level which the recipients would normally adopt when paying for themselves, or that which could be reciprocated by the NHS. It should not extend beyond those whose role makes it appropriate for them to attend the meeting.

3.10 The overriding consideration must be to ensure that there can be no suggestion of impropriety in the Trust's dealing with external companies and their representatives. If in any doubt, Trust staff should politely refuse hospitality provided by commercial representatives. For further advice, please contact the Procurement Team (barts.procurement@nhs.net) or the Trust Secretary.

3.11 Where the cost of meetings (i.e. external room booking or refreshments) are sponsored by external sources, that fact must be disclosed in the papers related to the meeting and in any published proceedings.

Promotional activity

3.12 Commercial representatives should not only be well informed about the products that they are discussing, but should also have standard technical and, where appropriate, clinical data, including information on product effectiveness, available. Staff should not be influenced by any price comparisons given, which should not be used, unless they have been approved by the Trust's Procurement Team. All discussions on pricing should be conducted via the Trust's Procurement Team.

3.13 Where any teaching and awareness activity is planned, representatives must advise the teaching co-ordinator or Department Manager. As noted above,meetings with Trust staff must be primarily educational. Representatives from pharmaceutical companies must follow the procedure outlined in Appendix A.

3.14 Leaflets and posters produced by suppliers may not be distributed or displayed in clinical areas unless they are educational in nature for the purposes of staff training. They should not advertise services, or alternative therapies. Any material should be approved by the ward or departmental Senior Nurse/ Manager in that area AND the Procurement Department.

3.15 The Trust prohibits any form of agreement with a third party organisation which involves an element of commercial advertising to patients. For example, companies may from time to time offer to provide the Trust with goods or services at 'low cost' or at 'no cost' on the basis that their provision is accompanied by a form of commercial sponsorship and/or advertising rights which may then be sub-let to third parties. (See Para 4 "External Sponsorship" below). Staff are not authorised to sign such agreements and the Procurement Team must be contacted for further clarification.

Code of Ethics

3.16 A short guide to the expected standards of business conduct for staff is set out at Annex A. Full details are set out in the Trust's Standards of Business Conduct Policy as well as through the Chartered Institure of Procurement and Supply at https://www.cips.org/who-we-are/governance/cips-code-of-conduct/

Samples of clinical products

3.17 Samples of clinical products, other than pharmaceutical samples, may only be left on wards or departments with the written permission of the Senior Nurse/Manager and a member of the Trust Procurement team . Pharmaceutical samples must follow the procedure outlined in Appendix A.

3.18 All samples must be CE marked (Conformité Européenne). 'CE' marking is an indication that the product has undergone some form of verification and validation process acceptable within the EU. This requirement may change following the UK's formal exit from the EU on 31 December 2020. After this date, please seek clarification from the respective Senior Nurse/Manager.

3.19 Samples are for information and awareness only and may not be used for clinical purposes i.e. for patient treatment unless part of a specific and authorised product evaluation process (see next section).

Product trials, evaluations, studies and research

3.20 All agreements for commercially funded drug or medical devices trials must be referred to the Joint Research Management Office (JRMO) through (research.governance@qmul.ac.uk) for approval at the outset. Commercial representatives must not expect any agreements to be reached between themselves and individual members of staff without the appropriate authorisation. Please refer to http://www.jrmo.org.uk/about-us/our-policies/

3.21 Any trial of products or drugs that involve human participants (patients/volunteers) that may result in new knowledge or a change in practice will be deemed to be a Research Project and subject to European Directives, Medicines for Human Use (Clinical Trials) Regulations 2004, International Council for Harmonisation Good Clinical Practice E6 (R2) (9th Nov 2016) and

UK Policy Framework for Health and Social Care Research (16th October 2017). All such projects must be referred to the JRMO.

3.22 Evaluation of clinical products (other than pharmaceutical products or devices) must be referred to the Procurement Department at the outset for consideration and approval. Individual departmental managers are NOT authorised to enter into contracts or formal evaluations. Evaluation of clinical products must be co-ordinated (after they have been approved in writing by the Procurement Team and the relevant clinical budget holder) via the Procurement Team. This is to ensure that:

- evaluations are carried out on a controlled basis;
- the product in question meets the appropriate safety standards;
- evaluations are not duplicated; and
- the selection process is robust and transparent.

3.23 In any product evaluation , the following points will be considered and recorded:

- how the evaluation is to be managed;
- how the evaluation is to be financed i.e free of charge stock from the supplier;
- how samples are to be provided;
- how long the evaluation will last;
- whether technical staff need to be involved;
- current safety regulations and quality standards;
- how the evaluation will be assessed;
- whether other criteria (e.g. packaging) need to be taken into account;
- whether the supplier should be involved for training purposes;
- the implications for existing contracts and purchasing agreements; and
- how the results of the evaluation will be disseminated.

3.24 Pharmaceutical products should not be offered to, or accepted by, any department except the Pharmacy Department - See Appendix A.

3.25 Commitment to purchase other goods and services can only be entered into by the raising of an official Trust Purchase Order. Staff are not authorised to procure goods and services through any other route. Suppliers must not deliver goods or provide a service without first receiving an official electronic Trust Purchase Order.

4 EXTERNAL SPONSORSHIP

Summary

4.1 This section sets out what is and what is not acceptable and the process to be followed in relation to seeking/accepting sponsorship from external companies.

4.2 It is never appropriate for an employee to openly solicit sponsorship for their own personal and individual gain/benefit, but there are acceptable ways of securing funds for the benefit of departments.

Sponsorship – What Is Not Acceptable

Individuals should never seek external personal sponsorship for anything in relation to their employment in the Trust, as to do so could have wider ramifications than a breach of Trust policy and a conflict with their employment. See paragraphs 4.12 – 4.18.

Sponsorship – What Is Acceptable

4.3 It is recognised that the Trust does not always have sufficient resources to provide all the necessary training and support that it would like to provide to its employees.

4.4 Sponsorship may be sought for the benefit of individual departments and/or the organisation. However, when seeking sponsorship, it must be made clear to companies from the outset, that any money provided must be freely given, with no strings attached. A specimen form of wording to be included in such letters is provided at paragraph 4.20.

4.5 Ideally, unsolicited sponsorship should only be accepted if provided for the corporate benefit of the Trust. However, any company which writes offering unsolicited sponsorship to a named individual to attend either a conference or course' can be accepted, provided the individual seeks prior permission of their line manager and submits a formal study leave application for approval. The line manager, in determining whether the sponsorship is acceptable, should have regard to any conditions that may be attached to the sponsorship and be satisfied that acceptance will not compromise purchasing decisions in any way.

Gifts from other organisations

4.6 An important benefit of sponsorship is attendance at scientific and research meetings. Such support is acceptable subject to the above provisos. Further guidelines for staff attending any research or educational conference are available in the Training & Development policy and other profession's study leave guidelines.

4.7 In the context of this policy:

- **a gift** is defined as something given as a present *to an individual* where the gift is given due to the individual's role within the Trust; similarly,
- **a donation** is defined as a contribution to a defined body or group of people e.g. a ward, the Trust, a registered charity etc.

4.8 What is acceptable:

- Articles of low intrinsic value such as diaries or calendars may be accepted provided they do not exceed £25 in value. Repeated gifts should be discouraged, and, if accepted, must be disclosed to the Trust Secretary.

4.9 What is not acceptable:

- Under no circumstances should staff solicit gifts of any kind.

4.10 For further details, please look through Annex A, or the Trust's Standards of Business Conduct policy. If in any doubt staff must contact the Trust Secretary before accepting a gift or donation.

Other Forms of External Sponsorship (Including Conference Fees, Accommodation, Hospitality or Travel Costs)

4.11 Fully paid visits for Trust staff to reference sites by companies who might be invited to tender for goods or services are acceptable. However, only essential travelling costs and minimal hospitality costs should be accepted and the company must be advised in writing at the outset that accepting the invitation will in no way influence the eventual procurement decision. If any other form of sponsorship is accepted then this must be notified to the Trust Secretary in a Declaration of Interests form.

Sponsorship Receipts

4.12 In many cases, the sponsorship will take the form of the sponsor meeting the relevant costs directly. Where the sponsorship results in money being passed to the Trust, paragraphs 4.14 and 4.15 (below) are relevant.

4.13 Standing Financial Instruction No 4 states that only the Group Chief Finance Officer may open Bank and Building Society accounts in the name of the Trust. Therefore, staff should never open accounts for the deposit of hospital or donated funds. The existence of unauthorised accounts will be treated as a disciplinary offence.

4.14 Any funding received should therefore be treated as follows:

- For Research (under the auspices of the Joint Research & Management Office): a Trust budget or an account approved by the Joint Director of Research Development;
- For training and expenses in relation to attendance at conferences etc individuals need to follow the Trust expense policy. A Trust budget or an account approved by a Joint Director of Research & Development.
- For other research (that which does not involve Trust staff, patients, premises or resources): a Trust budget approved by a Joint Director of Research & Management.

4.15 If a private company wishes to make a charitable donation they must contact the Barts Charity directly (hello@bartscharity.org.uk).

4.16 It is then up to individual departments to set up systems/procedures/ protocols for access to these funds on an equitable basis, in consultation with the Department's or Site's Head of Finance.

Sponsorship – Record Keeping

4.17 It is the responsibility of individuals to inform the General Manager (who is required to keep local records) of any sponsorship where funds are received by the Trust (or Special Trustees) or costs are met by a sponsor. Where costs are met directly by a sponsor, it is clearly difficult to include a value but it is important that the event, location and duration are noted. The Trust Secretary

should also be informed of all companies providing sponsorship and the individuals who personally benefit. This information will be recorded in the Trust's Standards of Business Conduct database/ Register of Interests and used to ensure that individuals who have benefited from personal sponsorship are not involved in procurement decisions where those companies are involved.

Taxation

4.18 Under some circumstances, individuals could incur a personal tax liability whether or not the funds are channeled through the Trust or Trustees. Where costs simply reimburse expenditure and the event etc is closely associated with the undertaking and performance of an individual's duties then taxation issues do not arise. However, if there is a personal benefit to an individual then tax may be due and individuals should discuss with the sponsor whether they would incur a personal tax liability and seek their own independent tax advice. In some cases sponsors will reach agreements with HM Revenue and Customs and remit notional tax, whilst in other situations it will be an individual's personal responsibility to declare any taxable benefit on their tax return.

Form of Words for inclusion in letters requesting funds

4.19 The following paragraph should be included in all letters:

"I am sure you understand that as a Public Sector organisation, we are required to maintain high standards of probity and wish to protect our employees from any allegations of corruption or malpractice. Therefore, if you are able to assist us in the way suggested, I should be grateful, if you would complete and return the attached declaration form with your gift. In the application of this policy, I am sure you also recognise that it helps to ensure the Trust maintains the very highest standards of procurement practice and that all companies with whom the Trust enters into a contract can be assured of fair and equal treatment."

I/we……..……*(insert name of company)* enclose a gift of £…… to be used for …….....

This gift is given freely and without expectation of grace or favour of any kind.

5 DUTIES AND RESPONSIBILITIES

All staff working in the Trust	Consult Line Management or wider teams before committing themselves or the Trust to any arrangement With the exception of the Procurement Team, staff should not sign contractual documentation with suppliers or agree to product evaluations or trials Disclose the receipt of gifts, sponsorship or hospitality to the Trust Secretary, normally through a Declaration of Interests Form Not use their position for personal benefit or gain

Managers	Ensure staff are familiar with this Policy and other related Policies (such as the Standards of Business Conduct) and must direct their staff to the Procurement Team for advice. Managers must ensure declaration of interest forms are completed in all relevant instances, particularly where there is any ambiguity and submitted in a timely manner to the Trust Secretary
Procurement Team	Provide advice and guidance on this Policy and related Policies Provide advice on how appointments might be made with individual departmental managers. Coordinate appointments with Nursing staff Ensure Declaration of Interest forms are completed prior to any member of staff participating in a procurement/ tender exercise
Senior Nurse/ Manager	Provide written approval for i) any material to be displayed in the ward or department; and ii) samples of clinical products, other than pharmaceutical samples to be left on wards or in departments
Head of Finance	Lead on the opening of bank accounts in the Trust's name Consider systems/ procedures/ protocols for access of funds on an equitable basis
Trust Secretary	Consider requests and provide advice on enquiries related to gifts, sponsorship or hospitality Record any Declarations of Interest on the Trust's Standards of Business Conduct database/ Register of Interests and ensure that individuals who have benefited from personal sponsorship are not involved in procurement decisions where those companies are involved

6 MONITORING THE EFFECTIVENESS OF THIS POLICY

Issue being monitored	Monitoring method	Responsibility	Frequency	Reviewed by and actions arising followed up by
1. The number of Commercial representatives visiting our sites 2. The display of unauthorised materials for commercial advertising/sponsorship 3. The number of 'unauthorised' product evaluations	Review of reps log via the MIA system Walkaround at sites and within patient waiting rooms to audit Procurement audit via stakeholders	The Procurement Team The procurement team (materials managers) The procurement team	Quarterly Weekly as part of business as usual stock top-up Quarterly	Procurement Director (escalating to Group CFO if required)

Policy Change Log

Change Log – Policy Name		
Substantive changes since previous version	**Reason for Change**	**Author & Group(s) approving change(s)**
Strengthening of advice and guidance with regards to zero-value (advertising/sponsorship) contracts	Recent examples that have come to light of operational staff signing sponsorship agreements with suppliers	Director of Procurement
Updating of contact details and the process to contact the procurement team	Staff turnover	Director of Procurement
Further clarity on the difference between clinical trials and the evaluation of consumable products and the process for each	To make the process clearer for staff	Director of Procurement

7 IMPACT ASSESSMENTS

Equalities impact checklist - must be completed for all new policies

EQUALITIES IMPACT CHECKLIST

Which groups of the population do you think will be affected by this proposal?
Other groups :

• minority ethnic people (including gipsy/travellers, refugees & asylum seekers	• people of low income
• women and men	• people with mental health problems
• people in religious/faith groups	• homeless people
• disabled people	• people involved in criminal justice system
• older people, children & young people	• staff
• lesbian, gay, bisexual & transgender people	• any other groups

N.B. The word proposal is used below as shorthand for any policy, procedure, strategy or proposal that might be assessed.	What positive & negative impacts do you think there might be? NONE
	Which groups will be affected by these impacts? NONE

What impact will the proposal have on lifestyles? NONE

Will the proposal have any impact on the social environment? NONE

Will the proposal have any impact on: NONE

- Discrimination?
- Equality of opportunity?
- Relations between groups?

Will the proposal have any impact on the physical environment? NONE:

- Living conditions?
- Working conditions?
- Pollution or climate change?
- Accidental injuries or public safety?
- Transmission of infectious disease?

Will the proposal affect access to and experience of services? NONE

- Health care
- Transport
- Social Services
- Housing services
- Education

Barts Health NHS Trust

Equalities Impact Checklist: Summary Sheet

1. Positive Impacts (Note the groups affected)	2. Negative Impacts (Note the groups affected)
NONE	NONE
Race Equality Does the policy take account of race equality legislation and the Trust's Race Equality Scheme?	See: Race Equality Scheme, Equal Opportunities Policy
Disability discrimination Does the policy take account of DDA legislation?	See: Equal Opportunities Policy, Employment of People with Disabilities Policy
Age discrimination Does the policy take account of relevant legislation?	See: Equal Opportunities Policy, Working beyond Retirement Age Policy
Gender discrimination Does the policy take account of relevant legislation?	See: Equal Opportunities Policy

3. Additional Information and Evidence Required

4. Recommendations

5. From the outcome of the Equalities Impact Assessment, have negative impacts been identified for race or other equality groups? Has a full EQIA process been recommended? If not, why not?

Manager's Signature:
Lucie Jaggar

Date: 16th January 2020

Organisational Impact Assessment

Name of policy	Commercial Representatives and Sponsorship Policy				
Date of impact assessment	4-3-2020	**Completed by:**	L Jaggar	**Position**	Director of Procurement

Area for consideration	**Description of issue**	**Trust contact**	**Policy author description of how issue has been taken into account in the policy/guideline**
Financial impact on Trust	Does the policy impose an additional direct or indirect financial cost on the Trust and how will this be managed?	Director of Procurement	The intention is to protect the Trust from financial impact through enhancing controls on advertising contracts and evaluations
Impact on PFI Service Providers	How will the policy impact on the volume/cost of services provided by the Trust's PFI partner and how has this been addressed?	Director of Procurement	No impact
Impact on other partner organisations	How will the policy impact on other partners?	Director of Procurement	No impact

APPENDIX A

ADDITIONAL REQUIREMENTS FOR REPRESENTATIVES FROM PHARMACEUTICAL COMPANIES

General Information

It is recognised that, in addition to providing information to health practitioners, the prime function of representatives is to promote and sell their products and services. This function should be carried out in a proper and ethical manner, and no company should contravene the Association of British Pharmaceutical Industry (ABPI) Code of Practice, Trust, NHS or government policies. Serious breaches will be reported to the ABPI and/or result in suspension of the individual or the pharmaceutical company from dealings with the Trust.

New representatives

Representatives from pharmaceutical companies who are new to the Trust must in the first instance contact the Lead Pharmacist for Formulary and Pathways.

Visits to hospital sites

Visits to staff must be by appointment only. They must not take place in wards or clinics or interrupt clinical activity of the Trust. The use of the hospital bleep system to make such arrangements is inappropriate. Such visits to staff within the Trust must have a clear educational purpose and this should be communicated along with any relevant material when the representative seeks an appointment. Appointments may be made with appropriate senior members of medical staff and Clinical Lead Pharmacists. Seeking to make appointments with other Trust staff is inappropriate.

On occasions, it may be appropriate to set up training sessions for nursing staff on the preparation and administration of drug therapies including in existing Trust protocols. In such cases, the Pharmacy Department should be contacted in the first instance. This is in order that appropriate arrangements can be made with all staff concerned, and to ensure that the proposed training does not differ in any way from existing Trust protocols. Part of the clinical pharmacists' role is to ensure that prescribed treatments are appropriate, effective and safe. This includes ensuring appropriate information and advice is available on safe preparation and administration of drugs.

Activities

The Trust is committed to providing appropriate support and advice to all clinicians so as to support the delivery of clinically effective treatment and care to the patients of the Trust. We recognise that representatives can make a positive contribution to informing staff. In order for this to work effectively it is important that at all times representatives and Trust staff act responsibly. If a representative is unsure of the position regarding potential activities, the Pharmacy Department should be contacted for advice.

It is the responsibility of the representative to ensure that any information supplied is provided in a balanced way and does not contradict or conflict with local policies.

New drugs

Representatives seeking to educate regarding new products or a change in the use of existing products which are not within the existing Formulary and Guidelines for prescribing, should note that the decision to adopt products is made after careful consideration of the clinical evidence and cost-effectiveness by pharmacists and medical staff. Medical representatives wishing to discuss the use of their drugs within the Trust should contact the Lead Pharmacist for Formulary and Pathways or write to Medicines Information, Pharmacy Department, Whipps Cross Hospital. The pharmaceutical representative should provide details of which product they would like to discuss. Where appropriate the pharmaceutical representative may be guided to an appropriate Clinical Lead Pharmacist for the therapeutic area, to discuss the product further.

Costs of drugs therapy

Representatives from pharmaceutical companies should not discuss comparative prices of drugs with medical staff. These discussions should take place with the Formulary Pharmacist, Clinical Lead Pharmacist or Lead Pharmacy Technician for Medicines Procurement. Medical staff should contact their Lead Clinical Pharmacist if they wish to discuss any financial aspects of drug treatment.

Procurement and contracting

The Lead Pharmacy Technician for Medicines Procurement is the person in the Trust authorised to discuss drug procurement and contracting arrangements with the pharmaceutical industry.

Clinical trials involving drugs

All clinical trials will be approved by The Joint Research & Development Office and the Ethics Committee. Clinical trials involving drug treatment are co-ordinated by the Lead Clinical Trials Pharmacist.

Samples

It is not Trust's policy to use samples except as part of a formal evaluation. Representatives must not leave samples with individual clinicians or staff within Barts Health NHS Trust. If a clinician wishes to try a particular medicine this must be through prior arrangement with the Pharmacy Department and the relevant committees.

Responsibilities of Trust staff

Staff should ensure that they have appropriate authority to meet with representatives, and should only discuss and agree those things for which they have appropriate authority. Representatives should not be met in clinical areas. Staff should ensure that the appropriate policies and procedures are followed when considering the use of a new drug or when proposing to use a drug for a new indication (e.g. policy for the consideration of new medicines). Comparative cost should not be discussed with representatives. Often, only the Pharmacy Department will have accurate information relevant to the Trust on comparative drug and associated costs. Staff should report cases of non-compliance to this policy, or any concerns about a representative's behaviour to the Lead Pharmacist for Formulary and Pathways.

APPENDIX B

STANDARDS OF BUSINESS CONDUCT – A SHORT GUIDE

DO:

- Make sure you understand the guidelines on standards of business conduct, and consult your line manager if you are not sure
- Make sure you are not in a position where your private interests and NHS duties may conflict
- Declare to the Trust any relevant interests. If in doubt ask yourself:
    - Am I, or might I be, in a position where I (or my family/friends) could gain from the connection between my private interests and my employment?
    - Do I have access to information which could influence purchasing decisions?
    - Could my outside interest be in any way detrimental to the Trust or to patients' interests?
    - Do I have any other reason to think I may be risking a conflict of interest?
    - If still unsure - **Declare it!**
- Adhere to the Code of Conduct of the Chartered Institute of Purchasing and Supply (https://www.cips.org/who-we-are/governance/cips-code-of-conduct/) if you are involved in any way with the acquisition of goods and services
- Seek your manager's permission before taking on outside work if there is any question of it adversely affecting your NHS duties. (Special guidance applies to doctors)
- Obtain your manager's permission before accepting any commercial sponsorship.

DO NOT:

- Accept any gifts, inducements or inappropriate hospitality;
- Abuse your past or present official position to obtain preferential rates for private deals;
- Unfairly advantage one competitor over another or show favouritism in awarding contracts.
- Misuse or make available official "commercial in confidence" information without contacting the Trust Office.