

FEATURE

INVESTIGATION

The pharma deals that CCGs fail to declare

GP commissioning groups have accepted hundreds of payments from drug companies that they have not disclosed to patients and the public. **Tom Moberly** reports

Tom Moberly *UK editor*

The BMJ

A *BMJ* investigation has uncovered the extent of payments from pharmaceutical companies to GP commissioning groups and the degree to which the deals are made public.

Ever since clinical commissioning groups were launched in England in 2013, there have been concerns about the conflicts of interest among those who commission health services while also providing them.^{1,2} Now, to gain a full picture of the payments that private companies and charities are giving to CCGs, *The BMJ* has worked with Piotr Ozieranski, a lecturer in the department of social and policy sciences at the University of Bath, Shai Mulinari, a sociology researcher at Lund University in Sweden, and Emily Rickard, a research assistant in Bath's department of social and policy sciences, who intend to publish the full findings of their research in the coming months.

The BMJ received responses from all 207 CCGs in England after it made requests under freedom of information legislation about payments from private companies and charities. The data were compared with the details published by CCGs in their online public registries of declarations, which include payments from various sources (box 1). The responses to *The BMJ*'s request showed that only two thirds of the 4600 payments—and just over a quarter of the value—that CCGs accepted from private companies and charities in 2015-16 and 2016-17 were listed in registers or declarations published by the CCGs.

The total monetary value of payments identified in CCGs' publicly available registers that covered either the calendar years 2015 and 2016 or the tax years 2015-16 and 2016-17 was £1 283 767, whereas at least £5 027 818 has been identified in the payments listed in responses to *The BMJ*'s freedom of information request. Ozieranski, Mulinari, and Rickard are continuing to examine these data and believe that more undisclosed payments may be revealed as they seek further clarification on the nature of some of the payments found.

A large number of the payments go to a handful of CCGs, with nine CCGs accounting for half the number of payments received (box 2).

Event sponsorship

Nearly three quarters (73%) of the funding from drug companies was for sponsorship of education and training events. Statutory guidance for CCGs on managing conflicts of interest was updated by NHS England in June 2017, with a new section on how CCGs should handle sponsored events.³ This states that involvement of a sponsor in an event should always be clearly identified.

The data collected by *The BMJ* and the Bath and Lund researchers run up to March 2017 and so predate this update to NHS England's guidance. The previous guidance required CCGs to declare all conflicts of interest and to maintain and publish registers of their conflicts of interest and procurement decisions.

The CCGs' responses to *The BMJ* show that in some cases drug companies made unsolicited offers of funding to CCGs in 2015 and 2016. For instance, NHS South Worcestershire CCG was approached by two companies offering to sponsor events and training. The CCG received four payments worth a total of £3537. Two of these payments, worth £500 each and from March 2016, are not included in the CCG's current version of its online register, which only includes payments since April 2016.

Some CCGs produce lists of upcoming events, along with price lists for potential sponsors. NHS Warwickshire North CCG and NHS Waltham Forest CCG in northeast London both produce calendars of educational events. The CCGs share these calendars with drug companies, along with details about specific fees for sponsorship. NHS Warwickshire North CCG received 89 payments with a total value of £24 150 in 2015-16 and 2016-17 to sponsor educational events. These payments are not listed in the CCG's current online register, which includes only entries made between April and June 2017.

NHS Waltham Forest CCG received 94 payments for educational events worth a total of £10 953 between January 2015 and March 2017, but only two of these 91 payments are declared in its current public register.

Box 1: Beyoncé tickets, sports matches, and VIP packages

Details of the payments publicly declared by CCGs show the various ways in which other organisations interact with them. CCGs receive payments from charities and other private sector companies, such as consultancy firms and property investors, as well as from drug companies.

For instance, in 2015 the property investment company AMP Infrastructure gave NHS Medway CCG a ticket to an England cricket match, worth £75. In 2016 Centreplate, a catering and hospitality company, gave NHS Rotherham CCG eight tickets to Rotherham United's Christmas ball and eight tickets to the football club's awards ceremony, worth a total of £1216. In 2016 the property developer Renova gave NHS Halton CCG Manchester United VIP packages, including a meal and match tickets, worth £120. And in 2016 Sunderland University gave NHS Sunderland CCG tickets to a Beyoncé concert worth a total of £319.

Some of these public registers also list payments that have been refused. For instance, NHS Greenwich CCG refused an offer from the law firm Ward Hadaway of tickets to the Rugby World Cup.

Box 2: Nine CCGs accounted for half of the total payments received from pharma

Ranking of the groups with the highest number of payments

1. NHS Sheffield CCG
2. NHS Waltham Forest CCG
3. NHS Swale CCG
4. NHS Coventry and Rugby CCG
5. NHS North East Essex CCG
6. NHS South Tyneside CCG
7. NHS Warwickshire North CCG
8. NHS Coastal West Sussex CCG
9. NHS South Kent Coast

Outsourcing arrangements

Other CCGs have made arrangements to outsource the logistics of securing event sponsorship. NHS Coventry and Rugby CCG has such an agreement with University Hospitals Coventry and Warwickshire NHS Trust: the trust organises learning events on behalf of the CCG. In 2015 and 2016 the CCG received 104 payments worth a total of £114 484 to sponsor educational events but listed only half these payments in public registers.

NHS Scarborough and Ryedale CCG has outsourced the work of arranging sponsorship of its educational events to a private company, which takes 10% commission from the sponsorship it secures. The CCG received £12 000 in sponsorship of educational events in February 2017, though this funding was not declared on the CCG's website.

NHS South Tyneside CCG has had assistance arranging sponsorship from the drug company Pfizer. "The CCG's operations manager liaises with a representative from Pfizer who coordinates the contributions on a rotational basis," the CCG told *The BMJ*. Companies typically provide £200 to sponsor an event. "The amount of £200 inclusive of VAT was agreed with a representative from Pfizer," the CCG says. In 2015-16 and 2016-17 the CCG received 87 payments worth a total of £14 976 for event sponsorship but does not list 32 of these payments, from 2015-16 and worth a total of £5196, in its current online registries.

CCGs have also sought funding from drug companies to support internal meetings. In 2015 NHS Coastal West Sussex CCG received 33 payments from 23 companies, worth a total of £9800, for exhibition space at the CCG's two "Primary Care Adapt and Thrive" strategy meetings. Information about the funding of these events is not available on the CCG's website. A spokesperson says that this is because only the most up to date register, with the most recent submissions, is available on the website, though the information was listed in previous versions of the register.

After event sponsorship the largest proportion of funding from drug companies to CCGs is for projects, around 19% of the total funding. One such project was undertaken by NHS Southwark

CCG, with £24 000 in funding provided by Bayer, Boehringer Ingelheim, and Pfizer, which all market treatments for atrial fibrillation. The CCG says that the funding was used "to independently commission and procure a service from one of our acute providers to work with general practices in Southwark to ensure patients with atrial fibrillation were receiving appropriate stroke prevention therapies." Information about the project's funding was not published in the CCG's registers.

The trade body the Association of the British Pharmaceutical Industry says that drug companies have an important role in supporting healthcare organisations. "We share an ambition with the NHS to see greater transparency and disclosure of information around industry support to healthcare organisations and professionals," says Sheuli Porkess, its interim executive director of research.

Diverging policies

Several CCGs have commented on the benefit brought by a sponsorship arrangement with drug companies, saying that it allows them to host more educational events than they otherwise could. NHS Scarborough and Ryedale CCG says it will continue with its current outsourcing arrangement with the private company, and NHS North West Surrey CCG says it may expand its use of sponsorship.

Other CCGs, including NHS Waltham Forest CCG and NHS South Tyneside CCG, are ending sponsorship of their educational events next year. NHS Coastal West Sussex CCG says it will no longer be organising sponsored educational events, citing NHS England's updated guidance. "The CCG now applies the provisions of the revised statutory guidance for CCGs on conflict of interest that was updated in June 2017," a spokeswoman says.

Around a quarter of CCGs received no payments from charities or private companies in 2015 and 2016, and many have policies against accepting such payments. One such is NHS Hastings and Rother CCG. Explaining this policy, Jessica Britton, its chief operating officer, tells *The BMJ*, "NHS Hasting and Rother CCG is keen to inspire confidence and trust among the public, patients, staff, partners, funders, and suppliers by demonstrating

integrity in this regard. This helps to avoid any potential or real situations of undue bias or influence in the decision making of the membership of the CCG, governing bodies, or staff.”

NHS Southend CCG also does not accept sponsorship for events and meetings. A spokeswoman says, “A few years ago the senior management team made a decision to not accept sponsorship for events and meetings, to avoid any potential conflicts of interest.”

The BMJ asked for comment from all the CCGs mentioned in this article (box 3). Box 4 gives some of the reasons given by CCGs for not publishing details of payments from drug companies.

“Pharmaceutical gift cycle”

Piotr Ozieranski, the University of Bath lecturer who has been researching these payments to CCGs with *The BMJ*, thinks it is inappropriate for commissioning bodies to accept funding from the private sector. “It seems rather peculiar that CCGs are permitted to accept any payments or benefits in kind from private sector companies,” he says.

Ozieranski points out that the size of the payments and the monetary value of the gifts does not necessarily correlate with the influence that providing funding and gifts can bring. “Handing out relatively small gifts is a well described technique

of building the ‘pharmaceutical gift cycle’ by the industry,” he says.

Paul Glasziou, professor in the Centre for Research in Evidence-Based Practice at Bond University, Gold Coast, Australia, and an advocate for evidence based medicine, says that doctors are often unaware of the effect of drug companies’ activities on their own behaviour. “Pharmaceutical company dominance of the funding of continuing medical education can result in prescribing that harms,” Glasziou says. “Clinicians are often naive about the persuasion tactics used by some companies. So we urgently need better ‘inoculation’ against these tactics, as well as better regulation and funding of balanced continuing education.”

Competing interests: None declared.

Provenance and peer review: Commissioned; not peer reviewed.

- 1 Iacobucci G. More than a third of GPs on commissioning groups have conflicts of interest, *BMJ* investigation shows. *BMJ* 2013;346:f1569. doi:10.1136/bmj.f1569 pmid:23485442.
- 2 Iacobucci G, Smyth C, Lay K. General practice commissioning: in whose interests? *BMJ* 2015;351:h6000. doi:10.1136/bmj.h6000 pmid:26556820.
- 3 NHS England. Managing conflicts of interest: revised statutory guidance for CCGs. Jun 2017. <https://www.england.nhs.uk/wp-content/uploads/2017/06/revised-ccg-coi-guidance-jul-17.pdf>.

Published by the BMJ Publishing Group Limited. For permission to use (where not already granted under a licence) please go to <http://group.bmj.com/group/rights-licensing/permissions>

Box 3: CCGs' comments

The BMJ asked all the CCGs mentioned in this feature to comment on funding they had received from outside organisations. Here are excerpts of the responses we had received by the time of publication.

NHS Coastal West Sussex CCG—"The sponsorship for the Adapt and Thrive events was registered but is not present on the current register as this has been updated to include the most recent submissions."

NHS Coventry and Rugby CCG—"The CCG publishes a gifts and hospitality register. During 2016, sponsorship was not included on the register due to the outsourcing of the Protected Learning Time to University Hospitals Coventry and Warwickshire NHS Trust. We are awaiting the full listing from UHCW so that we can publish for 2016-17."

NHS Halton CCG—Michelle Creed, chief nurse for NHS Halton CCG, said, "We have checked the hospitality register and it does include a VIP package of meal and tickets to the value of £120 for one game. This was in line with our policy at that time; however, this has been superseded by the new national guidance which is currently in place."

NHS Horsham and Mid Sussex CCG—"While we are committed to being open and transparent in relation to our finances, in line with other clinical commissioning groups, we do not report in detail on funding from charities or private companies, as there is no requirement to do so."

NHS Medway CCG—The CCG said that the England cricket match ticket that it received from the property investment company AMP Infrastructure was "declared, authorised, and published on the CCG hospitality register." A spokesman added, "National guidance on hospitality for CCGs has since been updated and the CCG policy on receipt of gifts has been reviewed and changed in line with this. As a result, in similar circumstances this gift would now be returned to the donor unused."

NHS North West Surrey CCG—"Sponsorship of NHS events by external parties is valued. Without this funding there may be fewer opportunities for learning, development, and partnership working."

NHS Scarborough and Ryedale CCG—"In light of *The BMJ's* enquiry in relation to private funding and sponsorship we have collated relevant information and created a new page [on the CCG's website]."

NHS Sheffield CCG—"We have no plans to expand sponsorship. [Information about funding of events] is on our public website."

NHS South Tyneside CCG—"Prior to 2016-17 South Tyneside CCG's register of gifts and hospitality was maintained by another organisation and did not record pharmaceutical sponsorship. The maintenance of registers was brought in house in 2016-17, and the gifts and hospitality registers for 2016-17 and 2017-18 do record pharmaceutical sponsorship."

NHS South Worcestershire CCG—"The gifts and hospitality register is accessible on the CCG website." (The register on the website lists events from April 2016 to March 2017.)

NHS Southwark CCG—"Details of payments for educational grants are available to anyone who wishes to submit a request for information through the freedom of information route."

NHS Sunderland CCG—David Gallagher, chief officer, commented on the CCG having received tickets to a Beyoncé concert as part of team building work. "This was linked to the new student nurse programme, recently launched in partnership with Sunderland University to bring new nurses into our local NHS and address a vital skills and workforce gap. This brought together student nurses with nursing and university leadership in an informal way that can be difficult to achieve day to day. We were happy for two CCG staff to attend, and there was no cost to the CCG."

NHS Swale CCG—A spokeswoman referred to benefits brought by "the sponsorship by various pharmaceutical companies of the CCG's protected learning time educational sessions held for GPs." She said, "The sponsorship we receive is to allow us to hire a venue and facilitate the monthly sessions. Representatives from a variety of organisations are able to have a marketplace information stand outside the main learning room. The pharmaceutical companies have no say in the content of the meetings."

NHS Waltham Forest CCG—"The CCG publicises declarations for individuals. Following a review of our current process, an annual retrospective declaration of all sponsored events will be made available on the CCG's website."

NHS Warwickshire North CCG—"Our gifts and hospitality and commercial sponsorship registers are reported to the CCG's audit committee, and registers are published on the CCG's website." (The register on the website lists events from April to June 2017.)

Box 4: Reasons for non-disclosure

When asked why they had not published details of drug company payments, CCGs gave a variety of responses.

A spokesman for NHS Horsham and Mid Sussex CCG, which received £105 493 for an integrated care project without publishing details of this funding, said, "We do not report in detail on funding from charities or private companies, as there is no requirement to do so."

NHS Southwark CCG said that information on funding for educational grants was available to anyone who submitted a freedom of information request. NHS Coastal West Sussex CCG said that information about some events in 2015 and 2016 was not available because only the most up to date register, with the most recent submissions, was published on its website.

Some CCGs cited problems sourcing information about event sponsorship from organisations to which the work had been outsourced. NHS Coventry and Rugby CCG said it was waiting for a full list of events and funding for the period from April 2016 to March 2017 so that it could publish the funding information. NHS South Tyneside CCG said that, before 2016-17, its register of gifts and hospitality was maintained by another organisation that didn't record pharmaceutical sponsorship and that the register had since been brought in house and now does record pharmaceutical sponsorship.

Some CCGs have, after being alerted to the omission of information about industry funding on their websites, either published this information or committed themselves to doing so. A spokeswoman for NHS Scarborough and Ryedale CCG said, "In light of *The BMJ's* enquiry in relation to private funding and sponsorship we have collated relevant information and created a new page [on the CCG's website]."

NHS Waltham Forest CCG told *The BMJ* that information about the payments it had received for event sponsorship had been collected but not been published as planned. "Following a review of our current process, an annual retrospective declaration of all sponsored events will be made available on the CCG's website," a spokesman said.