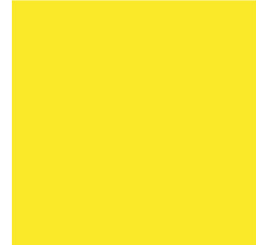




VALUE-BASED
PROCUREMENT

Partnering for patient-centric,
sustainable health care



VBP Community of Practice





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1. Introduction

Value Based Procurement (VBP) is an innovative procurement approach supporting patient-centric, safe, high quality and affordable health care. Applying VBP leads to economic most advantageous purchasing by awarding a contract on the basis of what citizens, health systems, health actors and society value. VBP is a collaborative, multidisciplinary approach providing solutions to efficient and effective health care of value to all. VBP provides opportunities to address the key challenges of provider/supplier relationships.

The basis for VBP is laid down in the multi-layered framework taking into account the outcomes that matter to patients, benefits for key healthcare stakeholders and society as a whole, the cost along the full process of care delivery and the offering of innovative solutions. When applying the VBP-methodology the contracting authority is awarding the contract based on the principle of the best total cost-quality ratio resulting in the most economically advantageous tender (MEAT) compliant with the EU Public Procurement Directive 2014/24/EU and national legislation. Value based agreements can be put in place to further support the change towards value-based procurement practices. VBP is a pragmatic way enabling value based health care and of value to all health care actors in both the public and private health care sector.

In order to foster the adoption and to change procurement practice towards VBP a Value Based Procurement community is created. This document provides an overview of the VBP Community of Practice, its activities, guidelines for membership and resources aiming to drive changes in procurement of value to all.

2. VBP Community of Practice

The VBP Community of Practice was originally founded and facilitated by MedTech Europe in partnership with the Boston Consulting Group together with an initial group of procurers, medical technology firms and national association members of MedTech Europe. Time has come to further formalize the VBP Community of Practice with the European Health Public Procurement Alliance (EHPPA) joining as a founding partner.

The VBP Community of Practice aims to bring procurers, their leadership and medtech industry representatives together and to engage with health care providers, health authorities, knowledge partners and other stakeholders with a common interest in VBP. The VBP Community of Practice is a community of natural persons showing a high level of engagement in VBP and a drive to change current procurement practice to a value-based approach. It provides a networking platform for exchange of expertise, experience and initiatives.

The VBP Community of Practice is not a legal body, but this may evolve over time when of added value. The VBP Community of Practice does performs its activities compliant with legislative requirements (e.g. GDPR, Competition- and Procurement laws as well as advice by the legal representatives part of the Community). The VBP Community of Practice is supported by the VBP Secretariat.

3. Ambition and objectives

The ambition of the VBP Community of Practice is to partner for and accelerate adoption of patient-centric, safe, high quality and affordable value-based health care by supporting the change of procurement practice. This will bring the most economically advantageous solutions into healthcare, taking into account the value offered to patients, caregivers, provider organisations and society as a whole.

The objectives of the VBP Community of Practice can be summarised as follows:

- To establish a cross-stakeholder vision to drive the adoption VBP in practice;
- To address the challenges and barriers to the adoption of VBP;
- To build a network for its members and partners;
- To foster partnership of procurers and medtech suppliers in line with procurement and competition legislation.

4. Activities

The members and partner organizations of the VBP Community of Practice conduct various activities:



- Develop and engage in activities in order to (a) develop outreach strategies to expand VBP awareness, (b) explain the value of VBP and the business cases and (c) build healthcare professionals, hospital management, financial directors' (C-level) support to change current procurement practice towards value-based approach; by the publication of awareness material, organization of events and the engagement with stakeholders.
- Educate the Community of Practice members and stakeholders in order to increase their knowledge base on the benefits of and business case for VBP by providing training, coaching and educational material.
- Collaborate within the Community of Practice and the broader network to share learnings, best practices and to create understanding of VBP benefits by engaging with partner organizations, expert professionals, organizing thematic seminars and providing project support.
- Derive learnings from VBP experiences and procurement projects to overcome barriers within and outside the Community of Practice by performing deep-dive case studies and developing VBP starter guidances.
- Continuously enhance the toolkit to support the application of VBP in relevant tender and procurement situations and regular thematic events open for participation by VBP Community of Practice members only.

5. Membership

Membership of the VBP Community of Practice is open to natural persons (on a personal basis).

WHO ARE THE MEMBERS:

Persons committed to change procurement practice towards a value-based procurement approach and to engage in the activities of the VBP Community of Practice can apply for free of charge membership provided the person is either a:

- *Procurement professional* affiliated with a healthcare provider organization, Public Procurement Organisation (PPO) or Group Procurement Organisation (GPO).
- *Leadership team executive* representing the procurement department of a healthcare provider organization, PPO or GPO (including health care institution C-level managers).

- *Medtech industry expert* involved in procurement:
 - Nominated by a MedTech Europe's corporate member which has provided the necessary financial contribution to the VBP project to become a supporting partner organization (see section 6). Depending on the size of the contribution, they will have the opportunity to nominate 1-2 representatives.
 - Nominated key interfaces of National Associations (NA) for medical technologies (1 representative per NA) provided the:
 - NA is a member of MedTech Europe;
 - NA is not a member of MedTech Europe, but is a member of the Global Medical Trade Association (GMTA) and provides a financial contribution to the VBP project as a supporting partner (see section 6).
 - In both cases, the person nominated by the NA must either be an employee of the NA or an employee of the NA/GMTA member.
- *Nominated representatives* from the founding partners providing financial and/or in-kind contribution(s): MedTech Europe, BCG and EHPPA.

By 2022 the VBP Community of Practice plans to open membership up to 2 representatives of any life science industry organization that makes a financial contribution to the VBP Community of Practice, provided circumstances allow and subject to the evolution of the project. Access to the MEAT Value Based Procurement framework will be available at all times.

HOW TO BECOME A MEMBER:

Those persons meeting the members' criteria as stipulated and wishing to apply for membership of the VBP Community of Practice can subscribe by completing the 'Subscription Letter' to be made available by the Secretariat. Members will not be financially compensated for their activities in the Community of Practice. Members can cancel their membership at any time.

6. Partner organisations

In order to further support and build on its activities the VBP Community of Practice cooperates with partner organizations. The acceptance of and engagement with partner organizations is bound to the discretion of the VBP Community of Practice represented by the Secretariat. The cooperation with each partner organization will be evaluated on a yearly basis. Both the VBP Community of Practice and the partner organization have the option to unsubscribe at all times. Partner organizations will not be financially compensated for their time spent in the Community.

A distinction is made between three types of partner organisations:

• *Supporting partner*

Supporting partners support the awareness building on VBP within their organization and network. Involvement is open to all organizations endorsing the VBP-approach and signing the (non-legally binding) VBP Community of Practice 'Supporting partner agreement' made available by the Secretariat. A financial contribution is not applicable.

For medtech associations holding membership of the GMTA but not being a member of MedTech Europe and for all corporate medtech organizations to become a supporting partner a legally binding agreement is signed and a financial contribution to the VBP project is applicable.

• *Knowledge partner*

Knowledge partners closely cooperate with the VBP Community of Practice on e.g. the development/ dissemination of educational training programs, organisation of thematic sessions, conferences and/or the expansion of knowledge and experience by means of the execution of pilots or real-life procurement cases. A financial contribution is not applicable. Involvement is open to all organizations signing the (non-legally binding) VBP Community of Practice 'Knowledge partner agreement' to be made available by the Secretariat.

- **Founding partner and supportive Secretariat**

VBP Community of Practice founding partners and providing financial and/or in-kind contributions:

- MedTech Europe;
- Boston Consulting Group (BCG);
- European Health Public Procurement Alliance (EHPPA).

A supportive Secretariat will be provided by a key (not-for profit) partner organization which will carry out administrative tasks, expand the VBP Community of Practice and support the adoption of value based procurement in general.

7. Resources

The resources of the VBP Community of Practice consist of both in-kind support (e.g. by making persons available to carry out specific tasks) and financial support. The financial resources will be managed by the financial director of the Secretariat as a specific budget line, part of the financial management of their organization.

Financial support including:

- Financial contributions by the MedTech Europe corporate members, NA members of the GMTA and non-members of MedTech Europe;
- Registration fees for events e.g. the annual VBP Conference;
- Other sources from e.g. partner organizations and grants.

The financial resources will be used on a contractual basis for e.g.:

- Sr. Advisor(s) on Value Based Procurement;
- Contractors to e.g. support material development and dissemination;
- Contractors for the organisation of e.g. webinars, thematic sessions and annual conference;
- Legal advice and participation of legal experts in meetings to ensure legal compliance.

In-kind support is provided by:

- Members of the VBP Community of Practice;
- Partner organizations;
- MedTech Europe managing the VBP Secretariat for 2020 and 2021.

8. Ownership

Deliverables by the VBP Community of Practice

- Guidance and support documents aiming to support the introduction of VBP as developed by the VBP Community of Practice will be managed and put in the public domain by the Secretariat. When needed, a legal review will be performed.
- These documents reflect the common view of the majority of the VBP Community of Practice members. These documents provide a consolidated view, not a person specific view.

Deliverables by the VBP Community of Practice contracted resources

- In case of fully financed deliverables, these will be owned by VBP Community of Practice and made available through license and/or put in the public domain by the Secretariat.
- In case of co-investment with an external partner, ownership and use to be mutually agreed upon.

Intellectual property of Partner organizations

- VBP related material developed by partner organizations will remain the intellectual property of that partner organization. In case of co-development between a partner organizations and the VBP Community of Practice a perpetual license will be provided to the VBP Community of Practice (represented by the Secretariat), unless mutually agreed differently.
- Under no circumstances co-developed material will be used for commercial purposes by the VBP Community of Practice members nor by the partner organization unless agreed differently before the co-development.

9. Privacy policy

Please refer to Annex I.

10. Dissemination and communication

The material developed by the VBP Community of Practice will be disseminated and communicated using a variety of communication channels.

Annual Conference and conference microsite

- On a yearly basis a VBP Community of Practice microsite will be made available containing the latest material developed, the pre-reading and conference material. In due course by means of a dedicated website. For the 2019 VBP Conference: www.vbpcconference.eu

Thematic Seminars and seminars microsite

- The supportive documents and guidances developed will be made available on the VBP Community of Practice microsite. In due course by means of a dedicated website. For the 2020 thematic seminar on Value Based Agreements: www.vbpccommunity.eu

VBP Insights newsletter and VBP LinkedIn group

- New developed material will be shared through the VBP Insight newsletter and direct mailing to the members and partners. In due course a VBP dedicated LinkedIn group will be created.

Partner organizations

- All partner organizations will be asked to share the material developed by the VBP Community of Practice through their communication- and dissemination channels using a joint statement by the VBP Community of Practice and partner organization.

Value Based Procurement repository

- All available material will reside on a dedicated page within the MedTech Europe website. The material is also available for other organisations with appropriate referencing.

11. Activities 2020

The VBP Community of Practice carries out various activities. Some of the 2020 activities are:

- publication of the MTE/BCG paper ‘How Procurement unlocks value based health care’;
- guidance document on ‘How to successfully implement VBP’;
- creation of a VBP repository containing extensive VBP powerpoint presentations;
- publication of a periodic blog series published on MedTech Views;
- presentations at various conferences and VBP awareness events across Europe;
- thematic seminars on value based agreements;
- supporting individual procurement organisations in the uptake of the VBP-approach;
- development of good practice and deep-dive case studies;
- 2nd VBP Conference 2020 (December 1, Brussels).

Annex I: Privacy policy

1. The VBP Secretariat, which is managed by MedTech Europe until 2021, will ensure that the VBP partners' information is processed confidentially, pursuant to the exceptions listed below.

By signing the "Value Based Procurement – Community of Practice Subscription Letter", the Partner Organisations agree to the processing of personal data they provide to the VBP Secretariat (i.e. MedTech Europe). We act as data controller and we may process the personal data of the Partner Organisations including those of their nominated representatives. For information on the Partner Organisations, please refer to Article 6.

2. **Personal data we may collect and process from you.** The personal data collected and processed by the VBP Secretariat (i.e. MedTech Europe) includes the following: name, job title, working address, phone number, email address, photographs, and video recording (from recorded/ videotaped events or webinars).

3. **Use of personal data.** Personal data may be processed by the VBP Secretariat (i.e. MedTech Europe) or any of MedTech Europe's agents, employees, delegates or subcontractors for the following purpose to achieve the aims of the programme/VBP CoP as described in Article 3. In particular, personal data are processed in order to establish a cross-stakeholder vision to drive the adoption VBP in practice, to address the challenges and barriers to the adoption of VBP, to build a network for its members and partners and to foster partnership of procurers and medtech suppliers in line with procurement and competition legislation.

4. To achieve those aims listed above, the VBP Secretariat (i.e. MedTech Europe) may share the names and contact details and other information from the VBP Community of Practice profile with programme partners and potential programme partners, as described in Article 6, where this is necessary to achieve the aims of the VBP CoP programme.

5. To achieve these aims listed above, the VBP Secretariat (i.e. MedTech Europe) may **share** the names and contact details and other information from the VBP Community of Practice profile with programme partners for the organization of events and workshops on VBP. Events and workshops may be organised only by partner organization(s). In that case, the VBP Secretariat (i.e. MedTech Europe) may share the contact details and other information of the partners for the purpose to invite them to a VBP event or workshop. **Please note that you have a right to object to the processing of your personal data where that processing is carried out for our legitimate interest or for direct marketing. If you do not wish to be invited to other events/ workshops on VBP but those organised exclusively by the VBP Secretariat in collaboration with (an)other partner(s), please send an email to the VBP Secretariat.**

6. When organizing an event or workshop for the VBP CoP, the VBP Secretariat and/ or the other partners of the VBP CoP may take pictures during the event and/ or record or videotape the sessions. The general audience may appear on the pictures or the video recordings. In addition, if a Partner speaks at a VBP event, the VBP Secretariat may photograph, audiotape and/or videotape, if applicable, and use the speakers' Contribution for the following purposes:

- Online posting on MedTech Europe website(s) of a digitally watermarked pdf version of the Speakers' Contribution, such as but not limited to the presentation or pictures or pictures of posters.
- Communication, in printed and/or digital form, of the Contribution to the Event's participants and potentially relevant MedTech Europe Members (listed [here](#)).
- Use of the Contribution for communication around the Event, on any type of media (e.g. MedTech Europe blog(s)).

In addition, the VBP Secretariat may:

- Post online on VBP Secretariat (i.e. MedTech Europe) website(s) (e.g. medtecheurope.org; vbpcommunity.eu website; etc.) the Speakers' name, position and organisation.
- Use pictures and videos of sessions or workshops of the Event to promote VBP Events (or future events) and/or the discussion on/topic of the Contribution. Such use, distribution, and creation may include audiotapes, videotapes, web broadcasting, printed materials, and electronic/digital/computer media and other media.

Those audio/ and visual footage of the Events may be posted online on the Value Based Procurement and MedTech Europe website(s) and/or other websites, inter alia, Twitter, YouTube, etc. for the purpose of promoting the Event or future events. For further information on how those third-party sites process personal data, please refer to their respective Privacy Policies.

By ticking the consent options on the “Value Based Procurement – Community of Practice Subscription Letter”, you consent to the use of your personal data and your Contribution as listed in Article 9.6.

You have the right to withdraw your consent or to limit the use of your Contribution at any time by sending an email to the VBP Secretariat.

Please note that for each event there will an area that will not be photographed/ filmed. If you attend an event and you do not wish to be photographed/ filmed, we ask you to sit in that designated area.

7. By joining the VBP CoP, you also agree to be informed by email of the different initiatives and ongoing activities of the VBP CoP. This also includes a periodic newsletter that includes the latest achievements and information on the VBP CoP. **Should you not wish to receive any sort of communication/ information except those strictly necessary for the purpose of being a partner of the VBP CoP, send an email to the VBP Secretariat.**

8. In addition to the provisions listed above, VBP Secretariat may process personal data from the VBP CoP Partners for the following purposes:

- to provide them with the information they may have requested from the VBP Secretariat;
- to store contact details of the Partners and their nominated representatives;
- to invoice, if applicable, any membership or subscription fee;
- to comply with any legal and regulatory obligations.

9. **Sharing your personal data.** In connection with any of the purposes described above, and any other legitimate processing of personal data, the VBP Secretariat (i.e. MedTech Europe) may process your personal data in and outside the European Economic Area (EEA), which may not have the same data protection laws as your jurisdiction. You have the right to obtain further information in relation to these safeguards by contacting us as provided below.\

10. In addition, the VBP Secretariat (i.e. MedTech Europe) may share your personal data with local tax authorities and any governmental or administrative body where MedTech Europe determines that it is necessary or desirable in order to comply with applicable laws, court orders, or government regulations.

11. **Hosting & Processing.** The [VBP website](#) and the [VBP Conference website](#) are hosted by third-party service providers who help us provide our services. Additionally, other service providers are used for the provision of services to us and the distribution of promotional material. Therefore, your personal data may be processed by a third-party service provider. For more information, please see our contact details below.

12. **Retention period.** The Partners’ personal data will be retained for no longer than necessary for the purposes for which the VBP Secretariat (MedTech Europe) is processing such personal data. In the case of a legal or regulatory obligation requiring us to retain specific records for a set period of time, for that period of time. Additionally, it will never be held for less than what is required for fiscal law and the accounting retention period, or the period of time needed for litigation or judicial actions under such laws. If the agreement with the Partner ends, then the personal data of its representatives, including its employees, will be held for five (5) years from the date that the organisation ceases to be a Partner or the nominated representative leaves the organisation of the Partner.

13. **Data Subject Rights.** You have various rights in relation to your personal data, including the right to request access to your personal data or for a copy of your personal data to be provided to a third party in a digital form, correct any mistakes on our records, erase or restrict records where they are no longer required, object to use of personal data based on legitimate business interests or for direct marketing, ask not to be subject to automated decision making if the decision produces legal or other significant effects on you. You also have the right to lodge a complaint about the processing of your personal data

with the supervisory authority. We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than within one month after receipt of your request. In exceptional cases, we may extend this period by two months and we will tell you why. We may request proof of identification to verify your request. For more details in relation to your rights, including how to exercise them, please contact us using the details below.

14. This Privacy policy section may be updated at any time and MedTech Europe will notify you in writing of any material changes.

15. **How to contact us.** If you have any questions about our use of your personal data, please contact MedTech Europe by email at data.protection@medtecheurope.org.

16. For information on how MedTech Europe handles personal data, please refer to the Terms and Conditions and the Privacy and Cookie Policy of the [MedTech Europe Privacy Policy](#).