

Note on this document

1. This document provides template text which may help in drafting a council statement on work reviewing local policy in line with Article 5.3.
2. For more information on the WHO FCTC, please visit: <http://www.who.int/fctc/en/>
3. For more information on local authority pension investments, please visit: http://ash.org.uk/files/documents/ASH_831.pdf
4. For more information on the Local Government Declaration please visit <http://www.smokefreeaction.org.uk/declaration/>

Developing a Policy on Contact with the Tobacco Industry

Template text for Council Statement

Statement

“The tobacco industry has a long history of attempting to undermine national and local government health policy. It is therefore important for local authorities to have clear processes in place for managing engagement with tobacco companies and their proxies.

To ensure that local health policy is protected from the vested interests of the tobacco industry and that any necessary dealing with the tobacco industry are appropriate and transparent, XXXXX Council is reviewing its existing policy and practice with a view to adopt a strategy. This process will also help the Council meet its obligations under Article 5.3 of the World Health Organisation’s Framework Convention on Tobacco Control.

Guidelines on implementing Article 5.3 call on governments, including local government, to among other things:

- *Not to enter into partnerships, non-binding, or non-enforceable agreements with the tobacco industry.*
- *Not to accept voluntary contributions from the tobacco industry.*
- *Not to accept tobacco industry-drafted legislation or policy, or voluntary codes as substitutes for legally enforceable measures.*
- *Not to participate in “corporate social responsibility” or related schemes funded by the tobacco industry.*
- *Not to permit tobacco industry representation on government tobacco control bodies.*
- *Not to invest in the tobacco industry and related ventures.*
- *Not to have any financial interest in the tobacco industry.”*

OPTIONAL:

Local Government Declaration

“In its drive to improve the health and wellbeing of the people of [XXXXXX] and reduce the harm caused by tobacco the County Council has also initiated the process to join other councils in signing the Local Government Declaration on Tobacco Control.”

Pensions

“This review includes the pension fund’s investment in tobacco. Given the complexities of balancing obligations under the FCTC with the fiduciary duties of the pension trustees. The Council has formally requested the pension fund administrators investigate options to disinvest and asked the Local Government Association for guidance.”

OR

“Along with many other local authorities the Council is well aware of the dilemmas arising from pension fund investment in tobacco companies. These are complicated matters that are difficult to resolve. Given the importance of this issue and the complexities of balancing requirements under the Framework Convention on Tobacco Control with the fiduciary duties of pension trustees and the independence of the pension fund, the Council has decided that the subject of pension fund investments is a separate issue and one that does not influence local Public Health policy.”