

Information regarding involvement of hospitals and hospital employees in commercial marketing activities

Health Service Executive Document 2.1: Code of Standards and Behaviour (V3) 2009 Requirements of the Code

3. (h) Employees are required to have due regard for State resources to ensure proper, effective and efficient use of public money.
3. (j) The use of their official positions by employees to benefit themselves or others with whom they have personal or business ties is not allowed.
3. (k) Employees may not engage in outside business or activity which would in any way conflict with the interests of their departments/offices.
3. (l) Employees should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity. Any benefits received should be of nominal value. All gifts and benefits received must be disclosed to the employee's superior.
3. (m) Employees should not accept hospitality of any kind from a third party which might reasonably be seen to compromise their personal judgement or integrity.

HSE Staff Handbook

Acceptance of Gifts

- An Employee may not solicit or accept, directly or indirectly from any person, firm or association, anything of economic value such as a gift, gratuity or favour which might reasonably be interpreted as being of such nature that it could affect his/her impartiality in dealing with the donor.

HSE , Infant Feeding Policy for Maternity and Neonatal Services (2012)

10. The hospital should abide by the International Code of Marketing of Breast-milk Substitutes and the subsequent relevant WHA resolutions and related Irish legislation thereby protecting infants, their families, hospital staff, and assisting safe feeding.

Any contribution made by a manufacturer or distributor to an employee, or accepted on their behalf, for fellowships, research grants, study, or the like should be disclosed by the recipient and by the sponsoring company to hospital management.

(Appendix 2): no gifts ... to health workers ... support and other incentives for programmes and health professionals working in infant and young-child health should not create conflicts of interests.

Baby Friendly Hospital Initiative in Ireland:

Hospitals that have accepted designation as a Baby Friendly Hospital (BFHI) agreed that they would:

- Abide by the International Code of Marketing of Breast-milk Substitutes and subsequent relevant resolutions of the World Health Assembly, and ensure that the Baby-friendly award or hospital status is not used to market products covered by the Code. This includes that hospital employees will not use the hospital name if they are involved in a personal capacity in any marketing activities of products covered by the Code.

A Baby Friendly Hospital may lose its designation if this standard is not maintained.

Professional Practice

Mothers' milk and health care practices that support babies and their mothers to use mothers' milk are widely recognised as best care. The purpose of marketing is to influence decisions. Professional associations recognise the risks of marketing and require health professionals to act in an ethical manner.

Irish Medical Council Guide to Professional Conduct and Ethics for Registered Medical Practitioners 2009

59.9 Your choice of therapy for your patient should always be made in the patient's best interests. You are advised not to accept gifts (including hospitality) from pharmaceutical, medical devices or other commercial enterprises. ... You should be aware that even low-value promotional materials are offered by commercial enterprises with the intention of influencing prescribing and treatment decisions.

59.10 In general, educational funding from commercial enterprises to the healthcare sector should be channelled through unrestricted Education and Development Funds and be managed without influence from the commercial enterprise in question.

59.11 If you receive financial support or other resources from pharmaceutical companies and/or related enterprises in connection with professional activities, including lectures, presentations and publications, development of clinical services or conducting research, you should address any potential conflicts of interest that arise. In these circumstances, your patients and any other relevant party should be informed about any professional relationship you have with these companies.

Bord Altranais agus Cnáimhseachais na hÉireann (The Nursing and Midwifery Board of Ireland), Code of Professional Conduct and Ethics for Registered Nurses and Registered Midwives (2014)

"Principle 2 Professional Responsibility and Accountability: Standards of Conduct 11. You must not accept any gifts or favours from patients, healthcare and pharmaceutical companies that could: reasonably give the impression that you are providing someone with preferential treatment; influence your professional integrity; or cause a conflict of interest – where your private interests might interfere with your professional responsibility to your patient. You should abide by your employer's policy about the acceptance and reporting of gifts.

12. If you are promoting or advertising a product or service for commercial purposes, you should be aware of your professional, ethical and legal obligations to provide accurate and impartial information."

Code of Professional Conduct for IBCLCs (2011)

"A crucial part of an IBCLC's duty to protect mothers and children is adherence to the principles and aim of the International Code of Marketing of Breast-milk Substitutes and subsequent relevant World Health Assembly's resolutions."

Dietitians Registration Board, CORU, Code of Professional Conduct and Ethics Bye-Law 2014 "You must not: b. misrepresent yourself or any product you promote; c. accept inducements, payment, gifts or benefits that could be reasonably perceived as affecting your professional judgement.You must not: be influenced by financial or other incentives in decisions relating to intervention and treatment. At all times, you must use your scientific knowledge, clinical skills and experience in an accurate and professionally responsible way...You should: a. advocate on behalf of service users about safety and quality of care..."



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