

Acceptance and refusal of donations policy

Version 2

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**Royal College of
Paediatrics and Child Health**

Leading the way in Children's Health

For the purposes of this document, funding is defined as income received by the Royal College of Paediatrics and Child Health (“RCPCH”) generated through agreement with a corporation or other commercial entity, non-profit making organisation, institution, charitable trust or other organisation, or an individual.

1. Key principles

General

- The practice of a profession must be governed by its ethical standards. It is one of the functions of RCPCH to offer guidance to its members and fellows as to what these standards should be. A guiding ethical principle of RCPCH is its commitment to the welfare of children worldwide
- Any relationship with an external corporation, institution, or individual needs to align with the mission, vision and values of RCPCH, its charitable objects, and its position statements on issues of research, policy and education
- All dealings with external parties should be undertaken with transparency and professionalism
- It is acknowledged that RCPCH needs, and actively seeks, funding and donations as a method of supporting its work or reducing the costs of its services to the benefit of its members. It also recognises that any commercial sponsor and certain not for profit organisations may have their own commercial and other business interests which they seek to develop through their support

Specific

- All funding activity will be subject to formal contract based on a template to be provided by RCPCH and which will include a binding code of conduct
- All funding activity must align with RCPCH's charitable objects
- RCPCH will always retain editorial control, copyright, and all other rights, in all content generated by RCPCH
- RCPCH will always control the level and form of advertising or acknowledgement of any income received by a funder
- Acceptance of funding or donations from any commercial or not for profit organisation, statutory institution, or individual, must never imply, or be represented as implying, an endorsement by RCPCH of their products, services, policies or beliefs, unless specific arrangements are made under separate contract
- Any use of RCPCH's name, logo or any other intellectual property owned by RCPCH in any context is in the control of, and subject to authorisation by, RCPCH
- A full declaration of interests will be expected from any individuals who have a relationship with RCPCH and who may be involved or associated with commercial, not for profit, or statutory organisations
- All offers of funding will be reviewed under the “Policy for accepting donations/funding” [Appendix A] before acceptance
- All pharmaceutical companies will be obliged to abide at all times with the Association of the British Pharmaceutical Industry Code of Practice

2. Funder categories

There are three broad categories of funder or donor.

No-go or blacklist

RCPCH will not accept income from the following organisations under any circumstances:

- Any company that produces tobacco or e-cigarettes and related products
- Any company that manufactures arms or is involved in the defence or security sectors
- Any company that produces alcoholic drinks
- Any company that produces breast milk substitutes or formulas
- Any company that produces energy drinks
- Any company that is engaged in the gambling industry
- Any company engaged in practices which are perceived as environmentally damaging
- Any company engaged in overseas recruitment for medical or child-related roles
- Any company involved in complimentary or alternative medical products or services where there is little scientific evidence of efficacy
- Any company that engages in exploitative labour practices, as defined by the International Labour Organisation
- Any entity seeking to gain undue business advantage by direct association with RCPCH or specific influence over RCPCH policies or outputs
- Any individual whose donation has been derived from illicit dealings or from dealings which are considered not to meet the ethical standards of RCPCH
- Any political or overtly political campaigning organisation

Potentially acceptable

The following areas should be approved by RCPCH prior to making initial approach.

- Any company or organisation which has close ties to the activities and outputs of RCPCH, but is likely to be subject to specific conditions – for example:
 - Pharmaceutical companies and associations, medical device manufacturers, other health-related companies. All pharmaceutical companies will be obliged to abide by the ABPI Code of Conduct in the UK or similar guidelines/legislation in their resident countries
 - Companies involved in the manufacture, sale, distribution or promotion of products or services relating to child health or aimed at families and/or children
 - Organisations concerned with children's welfare
 - Not for profit organisations funding child health improvement programmes
 - Foundations and private charitable trusts supporting child health improvement
 - Statutory organisations

Acceptable

- Any organisation whose support or donation is wholly philanthropic – for example:
 - Foundations, charitable trusts, private trusts whose aims and objectives do not conflict with those of RCPCH

Applicable to all

- RCPCH may request that a potential funder completes a declaration of compliance with ethical policies concerning the welfare of children (e.g. the UN convention on the rights of a child), and other relevant statutory and regulatory codes

3. RCPCH activities

RCPCH activities can be broadly grouped into two areas:

- Meetings, conferences and events
- A wide range of educational, research and policy activity. Examples include: education and training courses, research projects, reviews, fellowships, global programmes

4. Criteria for support of RCPCH activities

Meetings, conferences and events

- Any acknowledgement of funding will be agreed and authorised by RCPCH
- All uses of RCPCH's logo, content and design work for publications and accompanying marketing output will be authorised by RCPCH
- Any funders' products, display materials, promotional items and other collateral will be confined to stands/exhibition spaces which will be clearly delineated from any educational or "core" activity
- The meeting programme will contain standard wording which clarifies that RCPCH does not endorse any product or service provided by any funder
- Offers of funding of any RCPCH hospitality will not be accepted, but pro bono support through the provision of a hospitality event is acceptable
- All advertising specifications will be agreed and authorised by RCPCH
- Speakers at conferences, meetings etc. must declare any personal or professional relationship with any funder involved

Education and training courses, research projects, reviews, etc.

- Support and funding of education and training courses is acceptable under the following conditions:
 - The funding is relevant to the content of the course/activity
 - The funder plays no part whatsoever in the content or construction of the course/activity
 - It is “passive” – i.e. there is a static presence only
 - The funder is not part of the presentation of the course/activity
- Support of research projects and fellowships by commercial or other organisations is acceptable subject to the following:
 - The Chair of the appropriate committee, and where relevant the Vice President of Research, should authorise all arrangements for any funded research
 - All research undertaken should be wholly independent of the funder: the methodology, results and conclusions must not be influenced by the funder
 - The purpose of the funding should be to promote genuine scientific research
 - There should be a clear acknowledgement of the funder’s involvement and a full declaration of interest as necessary
- All corporate funding for education and training courses, research projects, reviews, etc that contain any elements of promotion, marketing, PR that publicly acknowledge the corporation by name or logo should be governed by a RCPCH ‘Commercial Participator’ (or TM/brand licensing) agreement

5. Supporter/donor evaluation

- Before a funding relationship is established and an agreement is signed RCPCH should undertake an evaluation (“due diligence”) of the prospective funder’s credentials in respect of ethical positioning, trading policies and other relevant qualifying characteristics in relation to RCPCH’s vision, mission and values. RCPCH should be satisfied that any relationship with any funding organisation should ideally enhance RCPCH’s standing and in any event should not be to the detriment of RCPCH or be seen to be undermining its values
- This is particularly important in respect of multi-national companies with complex organisational structures where subsidiaries and connected companies need to be included in the evaluation
- It is envisaged that this process should be undertaken by staff and overseen by a Trustee due diligence sub group. It is recognised that some evaluations will be very straight forward and will not require significant enquiry. [See Appendices]

6. Management

- The responsibility for funding and the generation of donation income rests with the Director of Business Development and Membership and the Business Development Division
- The day to day management of funding of an event or activity will rest with the lead manager

- of that event or activity, or a delegated event manager
- Notwithstanding the source of the original funding contact, all discussions and negotiations with funders should be overseen by the Director of Membership and Development in conjunction with the manager of the related activity/event
- Any material variances to this template will need to be specifically agreed by the lead manager of the activity/event and the Director of Membership and Development
- Any support/funding agreement will need authorisation from two of the following:
- Lead Head/Manager of activity/event
- Director of Membership and Development
- One other RCPCH Director
- In the case of a controversial issue, the Director of Membership and Development will refer authorisation to the Chief Executive Officer, and as necessary the relevant Officer
- There will be a regular update report submitted to Executive Committee on all funding agreements entered into, including activities and financial impact

Appendix 1: Policy for accepting donations/funding

Implementer of policy:

The process for acceptance of donations/funding, the due diligence process, and the donor/industry relationship, will normally sit with the Director of Membership and Development, with support from the Head of Governance. However, funding sources identified through other Divisions will be overseen by the relevant Director, with reference to the Director of Membership and Development.

Divisional Directors are required to discuss offers of funding that are potentially contentious with the Director of Membership and Development and as necessary the Chief Executive.

1. Scope of policy

- a. Funding for restricted projects, including research projects and educational activities and related publications
- b. Advertising in all media formats (including digital, ADC, BNFC and other joint ventures)
- c. Conference stands, publications and marketing opportunities
- d. Corporate sponsorship or other income
- e. Individual donations, including legacies
- f. Funding of events, publications, and other specified outputs
- g. Children's Research Fellowship Fund
- h. Rare Disease Development Fund

2. Sources of information/guidance

Guidance has been referenced from the Charity Commission, the Fundraising Regulator, the National Council of Voluntary Organisations and other Royal Colleges.

3. Guiding principles

- a. Proportionality
- b. Transparency

Factors in assessing acceptability of funding

1. Source of funding:

- a. Funding body/Corporation/Organisation
 - i. Its position, reputation, credibility
 - ii. Industry sector
 - iii. Product/service impact and reputation
 - iv. Global environmental footprint
- b. Individual
 - i. Position, reputation, credibility
 - ii. Funding Organisation
 - iii. Source of funds

2. Alignment with RCPCH goals, vision and values

- a. Position statements
- b. Research, policy and education
- c. Corporate policies and practices
- d. Relationship to infants, children and young people
- e. Industry sector

3. Potential for conflict of interest and reputational risk

- a. Summary results of factors above
- b. Long term strategic impact and reputation
- c. Work towards which funding will go, and potential for conflicts with RCPCH interests.

4. Size of funding

Whilst in principle the size of any funding should not affect the due diligence process, greater interest will be attracted towards larger donations, and the process will recognise levels of risk associated with this.

In all cases factors 1- 4 above will be considered in the assessment of acceptability of any funding being offered, with an overall risk level being identified.

Lower risk:	funding can be accepted
Medium risk:	funding can be accepted with specific conditions
High risk:	funding is likely not to be accepted

It is worth noting that any donations referred to the Trustee Board will be dealt with by a sub-committee consisting of the Chair, finance, legal and paediatrician representatives in order to keep the process streamlined and timely. The sub-committee will report back any decisions to the full Board of Trustees.

C. Acceptance of funding: specific conditions

The Children's Research Fellowship Fund Rare Disease Development Fund

Donations to these funds to support the work of the RCPCH will be accepted under the following conditions:

- due diligence completed and assured
- agreement by the Board of Trustees for amounts exceeding £100,000
- donors and amounts are openly declared (published in Annual Report/Review)
- a donor can nominate the broad area of research interest, but cannot determine a specific project
- no involvement by the donor in the use of funds

Educational Projects

Donations to educational projects will be accepted under the following conditions:

- due diligence completed and assured
- agreement by the Board of Trustees for amounts exceeding £100,000
- donors and amounts are openly declared
- no involvement by the donor in the selection of speakers, choice of topic, programme content or allocation of funds
- the funder can be appropriately acknowledged

Research Projects

Donations to research projects will be accepted under the following conditions:

- due diligence completed and assured
- donors and amounts are openly declared
- independent peer review
- approval by an external Research Ethics Committee
- oversight of project by an independent steering committee
- confidential data held by RCPCH is safe and secure
- no funder involvement in data analysis or interpretation or access to raw data unless this is an agreed area of support (i.e. in-kind data analysis services)
- no funder involvement in drafting or approving publications
- the funder can be appropriately acknowledged

D. RCPCH activities incorporating funding: general considerations

- all funded activity will be subject to formal agreement which will include a binding code of conduct
- all funded activity must fit with RCPCH public benefit aims
- in all funded relationships, RCPCH will retain control of title, level and form of advertising or acknowledgement
- acceptance of funding for activities does not imply an endorsement by RCPCH of products, services, policies or beliefs of the funder. RCPCH may insist that corporate partners include explicit non-endorsement wording alongside any use of RCPCH logo or name
- any use of RCPCH logo or branding or any other RCPCH intellectual property, in any context is in the control of, and subject to authorisation and approval by, RCPCH
- a full declaration of interests is expected from any members, or any individuals who have a relationship with RCPCH, and who may be involved or associated with commercial, not for profit, or statutory organisations

E. RCPCH activities incorporating funding: specific considerations:

Advertising policy

RCPCH will undertake due diligence or require to be assured that due diligence has been undertaken before advertisements appear on any RCPCH branded publication or product.

RCPCH will specifically not agree to the advertisement of any general breast milk substitute.

Events policy

RCPCH will undertake due diligence or require to be assured that due diligence has been undertaken before accepting payment for conference exhibition space at or sponsorship of any RCPCH branded event.

RCPCH will specifically not agree to a conference stand, or any other media/advertising format, or sponsorship providing any information related to general breast milk substitute products

Return of Donations

If for whatever reason a donation is returned to a donor or funder, such decision to return will be based on guidelines as set out by the Charity Commission and/or the Fundraising Regulator.

Confirmation of agreement, press releases and public statements

Once an agreement has been confirmed between RCPCH and a funder, any advance press releases or any publicity generated by the funder must be approved by RCPCH prior to publication

Disrepute

RCPCH reserves the right to review decisions taken under the policy at any time. The grounds for such reviews may include, but are not limited to, media coverage bringing a donor into serious or sustained disrepute.

Appendix 2: RCPCH due diligence process

The main elements of RCPCH's due diligence process are:

1. A self-disclosure questionnaire which funders are required to complete [see Appendix 3 below]
2. A research exercise conducted by RCPCH staff on any activities by the funder that might:
 - a. cause reputational risk to RCPCH;
 - b. be at variance with RCPCH's objectives; or
 - c. represent a proven breach of "required codes of conduct"

If contradictions are found between the results of 1 and 2, the funder is asked to provide explanations for these.

The results of these two pieces of work are referred to senior RCPCH management. Depending on the level of risk present, a given piece of funding may be approved by RCPCH's Senior Management Team under delegated responsibility arrangements or referred upwards, ultimately to RCPCH's Board of Trustees. At each stage, there is the option to reject a given piece of funding if it appears to be incompatible with RCPCH's goals and positions.

There are five key determinants of the decision to accept or reject funding or an ongoing relationship with funders. RCPCH requires that organisations:

1. Meet relevant industry Codes of Practice (e.g. ABPI Code of Practice for the Pharmaceutical Industry; the World Health Organisation International Code of Marketing of Breastmilk Substitutes, etc), or show demonstrable commitment to working towards meeting it (e.g. commissioning an independent report into compliance with the relevant Code, and a stated commitment to address gaps identified)
2. Demonstrate willingness to share information on breaches in the UK and internationally, of the relevant Code(s) of Practice, any past or ongoing investigations or prosecutions for illegal activity, any public reports, and remediating actions taken
3. Are able to provide a reasonable explanation should any inconsistencies be identified between information provided by them and information obtained by RCPCH
4. Provide evidence of robust governance by the parent company of national businesses within the group
5. Ensure sign-off of "Due Diligence" returns to RCPCH by a Director

This process applies to funding in any of the areas of activity set out in the main body of this document, whether a commercial transaction (e.g. purchasing exhibition space at a conference) or supporting a research project or a course.

Appendix 3: Funder Due Diligence 2019

In respect of multi-national organisations, all responses must relate to global activities as a whole.

Company Name:	
Registered address:	
Company registration number:	
Phone:	
Email:	

1. Has your company been the subject of an investigation by a regulator in the past 5 years? If so, provide details, including the outcome, where known.	YES: NO:
2. Does your company conform to any significant international or national code of practice: e.g. the ABPI Code of Practice for the Pharmaceutical Industry, the UK Advertising Codes	YES: NO:
3. To the best of your knowledge, has your company complied with all requirements of all applicable codes and legislation (including, but not limited to, those listed above)?	YES: NO:
4. Have any challenges by relevant authorities been brought against your company for non-compliance with these codes in the last 5 years? If so, what was the outcome?	YES: NO:

<p>5. In the last 5 years, has your company been found guilty as the result of a criminal investigation? If so, provide details and information on how this was resolved, if available.</p>	<p>YES:</p>	<p>NO:</p>
<p>6. In the last 5 years, has your company either lost a civil legal action, or settled such an action out of court, for a sum of £500k or more?</p>	<p>YES:</p>	<p>NO:</p>
<p>7. Is your organisation or any subsidiary involved in the aerospace, defence or security sectors or in development or distribution of any of the following: breast milk substitutes, arms, tobacco, alcohol, energy drinks or gambling? If so, please provide the details.</p>	<p>YES:</p>	<p>NO:</p>
<p>8. Within the last 5 years, have any of your Directors, Trustees or members of your senior management team been disqualified from acting as a director or equivalent under the Companies Act 2006 or equivalent legislation in other jurisdictions, or been convicted of any serious criminal offence while in post?</p>	<p>YES:</p>	<p>NO:</p>
<p>9. In the past 5 years, has your company been the subject of an investigation by the Equality and Human Rights Commission or its equivalent in other jurisdictions?</p>	<p>YES:</p>	<p>NO:</p>
<p>10. Does your company have an equality and diversity policy that ensures compliance with equalities legislation?</p>	<p>YES:</p>	<p>NO:</p>
<p>11. Does your company have a safeguarding policy and procedure compliant with DBS best practice guidance or equivalent and considers the safeguarding of Children and Young People when working with them at any level? (If you do not work with children and young people then please say N/A)</p>	<p>YES:</p>	<p>NO:</p>

Please attach additional documents as required on subsequent pages.

Name: _____

Job title: _____

Date: _____

This form need only be completed for the first time we consider funding from your company. However, you are required to inform us of any material change in the circumstances outlined above.