

## Annex 1 to EUPATI CH Statutes

### **EUPATI CH Code of Conduct Governing Corporate Funding**

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*This Annex 1 to the EUPATI CH Statutes (version 2, English, 30.01.2017) provides information on the adherence to specific policies regarding the financial relationships with commercial entities. This Annex is a 'living document' and should be updated by the Executive Board as necessary. It should be reviewed at least once a year at the Annual meeting of platform members.*

The *EUPATI CH Code of Conduct Governing Corporate Funding* (the Code) is a commitment undertaken by members of EUPATI CH, at their option, to adhere to specific policies regarding their financial relationships with commercial entities. The Code is intended to minimise the impact of real, potential or perceived conflict of interest that may arise when patient organisations and non-profit organisations accept financial support from companies.

#### **1. Definitions**

The following definitions apply to terms used throughout the Code:

- «**Organisation**» refers to EUPATI CH,
- «**Company**» refers to a commercial entity providing, or seeking to provide, funding to EUPATI CH. This definition includes agents of the company. The term is also used in the collective sense where more than one company is involved in a particular undertaking.
- «**Funding**» refers to any of the five categories of financial support outlined under the Policies section

#### **2. Guiding Principles**

The *EUPATI CH Code of Conduct Governing Corporate Funding* is based on the following guiding principles:

- **Patient Interests:** All activities of EUPATI CH will be conducted in accordance with the best interests of patients, of EUPATI CH as a whole,
- **Integrity and Scrutiny:** The Organisation shall perform its duties in a manner that will withstand public scrutiny,
- **Respect:** The Organisation will respect the stakeholder relations policies of the companies with which they are involved,
- **Impartiality and Transparency:** The Organisation ensures that it is impartial and objective and that decisions are made on the basis of merit. It will be as open as possible about all actions that it takes and advices that it provides,
- **Accountability:** The Organisation accepts accountability for its compliance with the Code and ensures that its sponsors are familiar with the Code.

#### **3. Policies**

Conflicts of interest may arise in a mutual relationship where one party has the capacity to exert undue influence over another. The following policies have been developed to ensure that relationships of EUPATI CH and its corporate funders are ethical, transparent and reflect positively on both, the organisation and the company. In case of such a conflict the EUPATI CH Advisory Board shall be appealed for mediation.

#### **4. Funding: Categories**

Five funding categories are included in the Code:

- 4.1 Project funding** - where EUPATI CH establishes a collaborative partnership with a company to undertake a project relating to an issue of mutual interest.

The following features will apply to this relationship:

- The organisation maintains editorial control over all materials produced in connection with the project,
- The company may have representation on the project steering committee; however decisions about the composition of the project steering committee are at the sole discretion of the organisation,
- The organisation will not endorse or promote individual products or services,
- The organisation and the company may both benefit from the relationship,
- The sponsor will be acknowledged; the monetary value of the funding will be displayed in the organisation's annual report.

#### 4.2 Sponsorship - where a company funds a single activity such as an external meeting or newsletter.

In this case the following will apply:

- The organisation maintains editorial control over all materials or meeting programs and has sole discretion on the meeting attendees,
- The company may have representation on the organisation committee or task force in the activity for which the sponsorship is granted; however it has no voting right and decisions are at the sole discretion of the organisation,
- The organisation will not endorse or promote the company's products or services,
- The organisation and the company may both benefit from the relationship.
- The sponsor will be acknowledged, the monetary value of the sponsorship will be displayed in the organisation's annual report.

#### 4.3 Unrestricted grants are defined where all of the following apply:

- The company has no involvement in the project for which the grant is used,
- The organisation controls the wording and position of the credit,
- The grant will be acknowledged, however the company's logo is not used, the monetary value of the grant will be displayed in the organisation's annual report.

#### 4.4 Financial donations and in-kind support may be offered to the organisation.

- In these cases the recipient will acknowledge the name of the financial donor or in-kind supporter on its website and its annual report,
- The monetary value of the donation or the in-kind support will be displayed in the organisation's annual report.

#### 4.5 Support of research activities

- Financial support for research projects may be provided by a company for administration by the organisation. This may take the form of an unrestricted grant or project funding and the respective policies apply to each form of support,
- The company may have representation on the project steering committee; however the organisation maintains control over the choice of research activity, study design and publication of results,
- The sponsor(s) of any research activities will be acknowledged at the presentation and publication of results and its monetary value will be displayed in the organisation's annual report.

## 5. Policies for EUPATI CH

EUPATI CH agrees to adhere to the following policies when accepting project funding, sponsorship, grants or donations from companies. Questions about specific application of the Code should be directed to the EUPATI CH Secretariat.

### 5.1 Before accepting funding from a company, the organisation's Executive Board must **conduct sufficient due diligence** to satisfy itself that:

- There is strong reason to believe that the donation, grant or sponsorship will result in benefit to the organisation and to the patients it serves,
- The company's type of business, its corporate governance policies and its reputation in working with patient organisations do not present any cause for concern.

**5.1 The organisation will maintain its independence of action:**

- The content of communications originating from the organisation, such as patient submissions for drug reviews, policy submissions, information for patients and the public, newsletters and presentations must be developed entirely by the organisation without any assistance from the staff of companies or their agencies,
- Submissions for drug reviews or policy recommendations will not be shared or reviewed with sponsors in advance,
- The organisation will not endorse or promote individual products or services. Advocacy activities, such as making patient submissions for drug reviews or petitioning governments to fund a particular drug, are not considered promotion because these activities are intended to improve access to the treatment, rather than recommend that it be prescribed. Similarly, providing educational information on available treatments is not considered promotion,
- If a company makes any attempt to coerce the organisation to conform to its marketing agenda, either explicitly or implicitly, or does not conform to the memorandum of agreement, the organisation will reject the funds or terminate an ongoing project.

**5.2 The organisation will maintain mutually respectful and transparent relations:**

- The organisation will sign a written agreement with all companies outlining each partner's contribution and responsibilities. The company and the organisation must agree to abide by each other's codes of conduct.
- A sponsor's support will be acknowledged transparently and in an appropriate way following discussions with the company concerned.

**5.3 The organisation will proactively limit the possibility of influence.**

- Organisations should seek a diversity of funding sources and should not allow any one corporate sponsor to contribute more than 50 per cent of their total revenues for the year, including the value of in-kind services.

**6. Policies for Companies**

EUPATI CH will not embark upon or continue with any sponsorship, grant making or collaborative venture that might damage its reputation or result in the dissemination of biased and inaccurate information. Therefore, when working with EUPATI CH, companies are expected to adhere to the following guidelines:

- 6.1** The organisation must be consulted whenever and wherever its name is used, particularly in external communications. Approval must be sought for any copy produced which refers to an initiative of the organisation that is supported by the company,
- 6.2** At no time can the organisation's logo be used without express written permission,
- 6.3** At no time can press releases be issued which refer to the organisation without the organisation's prior approval. Likewise, suggested quotes can be prepared but must always be agreed by an appropriate person of authority within the organisation,
- 6.4** The organisation retains a veto over all materials produced in connection with an initiative. Adequate approval time needs to be allowed for this as it may require approval from one or more Board members.

**7. Commitment and Enforcement**

- Commitment to the Code by EUPATI CH is on a voluntary basis. Signatories are accountable for enforcing its policies within their organisations. Once the organisation signs, it has the right to display the EUPATI CH Code of Conduct Seal (graphic to be provided) on its website and on any materials for the period of agreement. EUPATI CH will also consider publishing the Code on its website and listing all member organisations that have adopted the

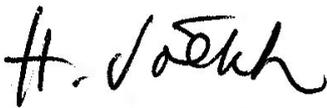
Code.

- No formal system of oversight will be put in place by EUPATI CH to monitor adherence to the Code. However, should a potential violation of the Code be brought to the attention of EUPATI CH, the concerned members will be invited to respond with an explanation. If the explanation indicates that there is insufficient understanding of the Code, the members will be asked to review their policies with EUPATI CH. Should the review process prove unsatisfactory, the EUPATI CH Executive Board may take further action.

## 8. Signatures

By signing below, I agree to commit my organisation/company to the policies contained in the EUPATI CH *Code of Conduct Governing Corporate Funding* (the Code) for a period of the EUPATI CH funding contribution or membership of my organisation/company. After this time my organisation/company may renew its commitment to the Code on an annual basis.

On behalf of EUPATI CH:  
Fribourg, February 13<sup>th</sup>, 2017



The President:  
Hansruedi Völkle