

Terms of Reference

GS1 UK HEALTHCARE USER GROUP (HUG)

January 2017

To promote the sustainable adoption of GS1 standards throughout the NHS and its suppliers and partners in line with the DH's eProcurement Strategy and Lord Carter's Efficiency Review.

Scope

To actively support and accelerate adoption of GS1 standards throughout healthcare, as indicated in various publications, by sharing learnings and best proactive solutions from local implementations

To assist healthcare providers to bridge between the implementation of GS1 standards in healthcare and the upcoming regulations governing Unique Device Identification and Falsified Medicines

To Identify and assess collaborative opportunities that enhance patient safety, clinical productivity and operational efficiencies

To provide feedback and advice on GS1 UK's healthcare plans and activity

To work with regulatory and other bodies to support national and international standards activity

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

Deliverables

Education, articles and other collateral on how best to implement GS1 standards to meet the requirements of Healthcare across UK and to deliver optimal value for the NHS in terms of patient safety, clinical productivity and operational efficiencies.

Implementation support and guidance for the Unique Device Identification (UDI) and Falsified Medicines Directive (FMD) directives.

Consistent implementation of GS1 standards in use-cases are best delivered through the creation of sub groups comprised of HUG members and non HUG personnel. Each sub group will be led by a member of the HUG and the following areas

- Staff Identification
- Product safety Recall
- Device Registries
- Electronic Product Code Information Service (EPCIS)
- Coding -OPCS & ICD10v5
- Further Use Cases – Ambulance/ Community Care
- GS1 – Getting Started
- Pharmaceutical Industry with FMD

Timelines will be agreed as a result of initial subgroup meeting.

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 healthcare related organisations. 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.

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 will arrange face to face meetings and conference calls as necessary.

Decisions

The group will endeavour to arrive at decisions by consensus. If this is not possible a vote may be taken as described in the governance guidelines.

GS1 UK groups –governance guidelines

1. Code of conduct

GS1 UK 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.

2. Group Governance

GS1 UK Groups are allocated a member of staff to champion and project manage the group. The group's projects are planned through the Association's project process and reflected in GS1 UK's annual Operating Plan, which is approved by the Supervisory Board. The group champion 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. Terms of reference

Every group should have its own terms of reference and applications to establish new, or change existing, groups must be supported by a terms of reference document.

The purpose of the terms of reference document is to outline terms of reference for the operation of the specific group concerned. The document should be reviewed annually by the group to ensure

that it still meets the needs of the membership 'constituency' and GS1 UK.

Framework terms of reference

As a guide, the following should be covered within each group's terms of reference:-

Scope – in order to manage the activities it is useful to highlight areas which are considered to be within scope and those which are considered to be out of scope; naturally this may be revised upon annual review

Deliverables – these must be clearly defined and may be proposed by the group into

GS1 UK's annual operational planning cycle and/or as GS1 UK projects

Expert Group deliverables include policy statements, research projects, expert statements, input into GSMP, documentation to meet the needs of membership

Organisation, including officers, meeting frequency and format and reporting

Membership – in accordance with the guidelines given above

Rules of engagement for group representatives

Guidelines follow for organisation and operation of groups and for rules of engagement.

4. Organisation of groups – guidelines

4.1 Role of the Group chair

A Group chairman 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

4.2 Role of the GS1 UK champion

- 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 including the voting process
- 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. Responsible for the planning and sign-off of resources and budgets
- j. Provide the link between the group and other GS1 UK projects and activities
- k. Responsible for project reporting the group's activities to the project sponsor and GS1 UK Operating Board.

- l. (As appropriate) liaise with the GSMP co-ordination team.
- m. Monitor the effectiveness of the group.

5. GS1 UK Competition Policy

GS1 UK is an independent, user driven UK association providing guidance and support for over 28,000 members on supply chain efficiency through the use of the GS1 System for bar coding, business messaging Global Data Synchronisation and RFID through EPCglobal.

GS1 UK is the UK authority for the GS1 System, which is used worldwide and forms the basis of interoperable solutions such as asset tracking, trace ability and collaborative planning, order management and logistics. 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 members seek to achieve a more efficient supply chain through the use of voluntary open international standards for identifying products and communicating with their trading partners. Members are encouraged to develop resources for use by all GS1 UK members in their implementation of these standards and the Association develops work in a number of areas through members working on group activities.

GS1 UK's membership covers a broad spectrum of organisations across a range of different supply chains. Membership of GS1 UK Interest Groups is unrestricted, while membership of its Expert Groups is by invitation. For both types of group, it is expected that members are likely to come from companies, which compete with each other. It is vital therefore that the activities of the Association's groups stand up to scrutiny in respect of current competition legislation.

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 the new 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.

GS1 UK Competition Policy

It is a pre-condition of participation in the Interest, Expert and Project Groups of GS1 UK and its Supervisory Board, that members of these bodies accept and abide by this competition policy.

Members sign up to GS1 UK's competition policy when they decide to participate in GS1 UK Interest, Expert and Project groups or are appointed to its Supervisory Board.

1. Members acknowledge that the underlying aim of all GS1 UK group activity is to enhance the ability of members to compete more efficiently and effectively through having the most efficient supply chain practices.
2. Participation in GS1 UK groups is voluntary and failure to participate shall not be used to penalise any company.
3. 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.
4. Members should not put themselves in a position where their own corporate or personal interests conflict with those of the Association. If any item should arise wherein there is possible conflict of interest, the member will say so promptly, and may, at the discretion of the chairman be asked to leave for that item.
5. The results of GS1 UK Interest, Expert or Project group activity, e.g. guidelines, specifications, criteria, 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, GS1 UK members can minimise this risk and validly meet to undertake association business.

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