

UNICEF UK BABY FRIENDLY INITIATIVE

MANAGING POTENTIAL CONFLICTS OF INTEREST IN A BABY FRIENDLY ACCREDITED SERVICE



This information can also be found in our guide for health workers: *Working within the International Code of Marketing of Breast-Milk Substitutes*: [unicef.uk/thecode](https://www.unicef.uk/thecode)

December 2018

Background

The World Health Organization (WHO) / Unicef UK Baby Friendly Initiative requires that all Baby Friendly accredited services adhere to the International Code of Marketing of Breastmilk Substitutes (the Code). This includes avoiding potential conflicts of interest between companies which produce goods covered by the Code (e.g. infant formula, bottles, teats and food marketed for babies under six months) and the accredited service or individuals who work within that service.

WHA Resolution 69.9, Recommendation 6 states:

“Companies that market foods for infants and young children should not create conflicts of interest in health facilities or throughout health systems. Health workers, health systems, health professional associations and nongovernmental organizations should likewise avoid such conflicts of interest.”

[unicef.uk/cd03o6](https://www.unicef.uk/cd03o6)

Determining what constitutes a conflict of interest in large and complex public service institutions can cause confusion and stress for those leading on the implementation of the Baby Friendly Initiative standards. This statement is intended to clarify what is required and what will and will not affect Baby Friendly accreditation. It should be read in conjunction with our guide for health workers: *Working within the International Code of Marketing of Breast-milk Substitutes*: [unicef.uk/thecode](https://www.unicef.uk/thecode)

What is a conflict of interest?

A conflict of interest is any situation where an individual or organisation is in a position to derive a benefit which is at odds with the interests / purpose of their position or organisation. In this context, it is most usually seen when individual members of staff enter into a relationship with companies falling within the scope of the Code (the companies) in order to gain some advantage for themselves or their service. As the companies' intentions are to use the relationship to gain market share and increase profits, there is a conflict of interest with Baby Friendly accredited services' intention to improve maternal and child health through breastfeeding.

There are numerous examples of potential conflicts of interest. However, in the UK, where the Baby Friendly Initiative has been active for over 20 years and there is a high awareness of the Code, it is generally not the most obvious conflicts, such as those involving direct contact with parents, that are an issue. Rather, the most common potential conflicts of interest brought to our notice involve:

- Sponsored study days / smaller education sessions / meetings offered for staff or parents on public service premises
- Staff attending sponsored study days
- Individual staff engaging with the companies e.g. by speaking at sponsored events, writing articles, blogs etc. for the companies

- Awards and other gifts being made to individual staff by the companies or by a separate organisation which is being sponsored by the companies.

We will address the above issues in this statement.

Unicef UK's position on potential conflicts of interest in Baby Friendly accredited services

Unicef UK believes that the companies should not be allowed to exert influence over our public services or individuals who work in those services, as all such activity is carried out with the primary intention of increasing sales and market share, which in turn has the potential to adversely affect maternal and child health. Therefore, any activity which gives the companies opportunities to influence staff and/or parents within an accredited service can result in the removal of Baby Friendly accreditation.

However, accredited services are often only one small part of large and complex organisations (e.g. NHS Trusts, county councils or universities) each divided into numerous departments, employing thousands of staff. Baby Friendly leads and managers often have limited resources available to monitor their larger organisation or to control possible violations of the Code in areas where they may have little influence.

We are therefore clarifying our position around conflicts of interest in order to make clear what will and will not affect Baby Friendly accreditation. This is in order to support stronger Code compliance across organisations, while recognising the challenges faced by individual Baby Friendly accredited services. As with all other Baby Friendly standards the criteria will be categorised as follows:

- **Requirements:** Mandatory changes which need to be made to achieve or maintain accreditation.
- **Recommendations:** Changes that will help achieve and maintain accreditation and that we expect to see progress on over time. Written acknowledgement of the recommendation and actions to be taken will be expected.
- **Advice:** Suggestions for improving practice that will not affect accreditation.

Whilst not all the categories will affect accreditation, we would expect the Baby Friendly lead, Head of Service, Guardian etc. to exert their influence to address all violations, whatever category these fall into, in order to improve Code compliance across the organisation.

Cases will be considered individually by the Designation Committee who will take into account not only the proximity to or involvement of the accredited service, but also the degree to which the relationship or activity relates to infant feeding or maternal and infant health. The decision of the Designation Committee is final. The table below details our requirements, recommendations and advice for potential conflicts of interest.

Potential conflict of interest	Requirement	Recommendation	Advice	Notes
Sponsored study days / events / meetings on public services premises	There must be no sponsored events of any kind on the accredited services' premises. Service premises are the areas that house the actual service and also those that the service staff habitually use (shared seminar rooms, training rooms etc.). The premises also include any area that a member of the public could feasibly consider to be part of the accredited service, even if this is not actually the case.	There must be no sponsored events within neighbouring areas to the accredited service – this could be in a service with links to the accredited service (e.g. when parents are habitually cared for in both services), or in an allied service that sometimes works with the accredited service.	There should be no sponsored events in any part of the Trust, council or university, even if this has nothing to do with the accredited service.	A recommendation may become a requirement if the event is held in an area with very close links to the accredited service.
Staff attending sponsored study days	Staff from accredited services must not be encouraged or enabled to attend sponsored study days. This includes attending during work time, receiving financial support to attend or being informed of the event through work communication channels.	Staff from neighbouring services must not be encouraged or enabled to attend sponsored study days as described in the requirement.	Staff from all areas of accredited and neighbouring services should be discouraged from attending sponsored study days in their own time as well as during work time. Staff from areas of the organisation that have nothing to do with the accredited service should also not be encouraged or enabled to attend sponsored study days.	It is not always immediately obvious that a study day is being sponsored, and so a reasonable amount of checking beforehand would be expected. Dispensation will only be given when information on sponsorship has been withheld and staff are genuinely not aware that it is a sponsored event. Where there is a genuine gap in meeting the educational needs of staff, services should consider ways of providing this without involvement from the companies.

Potential conflict of interest	Requirement	Recommendation	Advice	Notes
Individual staff engaging with the companies	Staff from the accredited service or closely associated with the accredited service must not cite their position within the accredited service when working with the companies as described in the notes column. Staff from anywhere in the organisation must not use the accredited service's name or Baby Friendly accreditation when working with the companies. Staff should not be enabled to carry out such work during their normal working hours.	Staff from adjoining services must not use their position and/or the organisation's name in general to enhance the companies' profile / reputation through activity as described. This could become a requirement if it is likely to bring the service's Baby Friendly accreditation into disrepute.	Staff from parts of the Trust that have nothing to do with the accredited service should not use the organisation's name when working with the companies, including on issues unrelated to infant feeding (e.g. specialist nutrition for the elderly etc.).	<p>Engagement may include speaking at company sponsored events, providing articles, opinion pieces, blogs etc. for company websites and other communication channels. Staff can also act as 'advisors' for the companies. The staff member's professional position and place of work are often cited as proof of their expertise. Such activity presents a clear conflict of interest with that of an accredited Baby Friendly service.</p> <p>Engagement can be paid or unpaid. Staff gain from the exposure and prestige even when no payment is made.</p> <p>Services should be aware of the value of their good name and reputation and how this can be appropriated by the companies through their relationships with individual members of staff.</p>
Awards and gifts	There must be no awards or gifts accepted when these are related in any way to the work of the accredited service to achieve or maintain Baby Friendly accreditation or to infant feeding	There must be no awards or gifts accepted that are related to the accredited service, even when these are not connected to the	There should be no company awards or gifts made to any staff member or service within an organisation that includes an accredited service.	There are numerous ways that the companies can create conflicts of interest through providing gifts to individuals or to services. Examples include bursaries for learning and qualifications and awards for excellent

	care more generally. There must be no association made between a company award or gift and Unicef UK or the Baby Friendly Initiative.	service's Baby Friendly work or infant feeding care more generally. There must be no company awards or gifts accepted in adjoining services.		practice which are often presented through third party competitions or nominations (e.g. award ceremonies through a professional body). When considering whether to accept an award, sponsorship of the individual award and of the wider event should be considered.
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Glossary

- **Organisation:** Public service which includes an accredited service. Usually an NHS Trust, County Council or University.
- **Service:** An individual department or other defined entity that sits within the organisation. Examples would include a maternity, paediatric or neonatal unit, or more distantly a medical or surgical unit within an NHS Acute Trust. Within County Councils examples could include the health visiting service, the social services department, dietetic department etc. In a university it would be the midwifery department/school, the public health department and then other departments that sit within the health faculty, and then those that sit within other faculties within the university.
- **Accredited service:** The maternity unit, health visiting service, neonatal unit, midwifery / health visiting department / school within a university that is accredited as Baby Friendly.
- **Adjoining service:** A service that works closely with the accredited service but is not itself accredited. Examples would include a neonatal unit that is not accredited but that is in the same organisation as an accredited maternity unit.
- **Staff:** People employed by the organisation in whatever capacity.