

# Local Government Declaration on Tobacco Control

## Frequently Asked Questions

### 1. What is the Local Government Declaration on Tobacco Control?

The Declaration is a statement of a council's commitment to ensure tobacco control is part of mainstream public health work. The Declaration has also been widely endorsed by leading figures and organisations in the public health community, including the Public Health Minister, the Chief Medical Officer, Public Health England, the Association of Directors of Public Health, the Faculty of Public Health, the Trading Standards Institute and the Chartered Institute of Environmental Health. At the time of writing, over 70 councils have signed and the Declaration has strong cross-party political support at the local level.

The Declaration includes a number of specific commitments to enable local authorities to take leadership on tobacco:

- Reduce smoking prevalence and health inequalities
- Develop plans with partners and local communities
- Participate in local and regional networks
- Support Government action at national level
- Protect tobacco control work from the commercial and vested interests of the tobacco industry
- Monitor the progress of our plans
- Join the [Smokefree Action Coalition](#)

### 2. Why does it matter?

Every year 80,000 people a year in England die prematurely from smoking related illness. Smoking is the largest single cause of premature death in the UK. Not only does smoking cut lives short it damages local communities and economies. It takes money out of the pockets of those who cannot afford it and causes half the difference in life expectancy between the richest and the poorest.

The Local Government Declaration on Tobacco Control is a response to the enormous and ongoing damage smoking does to our communities. It is a commitment to take action and a statement about a local authority's dedication to protecting their local community from the harm caused by smoking.

Further, it is an opportunity for local leadership. We know the best way to tackle smoking is through a comprehensive approach working with all partners. The Local Government Declaration on Tobacco Control can be a catalyst for local action showing the way for partners both inside and outside the local council. The NHS Statement of Support acts as a sister document for NHS organisations to sign, and commits local health organisations to support colleagues in local government to reduce smoking prevalence.

### 3. How would we implement the Declaration?

To some extent this depends on local practice. For some authorities it would be an acknowledgment of ongoing best practice activities whereas for others there may be areas where further action is needed.

For many local authorities the most appropriate route for ensuring implementation of the Declaration will be through the Health and Wellbeing Board. The Health and Wellbeing Board can be tasked with assessing current practice and establishing a clear way forward. Areas for action might include:

- Ensuring there is a comprehensive tobacco control plan being implemented
- Developing a policy on protecting health policy from the influence of the tobacco industry (A template policy and support is available for councils)
- Supporting local and regional networks of support
- Reviewing monitoring processes
- Joining the Smokefree Action Coalition

Regardless of what actions need to be taken all the commitments in the Declaration are contained in existing policies, strategies and treaties which local authorities are subject to. The Declaration reaffirms these commitments and adds the weight of local council leadership.

If you would like further advice on how your council can implement the Declaration, please email [admin@smokefreeaction.org.uk](mailto:admin@smokefreeaction.org.uk) for support and advice.

#### **4. Is it really necessary to protect local policy from the tobacco industry?**

Yes. Tobacco companies have a long record of attempting to influence council policies. In England they have

- Sponsored schools and museums
- Paid for industry branded smoking shelters on council property
- Provided staff and funding and sniffer dogs for joint work on illicit tobacco. These campaigns have focussed on counterfeit and “cheap white” brands rather than main stream branded products sold without tax.
- In the past they have worked through campaigns such as “Love where you live”. It was a way of distributing industry branded giveaways such as portable ash trays. Since the publication of the Local Government Declaration on Tobacco Control, Keep Britain Tidy, who run the campaign, have ended their relationship with the tobacco industry and this campaign is now independently funded.
- Used subsidiaries to arrange meetings with members and officers on local harm reduction policies. In particular, Nicoventures, a wholly owned subsidiary of British American Tobacco, has offered to meet council officers to discuss: *“Analysis of smoking prevalence within your local authority... [and] the opportunity to reduce smoking prevalence through Tobacco Harm Reduction strategies”*. There is no role for tobacco companies in discussing these issues with local government or local health organisations.

When they cannot divert local policies in their favour they will seek to delay and dilute their implementation. Previously secret industry papers released in court talk of “throwing sand in the gears” of health policy. We particularly see this in relation to illicit tobacco where the industry tries to focus local efforts solely on the counterfeit market in tobacco products and away from the illegal trade in non-duty paid products. The tobacco industry has, historically, been implicated in the trade of non-duty paid products.

Under the World Health Organisation Framework Convention on Tobacco Control, to which the UK is a party, countries have pledge to protect health policy from the commercial interests of the tobacco industry. Local authorities are also subject to this treaty however policies on how to ensure local compliance are rare. By signing the

Declaration councils are reinforcing their existing obligations and sending a message that they will protect policies from tobacco industry lobbying.

## **5. How can local government protect health policies from commercial and vested interests of the tobacco industry?**

Where local authorities want to take a best practice approach to protecting health policy from the influence of the tobacco industry they should look to develop and implement a local policy. That policy would ensure they were fulfilling their commitments under Article 5.3 of the World Health Organisation Framework Convention on Tobacco Control. Help is available to develop local policies by contacting [admin@smokefreeaction.org.uk](mailto:admin@smokefreeaction.org.uk).

As the Declaration states the policy should include: “not accepting any partnerships, payments, gifts and services, monetary or in kind or research funding offered by the tobacco industry to officials or employees”. This is in line with the guidelines to Article 5.3, which can be found here.

Such a policy should be developed with all relevant council departments and implemented among all staff that might have contact with the tobacco industry.

Concerns have been raised about how councils should interact with tobacco companies wanting to work collaboratively on illicit trade. Please contact us via [admin@smokefreeaction.org.uk](mailto:admin@smokefreeaction.org.uk) if you would like further guidelines on these areas.

## **6. Would the Declaration cause problems for our pension fund investments?**

No. Imagine Ayton Council's pension scheme has tobacco investments; but they have a clear stance which protects local policy from tobacco industry interests and lobbying. On the other hand Beeborough Council has no tobacco investments but has industry branded smoking shelters on its property, its councillors and senior officers meet with industry representatives and attend industry funded events on illicit tobacco. It is Beeborough that needs to look at its policy urgently and would not comply with the commitments in the Declaration.

The Declaration does not conflict with other duties. It is a strong way of demonstrating that council's have a robust approach to engagement with the tobacco industry regardless of any share investments. It can also be a tool to deflect media and other criticism regarding tobacco industry share investment by focusing on the key issues of protecting health policy from interference.

Councillor Nick Forbes, leader of Newcastle City Council, who developed the Declaration said:

*"It is... true that almost all local government pension schemes in England have some investment in tobacco companies. I share the frustrations of many in public health regarding these investments, however our fiduciary duties makes effective action difficult. The greatest threat from the tobacco manufacturers comes not from investments by our pension fund managers but from their influence on our health policy. This Declaration is about taking effective action against real threats."*

The Declaration commits the council to protect health policy from the influence of the tobacco industry and this can be achieved through a strong policy on engagement and transparency locally. It is possible for a local authority to do this while retaining pension investment in tobacco shares. However, as part of the development of any policy it

may be appropriate to review tobacco share investment in line with a local authorities' fiduciary duty. This will show that the council is acting appropriately.

### **7. Can we add to the Declaration or change some of the wording?**

No, but you can commit to go further. The Declaration contains overarching principles not policies. It is for local authorities to decide on the policies which are relevant for their tobacco control plan. For the Declaration to have meaning at a national level it needs to be signed up to as is. The goal of the Declaration is both to support local authority leadership on tobacco control but also to make a collective statement about the importance of this issue. Having multiple versions of the Declaration would weaken this collective statement.

That does not mean that councils can't choose to go further or focus their energy on a specific set of issues. Such extensions to the Declaration might best fit in a council's local tobacco control plan. In Nottingham, for example, the council has created a community declaration, designed to help local organisations, including businesses and charities, demonstrate their support for tobacco control. In Somerset, the County Council has used the Declaration as tool to engage District Councils in tobacco control work, offering a small pot of money to implement Smokefree playgrounds projects for district councils who chose to sign.

### **8. Why is the Declaration relevant to district councils?**

Smoking remains the biggest cause of premature death in the UK and has been identified as the single biggest cause of inequality in death rates between rich and poor in the UK. The Declaration provides a public statement of intent on tobacco control for district councils committed to tackling this burden.

Although existing services and additional public health capacity varies between district councils, the transfer of public health from the NHS to local authorities enhances every districts' role in improving health outcomes for local residents.

Smoking cessation services are often based at district level and other specific areas affected by smoking which fall within the responsibilities of district councils include:

- Street cleaning - cigarette butts are a major cause of litter. It costs an estimated £342 million annually to clean smoking-related litter from streets in England.
- Environmental health – this includes ensuring smoke-free laws are applied and can also involve dealing with smoking related issues within homes and workplaces. This can include making sure tenants and workers aren't affected by smokedrift and second-hand smoke.

For further information on district councils and public health, please see the District Councils' Network report [District Action on Public Health](#).

### **9. What does it mean to be a member of the Smokefree Action Coalition?**

Membership of the Smokefree Action Coalition (SFAC) is a further demonstration of a local council's commitment to tobacco control and also offers additional benefits.

The SFAC is a coalition of over 250 local and national organisations and has wide membership among the Royal Colleges, the public health professional bodies, local councils and health charities. It campaigns for tobacco control at a national level and provides a network of support and advice to local public health professionals.

Membership of the SFAC gives local council's a national platform to make the case for central Government action to reduce the level of smoking in support of local

authorities. However, no member is required to agree with every policy position and all members would be contacted ahead of their name being put to a specific public statement (e.g. a briefing on a particular issue).

## **10. What can we do to publicise the Declaration?**

There are a number of steps you can take to maximise the publicity for the Council signing the Declaration and to use the Declaration to publicise tobacco control work to local media:

- A press release and photo with the Declaration signatories. See examples from [Luton Borough Council](#) and [York Council](#).
- Combine signing the Declaration with action on illegal tobacco sales/under-age sales in the local area. For example, the [Royal Borough of Greenwich](#) combined news of series of spot-checks by trading standards officers on local stores with the news that the council had committed to the Declaration.
- Include local statistics on the harm caused by smoking to your area in your press release and other communications. For local figures: see [www.ash.org.uk/localtoolkit](http://www.ash.org.uk/localtoolkit) and [www.tobaccoprofiles.info](http://www.tobaccoprofiles.info).
- Tie in signing the Declaration with a national event or campaign such as [No Smoking Day](#) or [World No Tobacco Day](#). See [Knowsley Council](#) for an example.