

Sponsorship

Policy Responsibilities and Authorisation

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Policy Review History

| Version | Updated by | Date Updated | Summary of Changes |
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| 0.1 | Mark Spittal | 17-8-16 | Adaption to new template; significant amendments to prior policy draft developed by the Medicines & Therapeutics Committee and Executive Group |
| 0.2 | Mark Spittal | 27-10-16 | Minor amendment to appendix one to reflect comments by the Waikato DHB Board members |
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Sponsorship

1. Introduction

1.1 Purpose

Sponsorship is a business arrangement for which mutual benefits are anticipated and as such is different from receiving and giving gifts (See Receiving and Giving of Gifts policy).

The Waikato District Health Board (DHB) aims to manage its relationships, reputation and commercial interests in Sponsorship arrangements with a high degree of probity and integrity.

To assist in achieving that aim this policy provides standards for the acceptance and the giving of Sponsorship that apply to all employees of Waikato DHB.

Particular issues related to the pharmaceutical and medical device industry Sponsorship are considered in Appendix B.

1.2 Background

Sponsorship can, if poorly considered, lead to real or perceived compromise of the Waikato DHB’s relationships, reputation and commercial interests. Similarly staff can be unwittingly influenced by potential or actual sponsors if appropriate safeguards are not in place. This policy is intended to provide appropriate safeguards to ensure that there is a high degree of probity and integrity embedded into all Sponsorship arrangements.

1.3 Scope

The policy governs the action of staff employed by the Waikato DHB and services that are directly provided by the Waikato DHB.

1.4 Exclusions

Services contracted by the Waikato DHB Strategy & Funding team but that are not provided by the Waikato DHB either directly or individually via sub-contract.

Clinical treatment for individual patients, such as compassionate supply or drug familiarisation is not covered by this policy. Such issues are addressed through the District Pharmacy Service under business processes specifically established to address them.

2. Definitions

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| Sponsorship | <p>Sponsorship is financial or in-kind support that can generate measurable results towards specific aims.</p> <p>It is a mutually beneficial exchange whereby the sponsor receives the benefit of reciprocal value (such as enhanced communication and / or relationships with target audiences) in return for providing</p> |
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| | <p>the cash and / or products and services in kind.</p> <p>Elements of a Sponsorship may include endorsement, demonstration or awareness of products or services as well as direct involvement or in funding of events, or direct funding of equipment, positions or supplies, etc.</p> <p>Inwards Sponsorship refers to proposals where Waikato DHB is the beneficiary.</p> <p>Outwards Sponsorship refers to proposals where Waikato DHB is the sponsor.</p> |
| Gift | Generally means an item, service, or other benefit received by an individual staff member without anything being formally given in exchange. |
| Donation | Is money, product or service provided to or received by any part of the organisation and made without any form of consideration whatsoever in terms of Waikato DHB services or personnel |

3. Policy Statements

- Sponsorship fosters Waikato DHB brand recognition as an organisation that fosters Healthy people: Excellent care
- Sponsorship is a business arrangement that should have legitimate and mutual benefits for the parties involved. A high level of probity, integrity and transparency must be evidenced in all such arrangements.

Waikato DHB Objectives

- Sponsorship must clearly contribute to achieving the vision, mission and strategic imperatives of the Waikato DHB. The receipt of Sponsorship which does this is welcomed, provided it aligns with the principles and criteria presented in this policy.
- Sponsorship arrangements connected to activities which are inconsistent with DHB's aims for health and wellness will not be entered into (e.g. Sponsorship by a gaming industry trust, tobacco or fast food company).

Waikato DHB Relationships

- Sponsorship arrangements must aim to enhance communication and / or relationships with the Waikato DHB's target audiences
- A careful evaluation of the impact of a potential Sponsorship arrangement on the Waikato DHB's relationships with its community, clients, key stakeholders and suppliers will be undertaken and documented prior to any Sponsorship arrangement being entered into.

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- Preference will be given to Sponsorships have the potential to mature into mutually valuable business partnerships. It is expected that for many Sponsorship proposals greater benefits will arise if the Sponsorships have a life span that allows the association to develop.
- Protection of the principles of patient confidentiality and informed consent are paramount in all Sponsorship arrangements. The Code of Health and Disability Services Consumers' Rights must be complied with in the execution of all such arrangements.

Waikato DHB Reputation

- All Sponsorship proposals will be assessed with regard to their effect on the reputation and image of Waikato DHB.
- Sponsorship agreements will not be entered into if there is the potential for such an arrangement to have a negative effect on the Waikato DHB's reputation or image.
- In all Sponsorship agreements the Waikato DHB must maintain control over use of its name, logo, and any publicity about the Waikato DHB
- The identity of a sponsor shall not prevail over that of the Waikato DHB in the minds of the public (see [Waikato DHB Naming Rights Policy](#)).
- The DHB shall not risk its reputation by accepting Sponsorship from organisations that are unable to demonstrate the proven efficacy of their products or services.

Waikato DHB Commercial interests

- Sponsorship shall not expose the Waikato DHB to risk or ongoing operating costs.
- Sponsorship that is in conflict with any other DHB policies (e.g. purchasing) will not be approved.
- Sponsorship arrangements and publicity are not permitted to imply endorsement of any product or service over and above any other product or service provided to the Waikato DHB.
- The Waikato DHB must comply with all relevant codes for marketing where they apply e.g. Baby Friendly Hospital initiatives. (Refer to section 7.2 'References' for relevant Codes.

Waikato DHB Probity

- The process of seeking and securing Sponsorship must be transparent.
- The evaluation of all Sponsorship proposals must be documented in writing and address all of the principles/ statements of policy outlined in this document.
- All Sponsorship arrangements entered into must meet a high threshold of commercial and ethical probity, comply with all legislative requirements and maintain the integrity and professionalism of the Waikato DHB and its staff.

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- All Sponsorship arrangements must be documented in writing and must allow for the Waikato DHB to withdraw from the arrangement at its discretion.
- The mutual benefits of any Sponsorship agreement must be clearly stated in measurable terms. Iterative post implementation reviews of the achievement of those benefits must be conducted and if the benefits are not being achieved then the Sponsorship arrangement must be formally reviewed.
- DHB staff shall not take advantage of their positions in any way, i.e. Sponsorship is solely for the benefit of Waikato DHB and the other party (see the Waikato DHB Receiving and Giving of Gifts policy).

4. Policy Processes

4.1 Roles and Responsibilities

All Staff

All Employees must comply with this policy irrespective of their role or position within the organisation.

All staff have a role in maintaining high standards of probity and professional conduct. They must declare any real or perceived conflicts of interest and comply with the Waikato DHB's requirements for managing such conflicts. They must avoid any direct or indirect inducement as a result of a Sponsorship agreement.

Clinicians

Clinicians have the same roles and responsibilities as all other staff. Clinicians must escalate all approaches by potential sponsors to their Clinical Director, or in the case of a Clinical or Nurse Director, to their line manager. They must not initiate or solicit Sponsorship without the prior approval of their Clinical Director, Nurse Director or line manager.

Corporate Solicitor

Maintain completion and accuracy of the Sponsor Register

Managers

- Managers must ensure that high levels of probity and integrity are maintained by all staff. They need to ensure that all staff are aware of their obligations under this policy and act in accordance with it. They must not initiate or solicit Sponsorship without the prior approval of their line manager. They must ensure robust systems are in place to ensure periodic evaluation of any sponsorship agreements.
- They must ensure that all Sponsorship receives approval in accordance with the Waikato DHB [Delegations of Authority](#) policy. Managers should consult with the Executive Director of Public and Organisational Affairs prior to approval in order to facilitate consistency of decision making across the Waikato DHB.

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Delegations of Authority to Authorise Sponsorship

- The Waikato DHB Delegations of Authority policy authorises managers at level 3 or above to approve Sponsorship. That authority is not sub delegated.
- **Note:** Delegations change periodically. Refer to the Delegations of Authority policy for the most up to date record of delegations

Contractors and Suppliers

Contractors and Suppliers must comply with this policy. Unsolicited communication from a contractor or a company representative to a DHB staff member about a patient is inappropriate. Contractors and Suppliers must not advocate for a specific patient, or a specific patient's family, regarding products supplied by their company irrespective of whether or not they intend to supply them under a Sponsorship arrangement.

4.2 Process 1: Proposal and evaluation

- The DHB is under no obligation to consider or accept Sponsorship proposals put to it, nor is it obligated to sponsor others.
- If a Sponsorship proposal is to be considered it will be formally evaluated to ensure both that the intent of this policy is maintained and that its specific principles/ statements of policy are met.
- The person responsible for evaluating any Sponsorship proposals that involve or lead to the creation of assets must complete a “whole of life” assessment of the asset. The DHB’s Purchasing Manager or their nominated delegate must be involved in the evaluation. If the asset has telecommunications or information technology components/ reliance’s in order to function the CIO or their nominated delegate must be involved in the evaluation.
- It is expected that the extent of the written evaluation of a proposal for Outwards sponsorship will be relative to the size of the request. All evaluations of such requests must demonstrate a clear alignment to the general principles of this policy before the outcome of the request can be considered.
- The evaluation of a Sponsorship proposal must be documented in writing and address all of the outlined in this document.
- The person(s) who has the delegated authority in accordance with the Waikato DHB [Delegations of Authority](#) policy to enter into a Sponsorship agreement will consider the evaluation before making a final decision. In cases where the potential exists for heightened risk to the Waikato DHB’s relationships, reputation and commercial interests the evaluation should be subject to the scrutiny of relevant peers or supervisors of that person(s) before a final decision is made.

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4.3 Process 2: Documentation and Registration

- Sponsorship arrangements will be documented in a written agreement recording as a minimum:
 - the nature of the Sponsorship
 - expected results
 - income and expenditure
 - mutual benefits for each party
 - benefit measures
 - obligations and rights for each party
 - the term of the agreement
 - milestones/ defined time periods for evaluation of the agreement
 - mandatory protections for the Waikato DHB brand including unfettered retention of the Waikato DHB’s control over use of its name, logo, and any publicity about the Waikato DHB
 - a mandatory ability for the Waikato DHB to withdraw from the agreement at its discretion
 - contact personnel and contact details
 - signatories and their roles
 - date on which the agreement is executed
- All Sponsorship agreements must be approved in accordance with the Waikato DHB [Delegations of Authority](#) policy.
- All Sponsorship Agreements will be recorded in a Sponsor Register that will be maintained by the Waikato DHB Corporate Solicitor
- All Sponsorship in the form of assets must give the Waikato DHB clear title to those assets and be recorded in the Waikato DHB’s Asset register.

4.4 Process Three: Evaluation

- All Sponsorship arrangements will be periodically evaluated in accordance with the terms of the Sponsorship agreement and the benefit measures therein.
- It is the responsibility of the line manager under whose auspices the Sponsorship arrangement has been entered into to ensure that sufficiently robust systems are in place to ensure that Sponsorship agreements are periodically evaluated.

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5. Audit

5.1 Indicators

1. All Sponsorship, inwards or outwards, is recorded in the Waikato DHB Sponsorship register maintained by the Corporate Solicitor.
2. A formal review of all existing Sponsorship arrangements occur prior to the expiry of this edition of this policy to ensure that all Sponsorship arrangements are compliant with this policy, are renegotiated to be compliant, or are ceased within 6 months of the review being conducted.

5.2 Tools

- Waikato DHB Sponsorship Register

6. Legislative Requirements

- Health and Safety in Employment Act 1992
- Privacy Act 1993
- Commerce Act 1986
- State Sector Act 1988
- Public Finance Act 1989
- The Code of Health and Disability Services Consumers' Rights 1996

7. Associated Documents

7.1 Associated Waikato DHB Documents

- Waikato DHB Delegations of Authority policy (2175)
- Waikato DHB Capital Expenditure policy (0034)
- Waikato DHB [Media and Communications](#) policy (1816)
- Waikato DHB Procurement and Contacts policy (0117)
- Waikato DHB Receiving and Giving of Gifts policy (1829)

7.2 References

- Advertising Standards Authority: Therapeutic and Health Advertising Code
<http://www.asa.co.nz/codes/codes/therapeutic-health-advertising-code/>
- Medical Technology Association of New Zealand Code of Practice
<http://mtanz.org.nz/Professional-Development/Code-of-Practice-6440.htm>

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Appendix A: Guidance for Outwards Sponsorship

Outward Sponsorship is typically Sponsorship of staff and staff events, or Sponsorship of events outside of Waikato DHB (including events organised by staff in a private capacity).

Decision makers need to be mindful of the public perception if the Waikato DHB is associated with inappropriate sponsors/participants within an event e.g. healthy eating promotion next to an unhealthy food stall at an event.

Decision makers also need to be mindful of the potential for inappropriate privilege if DHB staff are perceived to have access to public funds or publically funded services in ways that the general public do not.

Limited Sponsorship of staff and staff events may occur. In determining what outwards sponsorship to approve, consideration will be given to:

- The profile of the event
- The extent of eligibility and participation
- Whether the event is compatible with DHB's brand, goals and values
- The benefits for staff morale.

For example, the Round the Bridges run/walk event receives Sponsorship because it is open to all staff, is seen as being "healthy" and has a high profile.

It is unlikely that individuals shall receive direct Sponsorship from Waikato DHB, although indirect Sponsorship (e.g. leave from work) may be considered for events of a prestigious nature such as representing New Zealand (see [Waikato DHB Leave policy](#)).

Managers should consult with the Executive Director of Public and Organisational Affairs prior to approval in order to facilitate consistency of decision making across the Waikato DHB.

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Appendix B: Guidance related to pharmaceutical and medical devices companies and products/services

Interaction between DHB employees and pharmaceutical and medical device companies can contribute to better healthcare. It can also create conflicts of interest that need to be carefully considered and managed.

Pharmaceutical and medical device companies use a range of marketing strategies to promote their products. These may give rise to conflicts of interest that need to be managed.

Close relationships frequently develop between companies and DHB staff. As a result, individuals may be compromised in judging their own conflicts of interest, their need to reciprocate favours, and their susceptibility to persuasion.

Engagement of companies with the Waikato DHB may be considered in the following categories:

Education

- Wherever possible on site education should be delivered by DHB staff and delivered without external commercial input or support.
- If the Waikato DHB or university is unable to provide the required education, then outside sources may be considered.
- It is expected that those coordinating education within a specific clinical area will determine educational requirements of staff working in that area and the appropriateness and quality of any education being offered by a pharmaceutical company.
- Before a pharmaceutical or medical device company representative or other sponsored person provides education to Waikato DHB staff, the relevant service must ensure that the named person is competent and appropriately qualified to provide the required education.
- The service receiving the education must implement relevant measures to ensure that company and product promotion is minimised and that the quality of the education/information/research findings presented supports evidence based practice.
- Pharmaceutical or medical device company Sponsorship of meals and or refreshments on Waikato DHB premises is not permitted.

Payments to staff or departments

- Pharmaceutical and medical device companies commonly sponsor education and facilitate local experts either to provide the education or to attend educational events, often with gifts of subsidised travel, honoraria, or donations to research funds.
- Such 'outside' work must not interfere with a staff member's DHB responsibilities, must be formally declared by the staff member to their line manager before the arrangement is entered into.
- Any specific preparatory work should be done in staff members' own time. (Refer also to the Waikato DHB Conflict of Interest policy).
- Pharmaceutical and medical device Sponsorship may enable clinical units to offer valuable services or opportunities that would otherwise not exist, but such dependency on industry also confers risk, as noted above.
- A careful consideration of the risks and benefits of any such proposal, including the accumulated risks to independence over time, needs to be undertaken as objectively as possible.

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Clinical decision making

- Unsolicited communication from a pharmaceutical or medical device company representative to a DHB staff member about individual patients is inappropriate.
- Pharmaceutical and medical device company representatives must not advocate for a patient, or patient's family, regarding products supplied by their company.
- When engaged by a clinical team to provide advice about the care of a specific patient, pharmaceutical and medical device company representatives must provide information based on the best evidence available and avoid discussion of company products irrelevant to the case.
- DHB employees have an equal onus of responsibility to ensure that the behaviours of sponsor representatives reflect these expectations described above.

Research

- Industry involvement in research by DHB staff can make an important contribution to the quality of clinical care and advancement of knowledge, but must be carefully managed to avoid the possibility of real and perceived conflicts of interest. (Please refer to the Waikato DHB research policy).