



## Working with Commercial and Industry Partners Statement of Policy and Supporting Principles

## About this Document

This document provides a Statement of Policy (page 5) and Supporting Principles (pages 6-10) for the work of the Royal College of Anaesthetists with commercial and industry partners that are profit-making, such as medical device and pharmaceutical companies, along with an introduction, relevant context and background information (pages 2-4).

This document was approved by the College's Board of Trustees on 16 December 2020 and applies from that date.

College staff should also refer to our internal Decision-Making Procedures.

## About the College

The Royal College of Anaesthetists is a charity and professional body with a mission to improve patient safety, wellbeing and outcomes through the maintenance and advancement of standards in anaesthesia, critical care and pain medicine.

The College is the third largest Royal Medical College in the UK by membership, with a combined membership of 24,000 fellows and members.

Our [five-year commitment](#) outlines our vision to advance the delivery of safe patient care. Through our services, anaesthetists will be well trained and supported, and we will continue to uphold a central role in the development and delivery of high-quality healthcare.

## Our work with partners

To support our strategic vision, we will work nationally and internationally with a wide range of selected partners to maximise our impact. Our range of partners includes but is not restricted to:

- Academic institutions, other Medical Royal Colleges and other charities, which are generally not-for-profit.
- The National Health Service, regulatory agencies, government and other parts of the public sector involved in setting the policy agenda; and
- Commercial and industry partners, which are generally profit-making.

The Statement of Policy and Supporting Principles in this document are about our work with commercial and industry partners.

## Working with commercial and industry partners

Over recent years it has been recognised that relationships between organisations, like Medical Royal Colleges, and commercial and industry partners are increasingly important, especially those in the medical device and pharmaceutical sectors.

The principal benefit of such relationships is that they allow the exchange of medical and scientific knowledge about diseases, treatment pathways, therapies and new technology to bring benefit to patients and therefore to support the College's mission and its charitable purposes directly.

In some cases, commercial and industry partners may provide financial support that the College can use to support its mission and deliver its charitable purposes.

By way of example, our partnerships with commercial and industry partners could involve:

- **Education, training and examination** – including workshops, presentations, e-learning platforms and educational grants.
- **Research, publications and projects** – including collaborative research projects and cross-organisational multidisciplinary initiatives such as the Centre for Perioperative Care.
- **Events, career fairs, room hire and advertising in College magazines or other digital or printed publications** – including sponsorship of conference and collaboration on events to support our mission.
- **Support for the anaesthetic workforce** – which includes support for the wellbeing of our members, the wider community and other beneficiaries.

## Transparency and feedback

This is the College's public statement on working with commercial and industry partners, which it has published in the interests of transparency and accountability.

We welcome feedback. If you have any feedback on the Statement of Policy and Supporting Principles in this document, or would like to contact the College about our work with commercial and industry partners more generally, please contact: Graham Blair, Director of Membership, Media and Development - [gblair@rcoa.ac.uk](mailto:gblair@rcoa.ac.uk)

## Navigating the College's Policy and Procedures on working with commercial and industry partners

The College's policy and procedures for working with commercial and industry partners are contained in two documents, as follows:

**Document 1:** Statement of Policy and Supporting Principles on commercial and industry partnerships This document, which is published on the College's website, sets out:

- **Our Statement of Policy: Commercial and Industry Partners**  
This states our overall policy on how the College will develop and maintain appropriate partnerships with commercial and industry partners.
- **Our Supporting Principles**  
These guide how we work with commercial and industry partners that are profit-making, such as most medical device and pharmaceutical companies.

**Document 2:** Decision-Making Procedures for commercial and industry partnerships, which is a separate, internal guidance document for the College's trustees, staff, and volunteers that sets out internal procedures for consulting on and taking decisions about specific opportunities and relationships with specific commercial and industry partners.

We refer to these documents collectively as our "Policy and Procedures on working with commercial and industry partners".

### Application of our Policy

Our Policy and Procedures on working with commercial and industry partners apply to and must be followed by everyone involved in the College's relationships with profit-making commercial and industrial partners, including the College's trustees, council members, staff, members, volunteers and partners.

Please note that our Policy and Procedures on working with commercial and industry partners apply to the College's relationships, and not to any relationships individual members may have with commercial and industry partners.

### Approval and review

Our Policy and Procedures on working with commercial and industry partners have been developed by the College in consultation with stakeholders, and have been formally adopted by the College's Board of Trustees.

The Board has tasked the College's Executive team with taking day-to-day decisions about applying our Policy and Procedures on working with commercial and industry partners.

Our Policy and Procedures on working with commercial and industry partners will be reviewed periodically by the College's Board of Trustees and Executive team.

### **Our Statement of Policy: Commercial and industry partners**

The College will develop collaborative, long term and sustainable partnerships with commercial and industry partners who share our strategic mission and can support the College to achieve it.

When we work with commercial and industry partners, we will uphold the highest ethical standards and best practices in the charity and medical fields, including, where applicable:

- The Association of the British Pharmaceutical Industry's [Code of Practice](#);
- The Association of Association of British HealthTech Industries' [Code of Ethical Business Practice](#);
- The Charity Commission's [Guidance for charities with a connection to a non-charity](#); and
- The Fundraising Regulator's [Code of Fundraising Practice](#), in particular Chapter 7 on commercial partnerships with charities.

## Supporting Principles

The aim of these Supporting Principles is to help the College's trustees, staff, members, volunteers and partners to work effectively together to develop collaborative, long term and sustainable partnerships with commercial and industry partners in line with the College's Statement of Policy.

### Principle 1: Identify and understand the benefits

When we engage with commercial and industrial partners, we need to be clear about the specific benefits of the engagement for the College. This can be:

- a) by directly advancing our charitable mission, because the engagement:
  - o supports study and research into anaesthesia and related subjects, or its dissemination;
  - o educates medical and other healthcare practitioners to maintain professional standards for anaesthesia;
  - o provides further instruction and training for anaesthetists in the UK or elsewhere; and/or
  - o educates the general public in matters related to anaesthesia.
- b) by providing the College with additional funds, which we can then use to advance our charitable mission; or
- c) a combination of (a) and (b).

To fulfil this Principle, we will for each engagement with a commercial or industry partner:

- be clear about how the engagement benefits the College's charitable mission;
- record whether the engagement (a) directly advances the College's charitable mission; (b) provides the College with additional funds for its charitable mission or (c) a combination of (a) and (b); and

- where the benefits are a combination of (a) and (b), we will take particular care to ensure the charitable benefits are tangible and that the College is receiving sufficient funds to justify the engagement.

## **Principle 2: Value the College's time, reputation and other resources**

When we engage with commercial and industrial partners, we will recognise the value of the College's resources, including its name, reputation and the time invested by its members and staff.

We will work to ensure that a consistent and fair value is placed on these resources across the College's activities when partnering with commercial and industrial partners.

By doing this, we will also ensure that the College's charitable resources cannot be used to provide an excessive level of private profit for individuals or private companies, in compliance with charity regulation and best practice.

To fulfil this Principle, we will for each engagement with a commercial or industrial partner:

- identify which of the College's resources are required to carry out the engagement, including staff and/or member time;
- ensure that any use of the College's name and/or logo in a commercial or industry partner engagement is appropriate, sufficiently compensated and approved in advance by the College's lead fundraising champion using a pre-agreed framework;
- identify and understand the likely benefits to the commercial or industry partner, and ensure that the College receives fair compensation for these;
- take particular care with any engagement and view it as the start of an ongoing partnership; and
- share information within the College to work towards a consistent and fair value for the use of the College's resources across our activities with commercial and industry partners.

## Principle 3: Ethics and independence

When we engage with commercial partners, we will ensure the highest ethical standards and comply with best practice in charity regulation. We will:

- identify and evaluate reputational risks from engagement with commercial or industry partners, taking a balanced approach to risk and reward;
- ensure that our independence is not compromised in any way and that we are, and are seen to be, independent from all commercial and industry partners.
- identify and proactively manage any conflicts of interest between commercial and industry partners and our staff or members involved in the engagement;
- discuss ethical issues openly and positively within the College, to create a shared understanding of how we will engage ethically with commercial and industry partners within a culture of continuous learning; and
- seek advice where we are unsure or the risks are particularly high, and we may escalate such decisions to our Board of Trustees for sign-off.

To fulfil this Principle, we will for each engagement with a commercial or industry partner:

- require that all actual and potential conflicts of interest are declared by staff and members before they become involved in a particular partner engagement, and put plans in place to avoid or manage any conflicts;
- identify and evaluate the reputational risks to the College from each commercial or industry engagement before committing the College, paying particular attention to the College's branding guidelines, the [College's Board of Trustees and Council Code of Conduct](#) and the codes referred to in the Statement of Policy above;
- take particular care with the development of advice to policy makers or on clinical practice, where we will generally work openly and publicly with a range of partners;
- share difficult issues within the College and discuss these openly and positively, to improve our shared understanding of our risk appetite and how we will engage ethically on a continuous basis;

- decline any financial or other support directed at the College's internal governance and decision-making, to ensure this remains wholly independent; and
- seek external advice and guidance where we are unsure, or the risks are particularly high, including seeking approval from the Board of Trustees for all new proposals with a financial value of £50,000 or more.

## Principle 4: Documentation and records

As a responsible organisation, the College is committed to good governance, including appropriate record-keeping and legal agreements, particularly where personal data may be involved.

When we engage with commercial or industry partners, we will:

- keep clear records of our decision-making and the information on which it is based;
- identify any personal data that would be shared with the commercial or industry partner, and ensure that this only happens where it is lawful and fair; and
- ensure that our relationship with the commercial or industry partner is clearly documented in a legal agreement, with an appropriate level of detail for the scope of the engagement and the opportunities and risks involved.

To fulfil this Principle, we will for each engagement with a commercial or industry partner:

- take all decisions about commercial and industry partner engagement in line with the College's Decision-Making Procedures;
- ensure there is sufficient time to consider and document the engagement before agreeing the College's participation;
- identify any processing and sharing of personal data required by the engagement, and ensure that all processing and sharing is lawful and fair;
- record the terms of our engagement with our commercial or industry partner in an appropriately detailed, legally binding agreement;

- take particular care before entering into long-term arrangements, or ensure the College has a right to exit the arrangements after a reasonable time;
- use the College's standard terms of engagement for commercial or industry partners, where appropriate;
- take professional advice on the terms of engagement where these are unusual or high risk.