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Date: 10th May 2013

Dear Supplier

RE: - Code of Practice for Company Representatives

We have reviewed and updated the Trusts "Code of Practice for Company Representatives", a copy of which is enclosed with this covering letter.

Suppliers are asked to review the contents of the document and comply with all requirements.

Please ensure this documentation is circulated to your key representatives that cover the Norfolk and Norwich University Hospitals NHS Foundation Trust.

It would be appreciated if you could please sign and return to confirm acceptance as soon as possible. The "Acknowledgement of Receipt " can be found on the last page of the Policy document.

Yours faithfully

Mike Stone

Mike Stone
Head of Procurement

Code of Practice for Company Representatives

Version 5.3

Introduction

The Norfolk & Norwich University Hospitals Foundation Trust (the Trust) and Serco appreciates the role that Healthcare companies play to assist health practitioners in the provision of safe, effective & economic products and services to the patients in their care.

The aim of this Code of Practice is to put the relationship between the Trust, its partner (Serco) and its suppliers on a sound and professional basis.

It is recognised that in addition to providing information to health practitioners, the prime function of company representatives is to promote and sell their products and services. This function must be carried out in a proper and ethical manner and must not contravene Trust, NHS or Government policies.

In producing this code of conduct, Serco on behalf of the Trust can take relevant action if any representative contravenes the content by either removing or barring them from the Trust and Trust sites and where deemed necessary reported to company, commercial/ professional organisations. If codes of practice are breached, e.g. Association of British Healthcare products industry (ABHI), then the relevant organisation will also be informed.

A Clinical Sourcing Group (CSG) has been set up and is made up of key clinicians, managers, senior nurses, finance and procurement staff its role as the overseeing governance group for all clinical products and equipment. Smaller sourcing groups will be set up as needed who will report into the CSG and these groups will be responsible for running trials and reviewing comparison goods.

Visiting and arranging visits to the Trust

1. Company representatives will not be seen without a pre-booked appointment.
2. Any Company representative turning up at the Trust on spec will be turned away.
3. For suppliers (company representatives) who are new to the Trust or have not been in touch with the Trust for over 12months, the first point of contact must be with the Procurement team, this will alert the Procurement team that new products or changes to products are occurring. (*Contact details for the procurement department are at the end of this document*). The Procurement team will then arrange or facilitate the arrangements for the relevant meeting if the company does not have a named clinician with who they have spoken. The imparting of contact details of the relevant clinical lead, if this is appropriate, ahead of any meeting will only be done following agreement with the clinician in question.
4. There is an exception to this - if a Consultant requests a Representative's presence at short notice in the event of a trauma (emergency) case then the contacting of procurement in advance requirement is waived but it is expected that the representative will inform the Procurement team retrospectively of their attendance.
5. A monthly log of meetings (that have taken place) will be submitted by each supplier to the Procurement team at the following email address – procurementinfo@nnuh.nhs.uk no later than 5 days after month end, and will state the date of each meeting, the attendees and any outcomes agreed at meeting.

6. When a visit has been arranged it is the responsibility of the person that the company representative is coming to see to alert reception of the person's name and expected attendance.
7. On arrival, representatives at the Trust **must** report to West Block reception desk at the Norfolk and Norwich University Hospitals NHS Foundation Trust, and obtain an official Visitor Pass which must be returned to the reception desk when leaving the Trust. Representatives **must** have with them a photographic identification card/badge that clearly states their name, company and position. The identity card, together with the Visitors Pass will be validated by the person they are meeting and must be clearly displayed at all times whilst in the Trust. (If attending a meeting with the Procurement Team, please go to 20 Rouen Road, Norwich, NR1 1QQ).
8. If a presentation is made then a copy of the slides must be forwarded to the Procurement team if a member of the team is not present at the meeting.
- 7 Stakeholder satisfaction will be monitored with regard to company representatives visits and engagement with staff; if dissatisfaction is raised the company in question will be informed.
- 8 Adhoc visitations will **not** be tolerated and representatives will be turned away and the company informed of non-compliance with this code of practice.
- 9 During a visit if an emergency situation should arise, e.g. fire alarm, all representatives **must** obey the instructions given to them by Trust Staff.
- 10 Clinical representatives must not wear uniforms in the Trust. The reason for this is two fold, firstly to lessen the potential of any cross-infection and secondly not to cause confusion to Trust patient's and visitors. Access to aprons and gloves will be available.

Promotional Activity

1. Where any teaching and/or promotional activity is planned representatives must advise the Procurement team. The intent of the meeting must not contravene/challenge existing Trust policies. If in doubt please ask before setting up the event.
2. Leaflets and posters produced by companies cannot be displayed unless they have been approved by the Clinical Sourcing Group (CSG) neither should they be handed out ahead of any arranged meetings.

Samples - Medical Devices

All medical device samples must be CE marked (Conformite Europeene). CE markings are an indication that the product has undergone some form of verification and validation process acceptable to EC. In addition, a Pre-Purchase Questionnaire may be required before a device can be left on the Trust's premises. Please contact Clinical Engineering Department for clarification (number at the end of this document). No medical device sample can be left in any clinical area without the express permission of the head of Clinical Engineering, relevant procurement lead and the matron or head of clinical services for the area concerned.

Other product samples

Samples are deemed as free of charge goods. If the sample is only for show then it must be removed from any packaging to ensure that it is only a show piece.

If samples are being left for evaluation, prior to the commencement of any products evaluation, the conduct, protocol and evaluation methodology must be agreed with the relevant Sourcing Group Clinical Lead. If the name of the lead is not known then

please contact the Procurement team. The duration of the evaluation will be agreed before commencement and does not guarantee the product will be first choice or procured by the Trust.

Specialist products

In some specialist areas there is a case to request non-standard products for use. In these cases an agreed price must be obtained in advance of the product being used. These will be rare occurrences. Once the item has been used, an order (with a retrospective purchase order number) will be raised which must clearly state on it the agreed price. **Suppliers are reminded that if the Trust receives an invoice without a valid purchase order number then no payment will be made. It is the suppliers responsibility to ensure they have a purchase order.**

Medical Equipment

All medical equipment must be delivered via the Clinical Engineering Department. This includes any pieces of equipment on loan, equipment for trial or any pieces of free-issue equipment.

Under no circumstances should any item of medical equipment be delivered directly to a ward or department without prior knowledge of the Clinical Engineering Department.

An indemnity form must be completed for any loan or trial equipment prior to the piece of equipment being brought into the Trust. An indemnity form can be obtained from the Procurement team upon request.

Supplier representatives and Operating Theatre Department

1. Suppliers are normally expected to provide at least one weeks notice of any scheduled visit. (If a consultant requests a Representative's presence at short notice in the event of a trauma case, the one week notice period will be waived).
2. The Trust's visitor pass and the company representative's identification badge will be verified at the appropriate theatre reception desk.
3. Representatives **must not** visit or interview staff in working areas unless specifically invited to do so by Theatre Matron or a specific Theatre lead.
4. The Trust has a Theatres Equipment Group (TEG) and all changes to existing equipment or the proposed introduction of new equipment must be authorised by this group before being introduced into Theatre.
5. All clinical trials within Theatre will be co-ordinated through the TEG clinical lead.
6. Supplier representatives will be supervised by a named member of the Theatre staff throughout their visit to the Theatre Department.
7. Supplier representatives will be provided with appropriate theatre attire and instructed on how it should be worn. Representatives must not wear their own theatre attire for infection control reasons.
8. Supplier representatives are reminded that all procedures within the Operating Theatre Department are confidential in nature and that any information, discussions, technical details or documentation must be treated as such. (Supplier representatives will only enter the theatre room once the patient is asleep and draped in order to maintain the patient's dignity).
9. Any supplier representative gaining access to Theatre to provide technical assistance during a surgical procedure (to observe, demonstrate in-service or

- commission equipment or products) must produce evidence of a recognised qualification, e.g. Theatre Access Qualification (TAQ), which states that they are competent to do so prior to entry. They must also produce a company indemnity insurance certificate before they will be allowed into theatre.
10. Before entering the theatre the supplier representative must ensure they know the etiquette of the theatre in being able to ask a question or hold a conversation with the lead surgeon.
 11. The supervising member of staff will ensure that the Supplier representative does not act or move in a way that will contaminate the sterile field.
 12. Should a supplier representative feel unwell, they must inform the supervising member of staff immediately and they take the appropriate action.
 13. If the visit is for stock checks then the same principles of booking the session, wearing the appropriate clothing will all apply.
 14. Any proposals to establish a Consignment Stocking arrangement **must** be discussed with the Theatre Manager and the Head of Procurement. Consignment Stock agreements are to be signed by the Theatre Manager to accept that the stock is correct and counter signed by the Head of Procurement. Goods will not be replenished until the Head of Procurement has signed the consignment stock agreement. Companies must routinely do stock checks on consignment stocks on a minimum of a 3 monthly basis to ensure there are no out of date products. Out of date products must be replaced at no extra cost to the Trust.

Purchase Orders

1. Commitment to the purchase of goods and services is only entered into by the raising of an official Purchase Order Number through Powergate. Suppliers **must not** deliver goods or provide a service without first receiving an official Purchase Order Number, unless the service or goods are part of an approved evaluation or the goods have been requested in an emergency:

No purchase order number = no payment

2. Any goods or services received without an official purchase order number will be accepted on the basis of "Free Goods" and any subsequent invoices will be returned to full credit. Conversely, any invoice submitted that does not include a purchase order number will also not be paid and returned to the sender company for completion.

Pricing

Suppliers and staff are reminded that commercial information is confidential. This must be borne in mind especially when discussing rival suppliers and their products and prices. Prices from rival suppliers **must not** be disclosed.

Signing of Contracts /Agreements

The nominated officers within the Trust to able to sign contracts and agreements on behalf of the Trust are described within the Trust's Scheme of Delegated Authority.

Consignment Stock Agreements

No consignment stock agreements will be considered legally binding upon the Trust unless authorised by the Procurement Department. Any amendments, additions or deleting of stock or instrumentation must first be notified in writing to the

Procurement Department before delivery or removal of stock from the Trust.

The Procurement team and the department where the consignment stock is held **must** be notified prior to any consignment stock checks being carried out by a supplier. It is expected that stock checks will be undertaken on a 3 monthly basis or more frequently if necessary. The results of the stock check will be made available to both the Procurement team and the department upon completion of the stock check.

Any stock that is identified as having reached its shelf life will be replaced free of charge and any that is near its shelf life must be highlighted to the department and an action plan agreed to ensure this stock does not expire before use.

Code of ethics

Business gifts, other than items of very small intrinsic value, such as business diaries or calendars **not** be offered or accepted.

All supportive gestures made must comply with counter fraud standards and be fully auditable.

Supplier's representatives must not attempt to influence business decision making by offering hospitality to Trust staff.

The Trust operates a sponsorship approach for any sponsorship or hospitality above the cost of £50. These forms are available on the Trust's website or by contacting the Procurement team.

Commercial sponsorship relating to conferences or courses is only acceptable if the attendance of Trust staff:

- Forms part of an educational/training course and is relevant to the member of staff's role and the service delivered by the department they are based in.
- Is with the prior written authorisation of an Executive Director or appropriate Senior Manager.

N.B. Commercial sponsorship is defined as including: NHS funding from an external source, including funding all or part of the costs of a membership, NHS research, staff, training, equipment, meeting rooms, costs associated with meetings, meals, gifts, hospitality, hotel and transport costs (including trips abroad), provision of free speakers, buildings or premises.

Trial / evaluation / pilot Process

All trial/evaluation/pilots of clinical equipment or consumables must be recorded and evaluated on the Trust evaluation form. Company forms can also be used but must take second place to the Trust's document.

The commencement and termination date of a trial, evaluation or pilot of clinical equipment or consumables must be notified to the Procurement team who will ensure it is one that has been agreed either by the CSG or one of the Sourcing Groups (including TEG). If the trial/evaluation/pilot has not been requested through either of these groups the commencement cannot take place until the procurement team have confirmed the trial/evaluation/pilot can occur.

Undertaking of a trial/evaluation/pilot does not guarantee that the product will be

Trust's first choice.

Education Support

In a contract where education and training has been specified there will be a log kept of the training and education given. If a shortfall in the hours is noted the Procurement team will contact the company responsible to agree a plan of action to ensure the agreed hours are delivered.

Copies of any presentations/slides used must be shared with the Procurement team.

Audits and evaluations of all training will be undertaken and feedback given. If a problem is identified then the representative will be spoken to by the clinical lead responsible for the area and if deemed necessary then the company will be contacted by the Procurement team.

Monitoring

As new contracts and service level agreements are set-up, key performance indicators (KPIs) will be developed and used to monitor the effectiveness of the contract.

At review meetings, or before if an issue is identified, feedback against the KPI's will be given.

Agreement to work with this code

At the end of this document is a form to be completed that acknowledges receipt of the code of practice and that the code will be distributed/shared with all representatives within the company.

Contact Information

Procurement Team

Head of Procurement mike.stone@nnuh.nhs.uk	01603	288275
Purchasing & Supplies Manager liz.read@nnuh.nhs.uk	01603	287097
Buyers Manager neal.turner@nnuh.nhs.uk	01603	286851
Buyers donna.postle@nnuh.nhs.uk	01603	286862
lorna.birrell@nnuh.nhs.uk	01603	287461
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selina.connolly@nnuh.nhs.uk	01603	286863
Administration & Support hazel.weaver@nnuh.nhs.uk	01603	288272
Clinical Engineering norman.macleod@nnuh.nhs.uk	01603	286183
Head of Clinical Engineering paul.kemp@nnuh.nhs.uk	01603	286555

Acknowledgement Sheet

Please complete and return a scanned copy to:

Hazel Weaver (Administration Assistant) – hazel.weaver@nnuh.nhs.uk

(Internal – 4272, External - 01603 288272)

(Insert Company name) <i>Viamed Ltd</i> acknowledges receipt of this document and confirm that our Company Representatives will be informed of, and will comply to, the Trust's Code of Practice for Company Representatives	
Name :	<i>Catrin Hollings</i>
Signature:	<i>CHollings</i>
Email Address:	<i>Catrin.hollings@viamed.co.uk</i>
Position in Company:	<i>Sales & Marketing Co-ordinator</i>
Date:	<i>15/5/13</i>