

Supplier Representative Procedure

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Equality Impact Assessments completed and policy promotes equity	24 September 2015
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The Trust strives to ensure equality of opportunity for all, both as a major employer and as a provider of health care. This (procedure has therefore been equality impact assessed to ensure fairness and consistency for all those covered by it, regardless of their individual differences, and the results are available on request.

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1.1 Introduction

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

1.2 Scope

This procedure covers all supplier representatives visiting the Trust. **Adherence to this procedure by staff and supplier representatives is mandatory.**

1.3 Purpose

Procurement and Supply Chain and the Commercial Development Team appreciate the role that companies play to assist the Trust in providing safe, effective and economic products and services to staff and patients in their care.

The aim of this procedure is to put the relationship between the Trust and its suppliers on a sound and professional basis.

2 Related Trust Policies

- Business Conduct Policy and Procedures
- NHS Conditions of Contract
(<https://www.gov.uk/government/publications/nhs-standard-terms-and-conditions-of-contract-for-the-purchase-of-goods-and-supply-of-services>)
- Health and Safety Policy
- Hand Hygiene Policy
- Site Rules & Regulations

3 Roles and Responsibilities

If this procedure is breached Representatives may be barred from site or, reported to the Chief Executive of company, commercial / professional organisations if codes of practice are breached, i.e., ABPI for Pharmaceutical and ABHI for other Suppliers as relevant and contracts for the Supply of goods and Services terminated.

Non-compliance with this Procedure, **may result in disciplinary action.**

It is the responsibility of all Trust staff engaging with representatives of suppliers or prospective suppliers of goods or services to the Trust to ensure they and the representatives are aware of the Supplier Representative Procedure. The Director of Procurement and Supply Chain is responsible to the Director of Finance for ensuring all Trust employees and supplier representatives comply with this policy and the MIA Registration process detailed at Appendix 1.

4 Principles

The key principles of this procedure are to provide guidance for staff and commercial representatives on ethical behaviour and procedures to be followed whilst engaged in business relationships on behalf of the Trust.

5 Procedure to be followed – see Appendix 1

6 Implementation

This policy will be published on the Staffnet and UHS public website. Queries in the first instance should be addressed to the Director of Procurement. The policy and the MIA Registration System compliance measures will be publicised in Main Reception, Theatre Reception and the wider Trust via posters on staff notice boards across the Trust.

7 Process for Monitoring Compliance/Effectiveness

How will compliance with the document be monitored	What will be reviewed to evidence this	How and how often will this be done	Detail sample size (if applicable)	Who will co-ordinate and report findings	Which group will receive findings
Management reports will be produced by Medical Industry Accredited (M.I.A)	The report from MIA will provide details of all representative Trust visits, who they met with, their purpose & duration.	Monthly	N/A	Procurement Business Support Administrator	Procurement, DDO, CGM & DCD.

(1) State post not person.

Where Medical Industry Accredited (M.I.A) reporting identifies non compliance by supplier representatives they will be requested to provide reasons of their purpose to be on site and risk being barred from entering the site in future.

8 Arrangements for Review of this Procedure

Procedure to be reviewed after three years or as any changes to practice occur.

Appendix 1

The procedure to be followed

1 Commercial Traders visiting UHSFT

All Commercial Traders & their Representatives attending the Trust site should report to the hospital Main Reception where they will be booked In and Out using the Medical Industry Accredited (M.I.A) system.

It is the Commercial Traders & their Representatives responsibility to have first completed an accredited training course with Wellards or evidence that they already hold a valid accredited training qualification, such as those provided by the AFPP, HCS. It is also possible to qualify by holding a valid NMC number. All the above allows for an application to be made for a Medical Industry Accreditation (M.I.A) badge, which following registration, provides access to the Trust appointment system and detail of any credentialing criteria or restrictions on gaining entry that need to be met before any visit is made.

The Medical Industry Accredited (M.I.A) badge must be worn and be clearly visible at all times whilst on Trust premises.

- Representatives may not enter any areas (including wards and out-patient areas) or visit any member of the Procurement Team without an appointment. To make an appointment to see any procurement staff, please contact 02380 825418 or a senior member of staff on site for clinical and non-clinical areas via the switchboard on 023 8120 7222.
- Representatives who are engaged / contracted or have agreements with the Trust's Commercial Development Department must always liaise by prior arrangement for access and attendance to the site. To make an appointment to see a Commercial Development person, please contact 02381 204717.
- A representative arriving for an appointment should arrange to be met by the host at either Reception or a pre agreed location and should comply with the Registration Procedure.
- If Representatives have been ill in any way 72 hours before their anticipated visit, then they must reschedule their visit with their contact at Procurement or Commercial Development. If the Representative is unsure of his/her condition, then they may need to seek individual advice from their GP.
- Representatives must take note of HAND HYGIENE INFORMATION STATIONS and use hand gels when entering or leaving the hospital and areas within it.
- Representatives must consider whether their clothes could be carrying infections and remove soiled clothes or dirty overalls when passing through public spaces within the Hospital
- Representatives must ensure that a safe system of work, agreed with their Operations Contact, or their nominee, is used at all times and when appropriate it is in written form.

- Representatives must report all accidents, near misses and hazards, using their own Company forms and procedures and inform your Procurement or Commercial Development Contact, or their nominee, before leaving site
- Representatives must report hazards to their Procurement or Commercial Development Contact, or their nominee, through their company line management.
- Traders are to clean their machines/products (where applicable) with an alcohol or detergent based cleaning product, whilst also referring to the manufacturers recommendations for their own product care.
- Tool boxes, brief cases, product cases and all Representatives' items must not be left unattended and company waste and rubbish must be removed from site by the Trader or Representative.
- Representatives must transport equipment or material in a safe manner, only along routes agreed between the Representative and your Procurement or Commercial Development Contact, or their nominee.
- Use lifts correctly with regards to operation, and loading within design parameters. Fluids must not be carried in open containers in any lifts.
- Representatives must obey all site safety signs and labels, warning and instructional notices, including restriction notices, road traffic signs, road markings, speed limits and parking.
- Please note that most Trusts operate Pay & Display or barrier Car Parking facilities that can cause delays in finding a space and anyone illegally parked will be clamped.
- Representatives must not enter areas where they are not authorised to go.
- The use of radios is not permitted on the hospital sites.
- The hospital premises and grounds are strictly 'No Smoking' areas
- The hospital premises and grounds are strictly 'No Alcohol' areas

Should any emergency situation arise whilst on a hospital site, i.e.: fire alarm, all Representatives must obey any instructions given to them by Trust staff.

2 Code of Ethics & Trust Business Conduct

Suppliers must not attempt to influence business decision making by offering hospitality to Trust staff. The frequency and scale of hospitality accepted will be managed openly and with care by the Trust.

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

- Forms part of an educational/training course, the sponsorship policy if applicable, and be approved by an accountable Manager of the Trust; or,
- Is with the prior written authorisation of an Executive Director or appropriate senior officer.

Further guidance related to Business conduct is available through the Business Conduct Policy and Procedures. The following extracts highlight the key points outlined in the policy.
Extracts from Business Conduct Policy and Procedures

- For the purposes of this document, commercial sponsorship is defined as including NHS funding from an external source, including funding of all or part of the costs of a member of staff, NHS research, staff, training, pharmaceuticals, equipment, meeting rooms, costs associated with meetings, meals, gifts, hospitality, hotel and transport costs (including trips abroad), provision of free services (speakers), buildings or premises.
- Staff must refuse sponsorship and personal gifts of any kind which might reasonably be seen to compromise your personal judgement or integrity.
- This declaration form must be completed for any personal sponsorship/gift worth more than £100 (or worth a total of over £500, if several small sponsorships/gifts are received from the same or closely related source in a 12 month period). Acceptance should only be in exceptional circumstances, e.g. where it would promote the interests of the NHS.
- Personal sponsorship/gifts, such as diaries or calendars, or small tokens of gratitude from patients or their relatives, can be accepted and do not need to be declared.
- Modest hospitality, provided it is normal and reasonable in the circumstances (for example, lunches in the course of working visits), may be acceptable, though it should be similar to the scale of hospitality which the Trust would be likely to offer.

3 Personal Appointments with Clinical Staff

Valid badge holders of Medical Industry Accredited (M.I.A) provides assurance to hospital staff that supplier representatives are properly trained and qualified to enter clinical areas, and are aware of their responsibilities.

Appointments with Clinical staff should only be conducted in an office environment. No Representative shall be permitted in clinical areas unless accompanied by a member of the Trust staff and there is an appropriate reason for this.

Clinical staff should not be bleeped to make appointments.

4 Promotional Activity

Where any teaching and/or promotional activity is planned, Representatives must advise the Departmental Manager and the Director of Procurement. The intent of the meeting must not contravene/challenge existing Trust policies/Leaflets, posters and cards produced by suppliers may not be distributed or displayed in clinical areas unless approved by the Senior Nurse and/or Manager in that area.

5 Samples – Pharmaceutical and Medical

Pharmaceutical samples will not be accepted by the Trust and must not be left on wards, in theatres or departments.

Samples of products requested for the private use of doctors should be sent to their private address or given to the doctor personally on the specific understanding that they will not be used on Trust premises.

5.1 Introduction of New Drugs

The Drugs Committee maintains the Southampton Hospitals Formulary, which restricts the range of medicines stocked by hospital pharmacies within the Trust. Medicinal products are not introduced automatically into stock but are considered on the written request of a consultant or senior registrar; they are responsible for providing the committee published evidence that the proposed new product represents a significant advance in safety, efficacy and cost over others in the relevant therapeutic group.

Supplier representatives may provide information to medical staff to assist them in preparing a proposal for the introduction of a new product but all proposals are evaluated independently by Pharmacy before presentation to the Drugs Committee.

5.2 Medical Equipment and Sundries

Medical equipment presented to the Trust whether for loan, trial or purchase must comply with the Trust Medical Devices Policy.

Medical equipment presented to the Trust for temporary loan, trial or testing must be subject to the NHS Indemnity procedure.

Prior to active use and where appropriate, medical equipment must be subject to the Trust "Acceptance" procedure by the Clinical Engineering team.

The Clinical Engineering department contract details are:-

Clinical Engineering Department (MP 82)

A Level South Academic Block

Southampton General Hospital

Tremona Road

Shirley

Southampton SO16 6YD

Telephone 023 8120 6630

6 Instruments, Implants and MSSE Items

Clinical approval for the introduction of new or replacement items or products in to stock shall be achieved through the Health Technology Evaluation Group (HTEG).

Following approval, the item or product will require liaison between the Company and the Trust Head of Supply Chain to ensure that superseded / replaced items are removed from stock and returned to the supplying Company.

7 Topping Up and or Removal of Consignment and Trust Owned Stock

Representatives must not visit clinical areas for the purpose of topping up and removal of consignment or Trust owned stock. Where stock levels are to be amended there must be prior written agreement on the required change detailing the financial implications etc. Representatives must be accompanied by a Trust Manager and the Inventory Control Manager when changes to stock holding are being made and the exchange fully documented for future audit purposes.

Products brought into the Trust by representatives which are not on contract or are without an official purchase order number will be considered 'Free of Charge'.

Any request for payment should be agreed beforehand enabling a purchase order to be raised by the Trust Procurement Department.

For further information, please contact the Procurement Department on 023 8082 5418.

8 Pricing

Staff and suppliers are reminded that commercial information is confidential. This must be borne in mind especially when discussing rival firms products and prices. Guidance is given in the Trust's Standards of Business Conduct. Representatives need to be aware that hospital costs should include V.A.T where applicable. Care should also be taken when giving price comparisons since they may not be aware of rival companies' prices for hospital products.

9 Loan of Instrument Sets

To obtain a piece of loan kit, a Consultant shall complete a "request for loan" form and pass this to the Sterile Services Department for action. The Manager of the Sterile Services Department (02381 206865) shall contact the Company to facilitate the delivery of the item to the Sterile Services Department to allow adequate time for decontamination of the item prior to use.

On no account is the supplier Representative to provide loan kit direct to any Consultant or theatre within the Trust. The Sterile Services Manager (or designated individual) shall raise a purchase order to cover the loan kit.

10 NHS Conditions of Contract

All goods (donated or otherwise) and services offered to the Trust will be procured against the standard NHS Conditions of Contract; these include the following conditions, which are also applicable to items supplied on loan, which will require Indemnity Agreement being signed, by both the supplier and the Trust.

Condition 28 – Indemnity

This ensures that the Trust is given protection of an unlimited obligation on the part of the supplier to pay compensation for damage or injury to persons or property. This is in addition to any specific rights under the contract or under statute or common law. Condition 28 covers consequential loss and relates only to defective goods, delivery and unloading.

Condition 29 – Insurance

This follows on from condition 28 and imposes an obligation on the supplier to insure against the liabilities resulting from that indemnity. It specifies a minimum sum for insurance cover in respect of each year.

11 Purchase Orders

Commitment to purchase goods and services is only entered into by the raising of an official Trust Purchase Order. Suppliers must not deliver goods or provide a service without first

receiving an official Trust Purchase Order unless it is part of a trust approved trial and complies with laid down procedures for trials.

Any Goods or Services received without an official purchase order will be accepted on the basis of “Free Goods” and any subsequent invoices will be returned for a full credit.

12 Signing of Contracts/Agreements

The nominated officers with the authority to sign contracts and agreements on behalf of the Trust are: Director of Procurement, Executive Directors and Chief Executive. This may vary subject to individual Trust standing orders and standing financial instructions. If in any doubt please contact the Director of Procurement on 02380 825928.

13 Non Contract Reciprocal Agreements

The nominated officers with the authority to sign contracts and agreements managed by The Commercial Development Department on behalf of the Trust are: Executive Directors and Chief Executive.

14 Travel Costs

Any travel arrangements for conferences or for viewing equipment and services should be paid for by the Trust unless the Chief Executive or Executive Director (this may vary subject to individual Trust standing orders and standing financial instructions) gives written approval for the supplier to take responsibility for travel arrangements or travel costs.

15 Contact Names and Numbers relating to Southampton General & Princess Anne Hospitals

(For Representative use)

Steve Vandyken	Director of Procurement & Supply Chain	023 8082 5928
Steve Jerrim	Head of Procurement	023 8082 5112
Chris Meayers-Norkett	Head of Supply Chain	023 8120 5004
Steve Douch	Procurement Manager	023 8082 5639
Claire Charles	Procurement Manager	023 8082 5850
Jeremy Day	Procurement Manager	023 8082 5132
Jane Habgood	Procurement Manager	023 8082 5007
Natalie Middleton	Inventory Control Manager	023 8120 5291
Joann Hall	Theatre Services Care Group Manager	023 8120 6928
Sue Ladds	Chief Pharmacist	023 8120 6086
Martin Lucey	Head of Clinical Engineering	023 8120 4220

Procurement Department:
Mailpoint TSU
Level D
Mary Seacole Wing
Royal South Hants Hospital
Southampton
SO14 0YG

Commercial Development Department:
Mailpoint 18
Southampton General Hospital
Tremona Road
Southampton
SO16 6YD