



National Institute for Public Health
and the Environment
Ministry of Health, Welfare and Sport

Public-Private Partnerships (*PPP*) and RIVM

Balancing the benefits
and risks



Balancing Public and Private Interests

RIVM operates in a complex context in which alliances and partnerships are commonplace. Private parties are often involved in national and international collaborations; in many cases, some form of consortium is mandatory on EU projects. As a public institution, RIVM can engage in partnerships with private partners, but it is important to define clear terms and conditions for the collaboration. The rule of thumb here is to work *with* private parties, rather than *for* them. The intention to pursue innovation and collaboration with private partners without negatively affecting RIVM's reputation as an independent authority sometimes leads to a balancing act. RIVM is eager to embrace innovation in its work, developing research results into direct applications for deployment in society. Private partners often have access to knowledge, resources and networks for converting these applications into deployable assets – and sometimes have more access than RIVM would be able to tap into.

Partnerships can lead to knowledge intensification and to utilisation of that knowledge in society.

Collaboration with private partners does pose a risk, however: the reputation that RIVM works to uphold as an independent institute in the public domain could be undermined. Conflicts of interest could emerge if RIVM becomes dependent on direct or indirect funding. Similarly, long-term partnerships offer the potential for developing such a strong working relationship that it could affect content in undesirable ways. Even if there is no actual conflict of interest, society may perceive the appearance of conflicts. Moreover, RIVM is part of the Dutch Government, which means that collaboration with private partners must conform to the national regulatory framework in the Netherlands (i.e. the RIVM Act of 1997 and the Public Enterprises (Market Activities) Act of 2012).

What are private parties?

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Private parties can be differentiated as for-profit or not-for-profit organisations. Not-for-profit organisations may differ in the extent to which they have objectives that are aligned with the mission of RIVM and the Dutch Government in the field of health and a healthy human environment.

The funding sources for such organisations may also vary: it may come from companies, government organisations, or both. In this context, the for-profit organisations that might partner with RIVM are generally companies working in the field of health and a healthy human environment.

Examples include the food industry, the pharmaceutical industry, producers of laboratory tests, measuring equipment, and software, but also companies working in communications and social media, or genetic technology firms. In some cases, these organisations are combined in sector associations or other cooperative alliances.

Criteria for collaboration with private parties

In order to identify and assess the risks involved in a potential partnership with private parties, RIVM has drawn up a checklist. The checklist includes all the relevant criteria:

- The partnership provides knowledge, infrastructure or products that make a (provable) contribution to promoting public health and a healthy human environment in the Netherlands (and abroad). That contribution could be a direct result or a derivative effect of the partnership;
- RIVM is able to do its work without being subjected to compelling influence from its partner on the methods used, nor the contents of the report presenting the results;
- If the initiative involves any direct or indirect funding by private parties, the scope of such funding will not be so significant as to make RIVM and its continuity dependent on this source of revenue;
- The partner has a good reputation in society, such that association with the partner in no way reflects poorly on RIVM;
- The partnership with RIVM and the results of that partnership may not be used strategically for lobbying or other advocacy activities directed at the government. The same also applies to charitable organisations acting as an interest group, for instance in the context of environmental activism;
- The partnership is acceptable when considered in the context of relevant laws and regulations on market activities by government authorities. In any case, an integral cost price will be calculated and exclusive partnerships will be prohibited;
- Any knowledge arising from the activities of RIVM can be published; partners are not permitted to impose any restrictions on public provision of information;
- RIVM is the owner of the knowledge and patents developed by RIVM, unless agreed otherwise;
- RIVM may contribute knowledge and/or patents to a partnership with other parties in order to promote the market launch of products that contribute to public health and a healthy human environment.

PPP Assessment

To safeguard its independence and reputation, RIVM has an internal PPP assessment in which the following steps must in any case be completed:

1. Fill in questionnaire and complete checklist with the following themes:
 - Added value of the partnership
 - Independence
 - Reputation/image of RIVM
 - Improper competition/Public Enterprises (Market Activities) Act of 2012;
2. Coaching session with one of the “PPP coaches” based on the checklist (not mandatory);
3. A formal decision by the director who is responsible for the project or, in case of any doubt, by the Executive Board;
4. Notify PPP to the PPP coordinator.

Furthermore:

- No objection to the proposed partnership raised by the standard commissioning client within the government;
- Rotation of staff members in the event of long-term partnership with the same private parties;
- Public reporting in the annual reports.

An RIVM-endorsed official KNAW code of conduct to prevent undue influence as a result of conflicts of interest.

Daily practice

Some 50 coaching sessions take place every year. Looking at these 50 requests, only about three or so are truly impossible. The initial approach to PPP requests is to see how the partnership can be established: **‘what needs to happen to make it possible’**.

In establishing a public-private partnership, there are a number of options available to mitigate potential risks:

The consortium: Public-private partnerships often involve a number of different partners. The consortium must in any case include multiple partners from the public sector. If that is not the case, RIVM can approach public partners from within its own network to see if they are interested in joining the consortium.

Funding: To prevent any appearance of conflicts of interest, funding should never be channelled directly from a private party to RIVM. Even if a private partner is heading the project, any funding (from the public or private sector) should be channelled via a public-sector partner.

RIVM endorsement: PPP partners are sometimes eager to have RIVM approve the product they are developing, so they can proclaim that it has been ‘endorsed by RIVM’. This is not permitted under any circumstances. Ideally, agreements clearly stating this restriction should be included in the contracts at the start of the project.

Intellectual property: RIVM sometimes provides knowledge to a partner that would later like to restrict access to that knowledge as a paid service. If that were the case, then public parties (including RIVM) would have to pay for access to their own knowledge. That is undesirable. Clear agreements about access to knowledge must be established from the start. Everything that is generated within the partnership is available to the public.

Approval from the commissioning client: RIVM sometimes receives PPP requests that initially appear to meet all the criteria outlined above. However, it is always important to check with the commissioning client to confirm that the topic is approved; sometimes RIVM may be unaware of relevant considerations that would play a role in the decision.

Some examples of our PPP projects

PERISCOPE

This project aims to generate knowledge on immune responses to pertussis.

RESCEU

The goal of this project is to gather information on the scale of RSV infection in Europe and its economic impacts.

VAC₂VAC

This project aims to develop and validate quality-testing approaches for both human and veterinary vaccines using non-animal methods.

See also international projects on our website.

More information

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