
Terms of Reference

GS1 UK Healthcare user group delivering interoperability & sustainability through Scan4safety.

May 2020

1. Code of Conduct

GS1 UK healthcare user group members have a duty to act in good faith on behalf of the membership as a whole. They will attempt to balance the needs of any vertical sector, of associations, consultants, solution providers and users, of large and small companies, public or private. Members of GS1 UK groups contribute by bringing their own skills and experience and applying it for the benefit of the whole of the membership. **GS1 UK Healthcare User Group will only operate under GS1 UK competition policy detailed in section 5.**

2. Group Governance

GS1 UK healthcare user is allocated a member of staff to facilitate and project manage the group. The group's projects are planned through the GS1UK project process and reflected in GS1 UK's annual Operating Plan, which is approved by the Supervisory Board. The group facilitator reports progress on activities through GS1 UK's project reporting system and project reports are reviewed by the Operating Board on a monthly basis. From time to time the Chairman of a group may be called upon to report directly to the Operating Board. The Supervisory Board also receives regular reports on the work of the groups.

3. Purpose

To promote the adoption of GS1 standards throughout the NHS, its suppliers and partners in line with the *NHS Code of conduct for data-driven health and care technologies, NHS digital, data and technology standards, Government Digital Services Technology Code of Practice and the NHS eProcurement Strategy.

Adoption of the standards also supports adherence to the requirements of Medical and Invitro Diagnostic device regulations (MDR and IVDR) as well as Falsified Medicines Directive (FMD) in the verification and tracking of Unique Device Identification (UDI)

NB – change to *Digital Healthcare Technology standard once released

3.1 Scope

1. To drive adoption of standards across the NHS, starting with acute trusts in England
2. To support implementation of standards to identify every person, product and place
3. To create a sharing and learning environment
4. To offer support and advice to regional groups implementing our standards

5. To be responsive to healthcare environment
6. To provide feedback and advice on GS1 UK's healthcare plans and activity
7. To work with regulatory and other bodies to support national and international standards activity
8. To act as the UK point of contact for the GS1 Global Healthcare Group and to provide healthcare related feedback into the Global Standards Management Process

3.2 Initial deliverables

- 1.To create a GS1 UK compliance specification for the NHS for clinician/ non- clinical system procurement in line with NHSX recommendations
- 2.To define how GS1 standards contribute to the sustainable NHS
- 3.To create a document to detail how GS1 standards align in the closed medicines administration loop supply and administration and these be championed as best practice.
- 4.Update guidance on traceability of surgical instruments including CJD.
5. Wristband compliance – Dummies how to guide?
6. GLN's & LM – Further scoping required
7. IMS / Product Catalogue
8. Published Staff ID Guidance
9. Case Studies to be shared with the group

4. Organisation

GS1 UK will invite representatives from the Healthcare User Group to act as Chair and Vice Chair.

Membership of the GS1 UK HUG will be by invitation from the Chair and will be a balanced representation of members, drawn from a mix of healthcare providers, healthcare suppliers, and other arms length bodies. Solution and service provider companies will be invited to attend by separate discreet invitation relating to relevant topics that appear of the meeting agenda. The final decision on whom should be invited to become a member will be determined by GS1 UK.

4.1 Link to regional adoption groups

Adoption groups will support their members to drive operational delivery of change required to implement the GS1 standards. Adoption groups are facilitated by GS1 UK Industry engagement.

4.2 Role of Chair

A Group chair will preside over the group and its meetings, be the main point of contact for the group champion and other GS1 UK staff and, with the group champion, will keep under review group structure and membership.

On occasions the chairman may delegate his/her power and duties to another representative

4.3 Role of Facilitator

- a. Support the chairperson in their duties
- b. Responsible for facilitating group meetings and conference calls, producing agendas, minutes and other group documentation (see GS1 UK meeting policy).
- c. Responsible for all GS1 UK actions
- d. Responsible for all secretariat duties
- e. Responsible for all group communications
- f. Represent GS1 UK and its standards development and maintenance activities
- g. Responsible for the communication of the GS1 UK Competition Policy
- h. To act as the group's main point of contact for GS1 UK staff
- i. Provide the link between the group and other GS1 UK projects and activities
- j. Responsible for project reporting the group's activities to the project sponsor and GS1 UK Operating Board.
- k. Liaise (where appropriate) with the GSMP co-ordination team.
- l. Monitor the effectiveness of the group.

Membership of GS1 UK groups (including any sub-groups) is subject to adherence to GS1 UK's competition policy and the GS1 UK group's governance guidelines (see attached). A quorum of 50% of the full membership is required to conduct business.

Meetings

The Chair/Vice Chair /Facilitator will arrange face to face meetings and conference calls as necessary.

5. GS1 UK Competition Policy

GS1 UK is a community of over 40,000 members working in retail, foodservice, healthcare and more. We are one of 114 independent, not-for-profit GS1 organisations operating across 150 countries worldwide.

GS1 standards have provided a common foundation for business since the first barcode was scanned over 40 years ago. Our standards now play their part around the world and around the clock – from scanning supermarket groceries or buying products online through marketplaces like Amazon and eBay, to locating equipment in a hospital quickly enough to save a life. In fact, there are over 5 billion successful scans of a GS1 barcode

every single day. What's more, we make a difference for over 2 million members worldwide – enabling enhanced efficiency, safety and sustainability for a wide range of businesses and their customers.

Further information about GS1 UK can be found at www.gs1uk.org or via the GS1 UK service team on 0808 178 8799.

GS1 UK's membership covers a broad spectrum of organisations across a range of different supply chains. Membership of GS1 UK Healthcare User Group is by invitation only. It is expected that members are likely to come from companies, which may compete with each other. It is vital therefore that the activities of the group stand up to scrutiny in respect of current competition legislation.

5.1 Competition policy

The Competition Act - background

The main provisions of the Competition Act 1998 came into force on 1 March 2000. European Community competition legislation has been influential in forming this legislation.

Generally the Act outlaws any agreements and business practices that have a damaging effect on competition in the UK. It prohibits:

agreements by undertakings, decisions by associations of undertakings (such as trade associations), and concerted practices which prevent, restrict or distort competition, or are intended to do so and may affect trade within the UK (known as the Chapter I prohibition), the abuse by one or more undertakings of a dominant position in a market, which may affect trade within the UK (known as a Chapter II prohibition).

The Act catches "informal understandings as well as formal agreements which have an appreciably anti-competitive effect." businesses, which break competition laws, may be in danger of being fined up to 10% of their UK turnover.

The involvement of an association of undertakings in an infringement of the Chapter I or Chapter II prohibitions could result in financial penalties being imposed on the association itself, its members, or both.

GS1 UK as a user association fits squarely into this category. It has therefore developed the following competition policy, which applies to all member and non-member participants in GS1 UK activities.

5.2 GS1 UK Competition Policy

It is a pre-condition of participation in all GS1 UK meetings that member and non-member participants abide by this Competition Policy. The policy covers GS1 UK meetings held at GS1 UK premises, hosted externally, and virtual meetings (eg teleconferences).

Attendees at GS1 UK meetings acknowledge that the underlying aim of GS1 UK activities is often to enhance the ability of organisations to compete more efficiently and effectively through the implementation of efficient supply chain practices based on GS1 standards and services.

Participation in GS1 UK activities is voluntary and failure to participate shall not be used to penalise any company.

There shall be no discussion at GS1 UK meetings of commercial terms, including

- Agreeing to fix purchase or selling prices or other trading conditions
- Agreeing to limit or control production, markets, technical development or investment
- Agreeing to share markets or supply sources
- Agreeing to apply different trading conditions to equivalent transactions, thereby placing some parties at a competitive disadvantage
- Agreeing to make contracts subject to unrelated conditions

Or any other subject which may be construed thus according to the philosophy of the Competition Act.

Attendees at GS1 UK meetings should not put themselves in a position where their own corporate or personal interests conflict with those of GS1 UK. If any item should arise wherein there is possible conflict of interest, the meeting attendee will say so promptly, and may, at the discretion of the chairman be asked to leave for that item.

If a meeting or discussion covers subjects which are contrary to this competition policy, GS1 UK will terminate that meeting or discussion immediately. A meeting participant should invite GS1 UK to terminate a meeting if it is felt that the policy has been breached.

The output of GS1 UK meetings have the status of recommendations which may be implemented by member and non-member companies as they see fit. Individual companies remain free to make independent, competitive decisions about implementation.

Conclusion

The potential for antitrust problems exists wherever competitors meet or associate in common activities.

GS1 UK Competition Policy has been established both to avoid breach of the law in this respect and to avoid any activity, which might give the appearance of illegality.

By signing up to the policy, attendees at GS1 UK meetings can minimise this risk and justifiably participate in the development of global standards and best industry practice

Every company participating in GS1 UK activities remains individually responsible for its compliance with competition law and the GS1 UK Competition Policy does not detract from that responsibility.