

PHASA Endorsement Policy

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Background

From time to time, PHASA is approached with requests to endorse activities or commercial products. These requests typically come from two distinct types of organizations:

- Other professional, scientific or medical organizations educational bodies etc.
- Commercial organizations

PHASA's name and reputation are valuable assets. Its value is built on the reputation the Association has gained through its achievements. In view of PHASA's independence and objectivity, it is very important to ensure that PHASA does not either allow its name or logo to be used inappropriately. The process of endorsement should advance in the long term, public health awareness, knowledge and practices. Similarly it should not prevent the advance of knowledge by withholding support inappropriately.

Definitions

Endorsement occurs when an organization uses its professional credibility to publicly support a specific product or service and by so doing creates the impression that the product or service is recommended or superior over similar types of products or services

Types of endorsements

- Explicit endorsements: where a company would have the right to say that PHASA has, for example, tested (or helped to develop) a particular product or service and commends its quality.
- Implied endorsements: An example of this type is if a company who is a vendor to PHASA was to say in its advertising literature that it is a supplier to PHASA: obviously the inference can be drawn that PHASA approves of the product or service. Another example of implied endorsement is where a company states in an advertisement that "XYZ of PHASA has found it to be superior to those of our competitors".

PHASA will have to decide which kinds of endorsements it wishes to control. Clearly, explicit endorsements fall into the category over which PHASA would want to exercise direct control. The same would apply in regard to certain types of implied endorsement. In the case of an individual member of PHASA endorsing a product, PHASA might want to lay down a policy in terms of which any PHASA member endorsing a product or service must make it clear that he or she is doing so in a personal capacity. With regard to an implied endorsement flowing from the mere identification of PHASA as a client, PHASA would probably not want to exercise any control at all.

The question of liability flowing from endorsement

Apart from the fact that the kind of products endorsed by PHASA could have an effect on the reputation of PHASA, it should be kept in mind that an endorsement could in certain circumstances also lead to civil liability. An endorsement implying that a product has certain qualities or has met certain standards could lead to PHASA having to pay damages on the basis of a negligent misstatement if the product causes harm

to someone and it turns out that in fact no research or inadequate research was done to establish the quality of the product concerned. The exact reach of PHASA's professional indemnity insurance should be known when a decision is made to allow an endorsement.

The financial benefits flowing from endorsements

It is important to note that endorsements should be made only if substantial financial or social benefit flows from the arrangement to PHASA. It should be part of the brief of the entity which controls endorsements to ensure that revenue from an endorsement is both appropriate and properly distributed.

The basic approach to endorsements

The specific endorsement policy adopted by PHASA will obviously be influenced by the degree to which the Association wants to encourage or discourage endorsements. For instance, if PHASA wanted to discourage endorsements, permission for endorsement would be framed as an exception to the rule.

Products Eligible for Endorsement

Products developed by other organizations that support the mission of PHASA are eligible for endorsement, subject to approval by the Executive Board. PHASA is committed to a systematic review and approval process for commercial products, tools or resources that offer several levels of endorsement.

Activities Eligible for Endorsement

Collaborative ventures and activities that support the mission of PHASA are eligible for endorsement, subject to approval by the Executive Board. PHASA is committed to a systematic review and approval process for joint conferences/ events, joint position statements and commitments to strategic alliances that offer several levels of endorsement.

Criteria for PHASA endorsement

- The initiative must be compatible with the PHASA mission and strategic plan.
- The initiative must be of relevance to public health.
- There must be demonstrable benefit to PHASA from the endorsement.
- Any agreement must be written and address ownership, copyright, intellectual property and timeframes.
- Any data or evidence regarding the product or activity should be made available to PHASA upon request.
- PHASA should be able to verify the credibility of the organization and/or subsidiaries seeking endorsement and the organization should provide relevant information as requested.
- The organization and/or subsidiaries should provide requested information about plans for marketing and sponsorship of both the product or activity and their organization.

- The request for endorsement should define what is expected from PHASA and what PHASA can expect from the organization in return. This may include publicity for PHASA and/or promotion of PHASA membership.
- In the case of endorsements requests for more than one year, PHASA will require periodic review of the materials/project/ activity, at an interval agreeable to both organizations.
- If the endorsement is for a publication, PHASA should see and approve all materials published including the final artwork and this should be repeated if there is any agreement to any further print-runs or subsequent editions.
- If the endorsement is for a conference or meeting, PHASA should agree to the programme and speakers for the meeting and approve all materials produced in relation to the meeting including slides and speaker briefing materials.
- Review and process of the product will be judged by:
 - Strength of development process
 - Evidence base or expert consensus basis for document
 - Fit with PHASA mission, strategy, and goals
 - Adequate time to accommodate the PHASA process.

Review Criteria and Process

All submissions will undergo the following steps.

- Submissions will be referred to the Executive Board.
- The Committee will review and make recommendations.
- Endorsement will require a link to the PHASA web site.

Review will usually take a minimum of 4 weeks, and no more than 3 months.

Terms of PHASA Endorsement

- PHASA reserves the right to decline any submission.
- The PHASA name, logo, acronym and tag line are the exclusive property of PHASA.
- Use of the PHASA mailing list or other assistance of publicity such as web links or programme listing does not constitute PHASA endorsement.

Individual Endorsements

Individual PHASA members may at times be asked to endorse or comment on materials outside of this official description of organizational endorsement. Such endorsements are still subject to the following guidance.

- Individuals may give opinions or make endorsements solely in their personal capacity.
- Statements to the effect that the views represented are not official ones of PHASA should be made in any promotional announcement.

- Any written promotional material referring to PHASA must be reviewed and approved in advance.

References

1. Policy on the endorsement of products and services by UCT; and on licensing the use of the name, trademarks and other insignia of UCT. 2008.
2. American Medical Directors Association. Endorsement Policy. January 2009.