



**SURGICAL DRESSING
MANUFACTURERS
ASSOCIATION**

Code of Practice Training

Version 5 – April 2015

Aims of the SDMA Code of Practice

- To promote high professional and ethical standards of business practice
- To encourage these standards as accepted practice and make them widely known to our customers
- To encourage working in partnership with healthcare professionals and procurement organisations in an ethical manner
- To be proactive about self-regulation
- To ensure that purchases are made on the basis of merit and fitness for purpose.

Complying with the Code

- All SDMA member companies must comply with the Code.
- Customers, healthcare professionals and purchasing organisations will expect adherence to the Code.
- There is a complaints procedure for breaches of the Code – which can be reported by member companies, non-member companies or customers.

SDMA Member Companies

3M Health Care

BSN Medical

ConvaTec

Mölnlycke Health Care

Smith & Nephew

Aspen Medical

Toiletry Sales Limited

Crawford Healthcare

Activa Healthcare

Coloplast

Covidien

Robinson Healthcare

Acelity

Urgo

H&R Healthcare

Paul Hartmann Ltd

Products Covered

All wound care and associated products – including the following
(which is far from an exclusive list)

Wound Dressings
Surgical Gauze
Compression Bandage Systems
Adhesive Dressings
Orthopaedic Casting Materials
Orthopaedic Supports
Hip Protectors
Procedure Packs
Plasters
Chiropody Appliances
Cellulose Wadding
Lint and Absorbent Cottons
Advanced Wound Care Systems

Bandages
Swabs
Compression Hosiery
Irrigation Fluids
Chiropody Dressings
Dental dressings
Disposable Surgical Instruments
Sterile Packs
Skin Closure Strips
Dental appliances
First Aid Kits
Surgical Sutures
Antiseptics and Antimicrobials

Products Not Covered

The following products are excluded from the Code:

MEDICINES
MEDICINAL PRODUCTS
VETERINARY PRODUCTS

Medicines and medicinal products are already covered by the ABPI Code and to include them in the SDMA Code would serve no purpose.

The veterinary market is very different to the human healthcare market. Because of these differences the Code could not be fairly applied.

People Inside the Code

The Code is aimed at healthcare professionals including:

Doctors	Nurses
Dentists	Dental Nurses
Chiropodists	Physiotherapists
Pharmacists	Pharmacy Assistants
Supplies Officers	Procurement Organisations
Buyers	Distributors
Tissue Viability Nurses	Occupational Therapist
Medicines Management	Pharmaceutical Advisors

Basically anyone who has influence on what is stocked, prescribed, purchased, used or supplied in the professional healthcare environment.

People Outside the Code

The Code is not aimed at the following people:

**VETERINARY SURGEONS
VETERINARY NURSES
DIRECT SALES TO THE PUBLIC**

Sales by member companies direct to the general public are not covered, as a wide range of regulation and targeted controls are already in place, e.g. by Trading Standards.

Areas covered by the Code

The Code provides guidance for all the following:

GIFTS AND INDUCEMENTS
BUSINESS COURTESIES
BEHAVIOUR OF REPRESENTATIVES
ADVERTISING
PROMOTIONS
PROMOTIONAL LITERATURE
COMPETITIONS
PRODUCT CLAIMS
EDUCATION AND TRAINING
CONFERENCES AND EXHIBITIONS
PRODUCT TRIALS AND SAMPLES
CONFERENCE PAPERS
USE OF EXPERTS AND CONSULTANTS
CHARITABLE DONATIONS
ETHICAL STANDARDS

Areas not covered by the Code

The Code does not apply to any of the following:

**NORMAL TRADE PRACTICES
PRODUCT QUALITY ISSUES
PRODUCT SAFETY ISSUES
ADVERSE INCIDENT REPORTS
FACTUAL ANNOUNCEMENTS
REPLIES TO ENQUIRIES
ISSUES SUBJECT TO LEGAL PROCEEDINGS**

Factual announcements include price lists, trade catalogues, notification of recalls and product change notifications – so long as no product claims are made.

Product quality and safety issues are taken care of by the MHRA and Trading Standards, and the product legislation they operate under.

Normal Trade Practices

The Code does not try and control any normal trade practice – as that could be anti-competitive.

Discounts, margins, over-riders, charitable donations, and any other trade practices that are common in the industry, and have been in use for some time, are all allowed.

A discount can be a simple price reduction, or can be in kind, by way of additional stock or product. BUT NOT in a form that might benefit individuals (e.g. cash-in-hand or High Street vouchers).

Gifts and Inducements

- No gift or donation can be offered as an inducement to prescribe, supply, administer or purchase a product.
- Any gift must be related to the recipient's job, offer a patient benefit, or be educational.
- Any gift should be modest in value and worth no more than £6 (excepting specific gifts of an educational nature, which may have a value up to £25).
- Schemes offering personal benefits are not allowed.
- Facilitation payments, cash gifts or cash-equivalent gifts are not allowed.

Remember that gifts and inducements are not the same thing as discounts or over-riders.

Gifts and Inducements

THREE GUIDELINES:

If a gift is for personal use, aimed at an individual, or could save them the cost of purchasing an item they would ordinarily purchase, then that gift is NOT allowed, even if it is below the £25 limit (examples might be bottles of wine, cosmetics, Christmas hampers, or clothing items).

If the gift is aimed at a hospital unit, offers a patient benefit, or helps an individual in the normal course of their work, then that gift is ALLOWED (examples might be a clock for the practice wall, wound mapping traces, or gloves for applying paste bandages).

Similarly, schemes that provide indirect personal benefit via an organisation are NOT allowed.

Business Courtesies

Meals
Social Events
Travel
Accommodation

- These must be modest.
- They must be legitimate (e.g. explaining demonstrating products, service capabilities, research work or training).
- They must be at a level associated with the recipients professional standing.
- They must not include the recipients partner or family.

Business Courtesies

THREE GUIDELINES:

Champagne and petit fours at the Savoy are NOT allowed, but a few nice sandwiches after a surgery meeting are quite acceptable.

Don't offer a customer or potential customer a free lunch just because you are in the area.

A free trip to Disneyland with the children would NOT be allowed, even if you managed to organise a short seminar alongside the trip!

Behaviour of Representatives

- Representatives must uphold the Code, behave ethically, have good product knowledge and strictly observe local protocols.
- They must ensure that the frequency, manner, timing and duration of calls on customers does not cause inconvenience.
- They must not make claims or comparisons that are inaccurate, misleading, disparaging, in poor taste, or which discredit another company or the industry.
- Don't do anything that would cause a healthcare professional to break their own conditions of employment or their own professional code of conduct.
- Remember that a company is responsible for EVERYTHING their representatives say or do during customer interactions.

Behaviour of Representatives

FOUR GUIDELINES:

Don't say anything that unfairly denigrates a competitor or their products.

Any local protocols must be complied with. If they ask you to cover your hair before entering, then do so. If they state "*No reps seen without an appointment*", then don't turn up unannounced.

When making comparisons, ensure the information is accurate, fair, complete and balanced – if you state a competitor product only achieves a certain healing rate, then also provide the rate for your own product AND be able to provide evidence.

Don't use hanging comparisons (better, stronger, longer lasting, faster) without qualifying them (bigger than what?, better than which?, etc.)

Advertising and Promotional Literature

- The Code covers any type of media, including social media and web sites.
- All product or service claims must be legal, accurate, balanced and fair – they must not mislead or exaggerate.
- All product claims must be referenced and able to be supported by valid written evidence – and which should be public domain or can be provided on request within 28 days.
- These requirements apply equally to representative's letters and free offers.
- Do not include any recommendations by scientists or healthcare professionals without their written consent.
- Price and performance claims must be on an appropriate like-for-like basis.

Advertising and Promotional Literature

FOUR GUIDELINES:

All company-generated or company-sponsored data must be acknowledged.

Media includes leave pieces, sales aids, brochures, letters, flyers, meeting invitations, slide shows, e-mails, USB drives, LinkedIn, company blogs, Facebook, Twitter, presentations and web sites.

Don't include recommendations from a third party unless you have their consent to do so in writing (preferably with their signed approval alongside your copy).

Independent scientific debate and academic articles are outside the scope of the Code, which is certainly not trying to stifle discussion.

Advertising and Promotional Literature

DON'T FORGET:

There may be legal controls on comparative advertising – so check carefully.

Several pieces of Trades Description legislation cover both visual and implied misrepresentation – so check carefully.

Product claims on packaging can impact on Medical Device or Medicinal (pharmaceutical) regulations, e.g. a claim could change the product classification.

Competitions

- Competitions must not be misleading or bring the industry into disrepute.
- Competitions should be a genuine test of skill and experience.
- Prizes should benefit patients or relate to the recipients line of work and have a total value of no more than £200. Prizes can also be educational grants.
- Employers of competition winners should be made aware that a prize has been awarded.
- The content of promotions and competitions is governed by the same guidelines as advertising and promotional literature.

Competitions

TWO GUIDELINES:

A competition question that asks *'Which is better for your patient's wound – product X or a slice of bread'* is not a test of ability!

A prize in the form of a trip to a seminar or course is acceptable so long as it is legitimate for the further education of the recipient (so a bandaging seminar is fine for a District Nurse, but not for a Dental Nurse).

Product Information Claims

- If the product is a medical device, it is expected that any claims are supported by technical documentation that demonstrates conformity to the Essential Requirements of the Medical Device Directive.
- References for claims should be readily available – for example, by a web site link in the promotional material.
- Any information, claims or comparisons must be balanced, fair, objective and unambiguous – and capable of being substantiated.
- *In vitro* data must be labelled as such, and be relevant to the claim.
- Hanging comparisons, where a product is described as being better or stronger or suchlike, without stating to what it is compared, must not be made.

Education and Training

- Companies have a responsibility to explain the safe and effective use of their products.
- Reimbursing customers for travel, subsistence and travel expenses for training or education purposes is allowed – but should be modest and related to purpose.
- Hospitality and travel must be secondary to the main purpose and not more than the recipients would expect if paying for themselves.

Education and Training

THREE GUIDELINES:

An expenses-paid trip to Rome for a short training session on antibacterial dressings is not going to be allowed.

Knowingly paying the train fare to someone who has hitched a lift is a clear abuse of the system.

All expense payments for attendance should be made in response to legitimate requests for payment from either the individual attending the meeting or their employer.

Conferences, Exhibitions and Seminars

- Contributions to the cost of conferences, exhibitions or seminars are allowed – but any payments must be made direct to the organisers and not to people attending.
- Contributions to the cost of social events at conferences, exhibitions or seminars are allowed – but the social aspect should be secondary to the educational purpose of the event.
- Company sponsorship of an event or academic paper should always be made clear.

Conferences, Exhibitions and Seminars

THREE GUIDELINES:

You must make it clear if your company has sponsored part or all of a presentation (or the work that contributed to it) – so that the audience are aware of any emphasis.

Don't indulge in 'knocking copy' that unjustifiably puts a competitor's product in a less than favorable light.

If you are critical of a competitor's product you may be asked to give them the opportunity to respond and defend their product.

Brochures and Leaflets

- Brochures, leaflets and posters, handed out or made available by representatives of a company at conferences are regarded as advertising and promotional materials – and come under the same rules.
- Scientific or academic papers presented at a conference and published in the official conference proceedings are regarded as scientific debate and outside the scope of this Code of Practice.

Samples, Stock Swaps and Trials

- Stock swaps are allowed if they are carried out as part of a clinical trial or a documented agreement.
- No more than 10 single samples or one standard pack of any product should be left with customers – which is enough to allow a simple evaluation.
- Samples provided for clinical use or appraisal must be representative of the actual product.
- Product supplied for use in a clinical trial must be as described in the agreed trial protocol.

Samples, Stock Swaps and Trials

THREE GUIDELINES:

Simply stripping competitors' products from customer shelves and replacing them with your own products is not allowed.

Stock swaps should only be carried out as part of a clinical trial or when a documented agreement is in place.

If a potential customer asks for '*a few to try*', then don't supply 6 months stock – 10 single samples or one standard pack is the maximum.

With clinical trials, stick to the quantities of products described in the agreed protocol.

Charitable Donations

- Charitable donations are perfectly acceptable – so long as they are made to registered charities or bona fide organisations.
- Charitable donations must not be tied to the use of a particular product or service.

Complaints

- A company is responsible for EVERYTHING their representatives say or do during customer interactions.
- A complaint reporting a breach of the Code can be made by any healthcare professional, company or private individual.
- Complaints must be made in writing. They should be signed by an executive director (or the main SDMA General Committee representative) if it is an inter-company complaint.
- The parties should always attempt to resolve an issue amicably before an official complaint is made – it really is good to talk!
- Remember that once made, official complaints cannot be withdrawn.

Handling of Complaints

- Before an official complaint is made, discussion will always be encouraged, with a view to reaching an amicable resolution.
- Official complaints should initially be sent in writing to the Secretary of the SDMA.
- When an official complaint has been made, the Secretary will convene a panel from the independent complaints committee to review the complaint and give a decision.
- A decision of the Complaints Committee can only be reviewed if new evidence is presented in writing within 30 days.

The Complaints Panel

- This is an independent panel drawn from an approved list of experts.
- All members of the Complaint Committee are well-known in the industry and have considerable knowledge and expertise.
- It has its own independent chairman.
- The Complaints Committee has full authority to consider, assess and decide all complaints.

Outcome of Complaints

- The outcome of all complaints decided by the Complaints Committee will be published on the SDMA web site.
- Companies found in breach of the Code will bear the costs of the complaint process in the form of a levy of £3,000 (although a reduced amount can be recommended by the Complaints Panel).
- The Complaints Committee are entitled to note that a member has persistently repeated an offence – and can refer the matter for further consideration.

Final Words

Read the Code.

Follow the Code.

Keep up-to-date with the Code.

Ask questions if anything is not clear.

If you have issues with competitor activities report back to your company – let your company handle the issues.

Don't involve customers with industry issues.