

# POLICIES DOCUMENT

## MALTA HEALTH NETWORK 2019





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### **CONTENTS:**

**SECTION 1: CODE OF GOOD GOVERNANCE, AND ETHICAL CONDUCT FOR MHN BOARD MEMBERS AND MEMBERS**

**SECTION 2: FINANCIAL POLICY FOR MHN BOARD AND MEMBERS**

**SECTION 3: DATA PROTECTION AND MEDIA POLICY**

**SECTION 4: PARTICIPATION FOR LOCAL AND FOREIGN MEETINGS**

**REFERENCES**

## *Glossary*

Malta Health Network (MHN) – is taken to refer to the organisation as a whole, as a specific entity and encompasses the Board of Administrators, any staff, and all member organisations.

MHN Board of Administrators – refers to persons elected to be on MHN Board of Administrators. Throughout this document these will be referred to as MHN board collectively or MHN board members when reference is made to them as individuals.

MHN Members – refers to health-related non-governmental organisations, health-related non-profit organisations and patient representation groups who have applied and were accepted as full members of MHN.

Members of MHN members – refers to individuals who are administrators or affiliated or volunteers of member organisations.

# ***SECTION 1: Code of Good Governance, and Ethical Conduct for MHN board members and members***

## **1.0 Why a Code of Good Governance?**

1.1 Good Governance shall be understood not simply as effective and efficient management but also as management that is democratic and ethically correct.

1.2 Good Governance and ethics enable MHN and its members to create rules of conduct and systems of accountability, in order to ensure that MHN board members and its members ensure the highest ethical and democratic standards in the execution of their duties and the transparency and accountability for their actions.

1.3 The code of Good Governance is intended, together with other instruments prepared by MHN board and MHN members to improve and raise standards of good governance, good practice and accountability for the purpose of efficiency, credibility and the advancement of MHN and its members

1.4 Having a code of Good Governance ensures MHN, to be accountable to it's member organizations. It sets out how associated members of MHN are expected to behave. Underpinning organizational practice with the values included in this Code of Good Governance such as respect for equality, diversity, sustainability and human rights will help member organizations to challenge, unequal and unjust power relations across all the issues that members work on.

## 2.0 Code of Conduct for MHN Board and members

2.1 This Code of Conduct is a binding document for MHN board members and MHN members which outlines what is expected of them.

2.2 MHN statute defines the mission, objectives, governance structure, membership rights and obligations, rules and procedures. MHN is an apolitical, representative organizations with members from health organizations who give a voice to the patient, and society on health-related issues.

2.3 Integrity is about honesty, transparency, quality and accountability. It involves ensuring actions and behaviors are in tune with the values held by MHN.

2.4 Even though staff and volunteers can be in positions of power within the community, there is a great need to be aware that any abuse of this power directly contradicts the spirit of true collaboration and completely undermines a right based approach to development. Every MHN member has a duty to see and ensure that this code of conduct is always adhered to and respected.

2.5 MHN board members, staff and volunteers should be instructed and instructed how to deal with any breaches of this Code of Conduct, while also these should be aware of the reporting procedures for any breaches they observe.

2.6 It is the duty of MHN board members and MHN members to familiarize themselves with this document. This document will be made available on MHN website and as a board member, it implies one is fully aware and gives his full consent to its adherence. This equally applies to MHN member organisations and their administrators.

## 3.0 Duties of Board Members

3.1 Every board member is fiduciary and is expected to act accordingly and shall fulfil the fiduciary obligations laid down in Article 114A of the Civil Code, Chapter 16 of the Laws of Malta.

3.2 MHN board shall do all that is necessary to ensure that credibility, accountability, transparency and good reputation of the organization is maintained as well as to generate awareness regarding our work and mission. MHN statutes clearly outlines board member functions and responsibilities. Any matters not regulated by the statute will require MHN to deal with such functions and responsibilities effectively.

3.3 MHN board members are collectively responsible for applying high standards of governance and good practice in the management and administration of MHN. Due to this, MHN board members should make sure that all functions and responsibilities are carried out effectively with team spirit and in accordance with best practice.

3.4 The chairperson has a special position of trust, confidence and responsibility within the organization that he/she administers and must act altruistically for the benefit of MHN. The chairperson must carry out his/her obligations with good faith and act honestly in all cases in line with obligations outlined by statute.

3.5 Duties of MHN board members are outlined in MHN statute and supersede any other regulations. MHN board members should also make sure to keep and ensure that the statute is up to date.

3.6 MHN board members shall perform any duties associated with their positions diligently, impartially and conscientiously to the best of their ability.

## 4.0 Code of Ethics

4.1 The Chairperson and board members shall always act in the best interest of MHN, not in representation of the interest of some group or faction within it, irrespective of how they have been nominated, elected or selected to the post.

4.2 In order to adequately perform their duties, powers and responsibilities board members shall ensure that they have a complete understanding of the activities and purposes of MHN and of the statute regulating it and shall seek legal and professional advice when it becomes necessary for such purpose.

4.3 MHN board members and members shall cooperate, always coordinate and collaborate with one another and they shall act prudently to protect the organization's assets and ensure that they are used to carry out the organization's mission.

4.4 MHN board members and members shall refrain from any abuse of their powers, any misconduct, fraudulent behavior or any unlawful act which would be to the detriment of the organization and its objects, which would go against the principles of good governance and good practice set in this code of ethics.

4.5 MHN must regard its members as partners and maintain their right to have a say in their work and related decisions and create an environment where members are free to voice their opinions and to make suggestions or provide feedback.

4.6 MHN will protect its members' privacy and make sure that no information concerning them is disclosed without receiving their prior consent, unless any applicable law stipulates to the contrary. Privacy is safeguarded in line with Data Protection and GDPR regulations.

4.7 MHN board members have a duty to protect members' data. However, MHN does not deal with any personal data but should any sensitive information such as a person's health, ethnicity, sexual orientation, and religious or political beliefs be made available to MHN for any relevant matter, this should not be collected if

not for a relevant reason. Personal data should be treated with respect and should be handled in a secure and private manner in compliance with national best practice such as the GDPR regulations. It is important for MHN to build data protection safeguards into its practice, and to make all members aware of how this is done.

4.8 MHN must make sure that all members within the organization are treated with decency and respected by all persons connected within the organization.

4.9 MHN and its members must contribute in making their roles that recognizes talent, develops skills and abilities as well as avoids discrimination and offers safety.

4.10 MHN members shall avoid any financial or other interest or undertaking that could directly or indirectly compromise the performance of MHN. Any reported matters are to be treated with adequate importance by MHN Board. If the circumstance arises, where legal advice be necessary for any such matters MHN Board is free to take up such advice.

## ***SECTION 2: Financial Policy for MHN Board and members***

### **5.0 Reimbursement of administrators**

5.1 Administrators shall be compensated for additional work in relation to MHN projects and only upon prior approval by MHN board on nature of work and rate of payment.

5.2 Out of pocket expenses for MHN activities shall be paid in full against a receipt. If expense is already foreseen, prior approval is recommended.

5.3 If travel and subsistence arrangements are carried out by the representative and not by the MHN or organizing body, all invoices which require reimbursement must be submitted to the board of administrators prior to reimbursement and preferably within one month of the event together with event report. These must be certified correct by 2 other board members prior to reimbursement, one of which should be either Chairperson or Treasurer.

5.4 If the representative needs to cancel his/ her attendance, the board of administrators must be informed immediately in order to apply for a refund.

5.5 Representatives are to ensure that they have adequate travel insurance coverage. MHN will not be held liable for any losses or personal damage.

## 6.0 Criteria for ethical sponsorship for MHN

6.1 MHN seeks to engage in sustainable projects related to health and wellbeing with potential partners. Evaluation of such partner is done with the necessary due diligence.

6.2 MHN should only accept funds for activities that are consistent with its mission and objectives.

6.3 MHN may seek sponsors that are committed to basic ethical principles of health and social aspect.

6.4 MHN will not pursue any sponsorship from companies that are involved in political activities or any other opinions that contradict or are in conflict with the aims of MHN.

6.5 Sponsors must respect diversity of gender, race, ethnicity, abilities, culture and belief with regards to both internal policies and external policies especially those related with patients' rights.

6.6 Sponsors must conform to the established standards for transparency and integrity in accounting practices.

6.7 Sponsors must also meet reasonable expectations for transparency and integrity of governance (such as published record of principal shareholders and administrators).

6.8 Where possible, more than one sponsorship is sought especially from competing entities in the market or else through umbrella organization representing sector example Pharmaceutical Research-Based Industry Malta Association (PRIMA). Sponsors should not exercise any control over the programme content or choice of speakers at the patient organizations' events.

6.9 Sponsorship in kind may also be accepted such as staff support or merchandise, however this has to be in line with 6.7 above.

6.10 Sponsorship can only be accepted for specific events and/or purposes and/or for non-specific donations.

6.11 Sponsors should not exercise any control over the programme content or choice of speakers at MHN events or events organized by MHN member organizations.

## **7.0 Activities/Events organized by commercial entities.**

### **Proviso:**

If commercial sponsors offer to provide MHN members with training and capacity building programs about themes such as management of specific conditions or management of NGO, MHN members must be aware that not all themes are neutral.

7.1 It is recommended that activities are sponsored through different sources instead of a single one and that MHN members and representatives have been involved in the preparatory phase of the training programme.

7.2 It is important that clear declaration of commercial entities is declared upfront.

7.3 If a member of MHN/representative participates in an industry launch/promotion, no photo must be taken or released without prior authorization from the persons involved. For clarity and to avoid future complications, it is recommended to make arrangements in writing before the event.

7.4 If a member of MHN participates in an ad hoc meeting sponsored by a single company to inform patients about their products, the former should insist that multiple sources of information from independent third parties are involved to ensure that the information is balanced.

7.5 It is important to ensure that participation at events by commercial entities are transparent and do not impose any financial or psychological impact on persons attending or organization, since some activities may influence MHN member organizations or their member's way of thinking.

## **8.0 Guidance for compensation from commercial industries**

8.1 Commercial industries may have several situations where they may propose honoraria to MHN representatives for:

- a) participation in a meeting or conference organized by the commercial industry itself,
- b) participation in a meeting or conference organized by a third party,
- c) reviewing industry materials, leaflets, protocols etc.,
- d) consultancy on industry policy, advisory committees etc.

8.2 This guidance is current for health care professionals and members of MHN members as these should be considered on an equal basis, and therefore can also receive honoraria for similar circumstances

8.3 Such compensation should be declared and not imposing favoritism for the commercial entity in any way.

8.4 Full transparency on any such compensation for MHN or MHN representatives or MHN members is to be declared.

## **9.0 Project funding**

9.1 MHN can accept funds or sponsorships for projects, but these can only be accepted without any conditions imposed on the design and conduct of the project, guaranteeing full independence of the patient organization.

9.2 Any publication will be the property of MHN and findings may not be used or quoted by the funder without the explicit permission of MHN.

9.3 No information in relation to the project should ever be used to promote the use of any specific product or business of the sponsor.

9.4 Sponsor Logo size and the space dedicated to the mention of the company on electronic/printed means of dissemination should be modest in size to avoid being perceived as an advertisement.

## **10.0 Core funding**

10.1 MHN's primary source of funding are membership fees. All necessary actions to ensure such fees are collected are to be carried out. MHN may seek funding through participation in funded projects.

10.2 Funds for core activities donated to MHN should always be received on an unconditional basis and clearly declared.

10.3 In order to avoid undue reliance on any particular commercial entity such funds should be balanced and diversified as much as possible to avoid conflicts of interest and guarantee independence.

## 11.0 Funding of MHN member organization activities

11.1 Members organizations within MHN that receive funding from any source including health/medical industry or governmental bodies, should at all times remain open, honest and transparent concerning the amounts and sources of such funding and abide by local legislation of financial reporting.

11.2 Public documents such as annual reports and websites should clearly illustrate any relevant funding sources. Information should be fully accessible.

11.3 Acknowledgement should be attributed to the funding organization itself but not to a specific product or project. For transparency issues, funders should also receive public acknowledgment for their support

11.4 Member organizations may accept funds, sponsorships or assistance in kind for their own specific events. This funding should ideally come from more than one source, though it is recognized that this will not always be possible.

11.6 Member organizations should mention the names of the sponsors supporting their website or electronic material. Sponsor logo size and the space dedicated to the mention of the company on the website/printed material should be in modest size to avoid being perceived as an advertisement. In case that logos need to be displayed, their size should be restricted and fully implement national/European legislation into consideration. Any funding through pharmaceutical industries should be done following the European Federation of Pharmaceutical Industries and Associations (EFPIA) code and regulations and National Industry rules laid out by PRIMA.

11.8 Patient organizations should not be funded for activities aimed at promoting the use of any specific product or service. They may contribute to the production of material that relates to the management of a specific condition but should make all best efforts to ensure that no specific product or other treatment can be perceived to be recommended by the patient organization.

## **12.0 MHN members' involvement in activities of the commercial industry or other funds**

12.1 MHN members must ensure that none of their activities can possibly be associated with promotional activities.

12.2 MHN members should be mindful of potential conflicts and unintended consequences and ensure that they strictly adhere to their own independent patient- centered agenda.

12.3 MHN members should develop a list of activities that can be considered promotional and therefore might cause a conflict of interest and be against the law.

12.4 MHN members should develop a full list of the types of activities that could be considered promotional.

12.5 Genuine interaction/ cooperation such as satellite symposia are encouraged, provided that these are not promotional activities.

## ***SECTION 3: Data protection and media policy***

### **13.0 Data Protection: recommended guidelines for MHN member organizations**

13.1 MHN handles only data of organizations, however all relevant measures for such data to be dealt with due diligence and in line with active and future legislation is taken. MHN members have a duty to protect members, patients and volunteers data. Any sensitive information such as the person's health, ethnicity and other matters should not be collected, if it is not relevant for the organization.

13.2 Giving other people access to this sensitive information might affect the person's safety. All data should be kept securely and only be accessed by authorized personnel.

13.3 Any personal data should be treated with respect and should be handled in a secure and private manner in compliance with the national best practice as per the data protection and GDPR Legislation.

13.4 It is important for the MHN members to build data protection safeguards into their practice, and to make all members aware of how this is done.

13.5 MHN members should ensure that only relevant data about the their members is collected and kept.

13.6 Members/volunteers of MHN members, should be allowed access to their personal data upon request, and this data should be kept if necessary.

13.7 Any data that will be given to MHN member organizations has to be processed in accordance with GDPR and have to be transparent with members in regard to what happens to their personal data.

13.8 Any data collected has to be specific explicit and legitimate purpose and cannot be used for other purposes beyond that.

## 14.0 Publicity and Marketing

14.1 MHN members and their representatives must be vigilant and refuse to be quoted in health or medical devices industry publicity that relate to a marketed product under development.

14.2 If a member of MHN, feels the need to communicate to the media or general public about a product, and/or a service or therapeutic equipment, it should issue its own statements which are clearly independent of the marketing industry.

14.3 If a company quotes a patient organization's opinion or refers to the organization's own communication materials such as magazines, publications, websites etc., without the organization's written permission it is important to object to the company by registered letter with a copy to the company's national industry, regulating agency and any other relevant authorities.

## ***SECTION 4: Participation for local and foreign meetings***

### **15.0 Representation of MHN at local events**

15.1 Invitations for representations at any local events are to be distributed to board member primarily a) if a board member can attend this is to be confirmed prior to the event, b) if no board member can attend invitation may be open to any administrative staff working within MHN.

15.2 If staff is not available invitation maybe open to paid up MHN members. Participation must be approved by MHN Chairperson or delegate.

15.3 After the event the representatives is to revert any relevant information to the board at the next board meeting. If not a board member a short feedback is to be required in writing. If this does not occur this is noted, and the person is not delegated to represent MHN at any other local events.

15.4 No representative can commit MHN to any financial cost without the prior approval of the Board/Chairperson depending the amount.

15.5 If a Board member or a person chosen from a member organization, is appointed as representative, of MHN on/within a local organization/committee, he/she must keep MHN board regularly informed on activities/actions undertaken. This is done in keeping with due respect to the required confidentiality of such entities.

15.6 If a board member is contacted directly to participate in an initiative or event, he/she should seek first approval from MHN Board before confirming participation and representation at such events unless this is part of the commitment as per point 15.5 above.

## 16.0 Representation at foreign events

16.1 When MHN is invited to nominate persons on an ad hoc meeting/event being held abroad, first preference is given to Board members. If board members agree to engage representative from member organizations, MHN administration is to circulate relevant information to all member organizations and set deadline for expression of intent or feedback.

16.2 Nominating members should make sure that their membership fee with MHN has been paid and replies sent within set time-frame.

16.3 The person nominated for the ad hoc meetings/events should ideally be fluent in English, or language relevant for the meeting, be computer literate, and be able to participate in web-calls and webinars as necessary. Approval needs to be confirmed by MHN Board.

16.4 Participation to any meetings, conferences etc. as representative of the MHN which necessitates travel abroad, must be approved prior to travel/attendance by MHN Board.

16.5 A report of the meeting, including the purpose of the visit, the agenda, the benefits, achieved by the visit and any issues to be followed up by the MHN or representative must be submitted to MHN Chairperson and secretary by not later than one month from the event. This report should include a summary of meetings held in brief and this can be included in MHN report. Template of report is provided in Appendix 1.

16.7 No commitments including those of a financial nature, must be made by MHN representatives attending meetings abroad without the prior approval of MHN Board.

16.8 If travel expenses are not paid upfront by inviting organizations, participant is to pay out of pocket and will be fully reimbursed after attendance to event upon representation of relevant documentation including receipts, boarding passes and report. These are to be submitted to secretary and copied to treasurer within 4 weeks from attendance of the event/ad hoc meeting. Report template can be found in Appendix 1.

16.9 For events where funding is covered by foreign entities a report is to be submitted to MHN secretary by 4 weeks after the event.

16.10 Unless prior approval from MHN Board is obtained any extra expenses not directly related to the meeting must be borne by the participant.

## **17.0 Representation on a European/ International working group, training opportunities or advisory committees.**

17.1 When MHN is invited to nominate persons on a working group, training event or advisory committee first preference is given to board members. If board members agree to engage representative from member organizations, MHN administration is to circulate relevant information to all member organizations and set deadline for expression of intent or feedback.

17.2 Nominating members should make sure that their membership fee with MHN has been paid and replies sent within set time-frame.

17.3 The person nominated for the ad hoc meetings/events should ideally be fluent in English, or language required for the meetings/events, be computer literate, and be able to participate in web-calls and webinars as necessary. Approval needs to be confirmed by MHN board.

17.4 MHN secretariat is to be copied in all communication unless it is a close discussion.

17.5 He/she will be requested to submit an annual report by the end of each year on work carried out in the working group highlighting how this is contributing towards the patients' community. He/she will need to participate at MHN AGM or other meetings and give feedback to other MHN members.

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## ***Appendix 1***

<b>Title of Event:</b>
<b>Date &amp; Venue:</b>
<b>Organisers:</b>
<b>Summary of event:</b>
<b>Take home message:</b>
<b>Other:</b>