# "Government lobbying government" The case of the UK tobacco control industry January 2011

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### Introduction

On 5 August 2010<sup>1</sup> the Secretary of State for Communities and Local Government, Eric Pickles MP, announced measures to stop local authorities and quangos employing external consultants to assist with their lobbying activities. This so-called "lobbying on the rates" was one of the more obvious symptoms of what has been called "government lobbying government" – public money being spent to influence the use of other public money.

Some public sector funding is far less obvious than the direct employment of external consultants. The UK tobacco control industry receives the vast majority of its funding from the public purse, but through a variety of methods:

- A range of local and regional organisations (Smokefree partnerships) are entirely funded with public money through local government grants or NHS/Primary Care Trust funding;
- Some university departments dedicated to tobacco control (eg. the UK Centre for Tobacco Control Studies), receive funding from central government (Department of Health) and the NHS/Primary Care Trusts;
- Several charities entirely dedicated to tobacco control lobbying of central government are almost entirely funded by central government.



# Highlights

Action on Smoking and Health (ASH UK) received a direct grant of £210, 000 from the Department of Health in 2010, up from £142,000 in 2009; ASH has now received £908,400 in grants (Section 64 General Scheme) from the Department of Health over the last five years. In addition, it received £110,000 from the Welsh Assembly Government in 2007.

- In 2008-09, ASH Scotland received total funding of **£921,837** from the Scottish Government.
- In December 2009, ASH Scotland received a £500,000 grant from the BIG Lottery to fund a major three year research project into smoke-free homes in Scotland.
- ASH Wales received **£115,800** from the Welsh Assembly Government (tobacco control services) in 2008-09 and **£113,000** in 2007-08.
- The charity No Smoking Day received **£221,600** from the NHS regions (through the Department of Health), **£25,000** from NHS Scotland, **£8,000** from the Health Promotion Agency for Northern Ireland and **£30,000** from the Welsh Assembly Government Health Promotion Division in 2009-10.
- The Department of Health does not appear to know how much public money is spent overall on the Smokefree network of tobacco control groups that have developed over the last 10 years.
- In 2008 Smoke Free North West secured funding totalling almost **£1.9 million** from the PCTs to *"complement core national funding"*.
- The UK Centre for Tobacco Control Studies has been funded with £3,694,498 over five years, commencing June 2008. It was also awarded a £1.2 million grant to develop and pilot several projects to implement smoking cessation services.

#### The UK Department of Health

Tobacco policy sits within the Health Improvement and Protection Directorate and falls under the responsibility of the Director of Health and Wellbeing. According to the latest information<sup>2</sup>, the tobacco policy team consists of seven whole-time equivalent civil servants:

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Grade	Whole-time equivalent civil servants in tobacco programme	Current inner London pay range (minimum-maximum)
Deputy Director (SCS1)	0.5	£58,200-£117,800
Grade 6	1.0	£57,967-£73,828
Grade 7	1.5	£46,698-£60,962
Senior Executive Office	r 1.0	£35,498-£45,118
Fast Stream Officer	1.0	£28,884-£41,546
Executive Officer	1.0	£23,767-£29,600
Administrative Officer	1.0	£19,579-£23,120

Furthermore, there are currently five contract staff but these will have left the team by the end of March 2011<sup>3</sup>.

The latest Department of Health accounts 2009-2010<sup>4</sup> do not give any detailed breakdown of the amount of money spent on tobacco control.

In a group letter to The Lancet on 21 August 2010, a leading group of tobacco control advocates from academia and lobby organisations complained that "the new Government has started to dismantle important parts of the infrastructure that delivered the gains in public health seen in the past decade"; notes that "Since coming to power in May 2010, this Government has maintained a freeze on all mass media campaigns" and that "the Government is reducing the size of the tobacco policy team in the Department of Health and closing most of the regional offices of tobacco control."<sup>5</sup>

### Action on Smoking and Health (ASH UK)

Action on Smoking and Health (ASH UK) is a 'campaigning public health charity that aims to eliminate the harm caused by tobacco'. It was established by the Royal College of Physicians in 1971 <sup>6</sup>. The latest strategic plan was produced early in 2008 and is due to be updated in 2011.

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According to the latest Annual Report 2010  $^7$ , the charity employs ten members of staff, including part time staff (up from 8 in 2009). Staff pay increased by 17% in 2010, from £336,689 in 2009 to £394,215 in 2010  $^8$ .

ASH UK is a member of the Smokefree Action Coalition, the RIP Coalition and the WHO Framework Convention Alliance on Tobacco Control (also known as the FCA), where Deborah Arnott, the Chief Executive, is the European Board Member<sup>9,10</sup>.

ASH UK is a registered charity (no. 262067). The principal sources of project funding<sup>11</sup> for the charity are the Department of Health Section 64 General Scheme, the British Heart Foundation (BHF) and Cancer Research UK. Both Cancer Research UK and BHF also provide the charity with core funding for its entire programme of work.

The organisation received a total income of £935,093 in 2010  $^{12}$ , up from £742,542 in 2009 $^{13}$ , an increase of 26%. Charitable expenditure, at £812,070, increased by 14% on 2009, with closing cash balances of £731,098 (up from £556,898 in 2009) and net assets of £585,288.

Grants received in 2010 included £210,000 from the Department of Health (up from  $\pm 142,000$  in 2009<sup>13</sup>) and  $\pm 168,283$  from ASH International (up from  $\pm 104,119$  in 2009).

The Department of Health Section 64 Scheme grant of £210,000 was designated to a 'Capitalising on Smokefree' project to provide "an information base and communications to support further progress on tobacco control policy and smoking cessation following on from the smokefree policies introduced in the Health Act 2007" <sup>14</sup>.

ASH has now received £908,400 in grants (Section 64 General Scheme) from the Department of Health over the last five years  $^{15}$ :

2009-10: Project: Capitalising on Smokefree: the way forward: £210,000 2008-09: Project: Capitalising on Smokefree: the way forward: £142,000 2007-08: Project: "Smoking Kills": the Next Steps: £191,000 2006-07: Project: "Smoking Kills": the Next Steps: £185,400 2005-06: "Smoking Kills": the Next Steps: £180,000

Additionally, in 2007, ASH UK received £110,000 from the Welsh Assembly Government <sup>16</sup>.

ASH has worked with third sector consulting specialists JPA Europe, public service consultancy SocialPioneers , media trainer Kevin MacIssac, and Claydon Healey advertising <sup>17,18</sup>.

# **ASH Scotland**

ASH Scotland (Action on Smoking and Health Scotland) is the leading charity campaigning for tobacco control legislation in Scotland. It was set up in 1973 under the auspice of the Royal College of Physicians, Edinburgh, and became a separate organisation to ASH United Kingdom in 1993. ASH Scotland is a member of the Scottish Tobacco Control Alliance and the Scottish Coalition on Tobacco<sup>19</sup>. It employs approximately 28 staff (see Annex A for ASH Scotland organisation chart, May 2010).

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Direct income from the Scottish Government has risen steadily: £364,869 in 2004-5, £353,120 in 2005-06 and £403,800 in 2006-07  $^{20}$ .

Scottish Government funding for ASH Scotland in the financial year 2008-09 was composed of the following <sup>21</sup>:

Core Grant	£255,000
Local Alliances Project	£60,000
Tobacco and Inequalities Project	£60,000
ASH Scotland Information Service	£62,950
Capital Grant	£30,737
*PATH	£453,150
Total	£921,837

Note: \*Partnership Action on Tobacco and Health (PATH) is a joint initiative set up in 2002 to support the expansion of evidence-based smoking cessation services involving the Scottish Government, NHS Health Scotland, the NHS in Scotland and COSLA, which is co-located with and managed on behalf of the partners by ASH Scotland.

NHS Health Scotland also provided £34,172 of funding in 2008-09<sup>21</sup>.

ASH Scotland's income for the financial year 2009 – 2010 was £1,053,909<sup>22</sup>. The charity chooses not to publish its annual accounts – although these are available on request.

ASH Scotland's Annual Report 2010 provides some evidence of the breakdown of funding sources – in descending order:

- Government Funded projects
- Core funding from Government
- British Heart Foundation
- NHS Health Scotland
- Cancer Research UK
- The BIG Lottery

• Donations, interest and earned income

By far the largest tranche of funding (somewhere in the region of 60%) comes from government funded projects  $^{23}$ . In December 2009, ASH Scotland received a £500,000 grant from the BIG Lottery to fund a major three year research project into smoke-free homes in Scotland  $^{24}$ .

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It is understood that ASH Scotland has widened its funding portfolio since an external review was undertaken and published in August 2008<sup>25</sup>.



Total income 2008-09 (p.12, ASH Scotland Annual Report 2009)



Total income 2009-10 (p.12, ASH Scotland Annual Report 2010)

#### **ASH Wales**

ASH Wales is the '*leading voluntary organisation in Wales tackling tobacco use*', and is in fact, Wales' only voluntary organisation solely dedicated to tackling the ill health caused by tobacco use. It was established in 1976 as part of ASH UK, but in 2007 established itself as a separate entity.

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ASH Wales no longer provides services for individuals looking to stop smoking and is now an advocacy, lobbying and networking organisation.

ASH Wales co-ordinates the All Wales Tobacco Control Forum, and has developed the Welsh Tobacco Control Alliance, and the Youth and Tobacco Forum. It employs six staff <sup>26</sup>.

To the year ending 31 March 2009 ASH Wales' income amounted to £223,292including £115,800 from the Welsh Assembly Government (tobacco control services); £24,666 from the British Heart Foundation (to fund the post of an Information and Policy Analyst) and a grant of £45,168 from the Pfizer Foundation to support a youth worker training programme. The remainder of the charities income was derived from investments, conferences and training programmes <sup>27</sup>.

To the year ending 31 March 2008, ASH Wales received £113,000 from the Welsh Assembly Government (46% of its total income of £247,306).

However, the charity's 2008/09 Annual Report acknowledges the financial and/or in kind support of some additional organisations – namely, Novartis, Pfizer, McNeil Itd, GSK and Bedfont Scientific <sup>28</sup>. Campaign blogs including Velvet Glove, Iron Fist and Old Holborn have already queried the nature of ASH Wales' funding and its supposed links with ASH International <sup>29,30</sup>.

The charity's 2009/10 annual figures have recently been filed with the Charity Commission but have not yet been published online.

#### **No Smoking Day**

No Smoking Day is a registered charity, which organises the annual campaign of the same name. The first No Smoking Day took place in 1984 and the charity was established in the same year. The 2011 No Smoking Day will take place on 9 March <sup>31</sup>. No Smoking Day has four staff, and three volunteers <sup>32</sup>.

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The member organisations of the charity are ASH; ASH Scotland; ASH Wales; British Dental Health Foundation; British Heart Foundation; British Medical Association; Cancer Research UK; Cardio Wellness Charity; Department of Health; Health Promotion Agency for Northern Ireland; Marie Curie Cancer Care; National Assembly for Wales Health Promotion Division; QUIT; Royal Society for Public Health; and Ulster Cancer Foundation<sup>33</sup>.

The charity also runs the We Quit support programme, affiliated to its annual campaign.

No Smoking Day's most recent financial report (to 31 March 2010) lists an income of  $\pm$ 781,701. The charity appears to have suffered during the economic downturn, with income down on 2009 and funding and sales income also reduced; and the charity also notes that 'Pharmaceutical companies had been very forthcoming with sponsorship for merchandise and launch events in 2009 but were much less so the next year' <sup>33</sup>.

No Smoking Day also notes that Department of Health funding, which had previously been administered centrally, is now requested from each of the nine DoH regions – not all of which had been able to contribute the full amount. The charity received a grant of £50,000 to fund an Armed Forces Project. The money was previously funded by DoH, although the Ministry of Defence has pledged commitment to the project for three years <sup>34</sup>.

The other grants for the charity for 2009/10 were:

British Heart Foundation - £56,250 Cancer Research UK - £31,500 Department of Health – regional contributions £221,600 NHS Scotland – £25,000 Health Promotion Agency for Northern Ireland - £8,000 Welsh Assembly Government Health Promotion Division - £30,000 Ulster Cancer Foundation - £1,000.

Additionally the charity raised £25,850 through sponsorship – although this was down by nearly half on 2009 numbers  $^{33}$ .

#### **RIP Coalition**

The RIP Coalition campaigns for 'fire safer cigarettes to help reduce...needless death and devastation by cigarette fires'. The coalition estimates that each week in the UK two people die in fires caused by cigarettes <sup>35</sup>. The coalition launched in the UK in November 2006 <sup>36</sup> and is co-ordinated by ASH UK <sup>37</sup>. The coalition currently has 45 members including smoking cessation groups), the Fire Brigades Union, Fire Authorities, Primary Care Trusts and other third sector organisations <sup>38</sup>.

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The Coalition is not a registered charity and does not produce either an annual report or any audited figures. Consequently, details of its funding are unavailable.

# QUIT

QUIT (National Society of Non-Smokers) is a national charity helping smokers to stop. Established in 1926 it claims to have helped over 2 million people to stop smoking. It provides information, advice, counseling and support. Amongst its specific services, it runs QUIT charity shops, an Asian quitline targeting some South Asian groups and an NHS Pregnancy helpline. QUIT is the lead agency of the European Network of Quitlines (ENQ) which aims to promote best practice across Europe and has grown to 30 members this year. ENQ has launched a new programme to build capacity in the Central and Eastern European Region with support from the Pfizer Foundation and Pfizer <sup>39</sup>.

In 2009 it ran a TXT2STOP clinical trial, in partnership with the London School of Hygiene and Tropical Medicine and supported by the Medical Research Council, into the effectiveness of text messaging as a stop smoking intervention launched a campaign to find 5,800 volunteers to take part in the study. The research trial iQuit aims to evaluate a system to help smokers to quit by giving them personally tailored advice via the internet. The trial was run by researchers at the University of Cambridge and University College London and was supported by CRUK.

The 2009 accounts and summary of activity states:

"QUIT has continued its policy of co-operation with the pharmaceutical industry, where there is clear evidence that their products are effective in helping clients. QUIT provides services for such companies on a commercial basis, and uses the resources generated to support other charitable activities" <sup>39</sup>.

The 2007 accounts states that funding during 2006-07 was from "Department of Health, the European Commission, Primary Care Trusts, Charities, corporate Supporters and fundraising events" <sup>40</sup>.

In the period ending March 2009, QUIT had a total income of  $\pm 1.894$  million <sup>39</sup>.

#### Smoke Free ACTION

Smoke Free ACTION is a coalition of organisations 'committed to promoting public health'. The group originally came together to campaign for the smoking ban in the workplace, and since this achievement in 2007 has continued as a campaigning coalition, now 'committed to reducing the harm caused by tobacco more Page | 11 generally.<sup>41</sup>

There are 150 organisations involved in the coalition <sup>42</sup>, including leading campaign groups such as ASH, No Smoking Day and Breath North East, as well as numerous health charities, medical groups, local authorities and Primary Care Trusts. The Smokefree NHS regional groups are also part of the coalition.

As with other coalition groups Smoke Free ACTION is an umbrella organisation with no staff or premises of its own. The Smoke Free ACTION website is managed by ASH who also co-ordinate and respond to media enquiries on behalf of the coalition.

Information is not publicly available about whether the costs of Smoke Free ACTION are incorporated within ASH's budget or whether the organisation receives additional and separate funding for campaigning.

#### **Regional Smokefree Groups**

Smokefree is the NHS umbrella online campaign for individuals looking to stop smoking and for healthcare teams. They provide coordination, resources and expertise to stimulate coordinated, strategic implementation of effective local community tobacco control delivery. It co-ordinates the smokefree website and a number of regional smokefree campaigns, and works along the Stop Smoking service. The roots of Smokefree can be found in the July 1992 White Paper, The Health of the Nation. The campaign began in 2007 to support the new smokefree legislation 43.

The three main Smokefree Groups are regional: Smokefree North West, Fresh Smoke Free North East and Smokefree South West.

In a Parliamentary Written Answer<sup>44</sup> on 14 September 2010, Anne Milton MP, the Public Health Minister, set out the complexities of identifying funding for the Smokefree Groups:

"There is no standard template for funding because these partnerships have arown up over the years to reflect the public health priorities in the particular areas which they serve.....Smokefree partnerships vary in composition but they have in common close cooperation at the local and regional levels between national health service, local government, other Government Departments such as HM Revenue and Customs, voluntary sector groups and private sector organisations with an interest in tackling smoking.

Levels of funding and sources of funding for the partnerships has changed over the years. There have been some years especially between 2004 and 2009 when central funding was made available. In those regions with smokefree partnerships this central funding would have been added to the funds raised locally.

Those regions which do not have a smokefree partnership have in recent years been more heavily dependent on central funding and on the activities of the Regional Tobacco Policy Manager. With the changes brought about in response to the current financial situation some regions have dispensed with their Regional Tobacco Policy Managers. The levels of activity on smoking

The regions with smokefree partnerships are currently principally funded from agreements developed with PCTs. Changes in the NHS (as set out in the recently published NHS White Paper) and the ending of PCTs will result in further changes in the immediate future.

The publication of the Public Health White Paper later this year and the development of the Public Health Service in line with the Government's new priorities will also impact on the smokefree partnerships, their future work and funding. Whether previous funding arrangements remain appropriate for the future is an issue, which will have to be considered in due course both at national level and by their funders at local and regional level."

#### **Fresh Smoke Free North East**

issues therefore varies considerably.

Fresh Smoke Free North East (SFNE) is a dedicated tobacco control office for the North-East of England, and is the country's first regional office for tobacco control. Fresh North East was established in 2005: as the North East, at that time, had the highest rates of smoking in England.

It was established to deliver the regional tobacco strategy that had been designed by North East Councils, the Regional Assembly, Public Health Group North East, Primary Care Trusts and North East Strategic Health Authorities. Fresh's approach has now been used as the blue print for regional tobacco control offices in the North West and South West of England <sup>45</sup>.

The Fresh Smoke Free North East Office is funded by the Primary Care Trusts in the region and by Public Health Group North East <sup>45</sup>. Fresh is not a registered charity, and annual accounts are not held by the Charity Commission.

Fresh receives PR support from Newcastle firm Robson Brown, and social marketing support from London based The Hub.

#### **Smoke Free North West**

Comprised of 24 Primary Care Trusts in the North West, Smoke Free North West was established in 2007. In 2008 it secured funding totalling almost £1.9 million from the PCTs to "complement core national funding" <sup>46</sup>.

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Smoke Free North West has reportedly "secured a higher level of DH funding for tobacco control than any other region and has in place the business planning and governance processes to deliver on investment" <sup>47</sup>, although other regions (South West) also lay claim to this fact.

#### **Smoke Free South West**

According to a Written Answer on 14 September 2010, Smoke Free South West:

"The smokefree partnership in the south west has only been operating for the last two years and has the highest level of funding from its agreement with the primary care trusts (PCTs) in the region." <sup>48</sup>

#### All Party Parliamentary Group on Smoking and Health

Previously headed up by anti-smoking campaigner the late David Taylor MP, the All Party Parliamentary Group on Smoking and Health is now Chaired by Lib Dem MP Stephen Williams. There is nothing in Parliament's Register of Members' Interests to suggest that any member of the Group has received funding, overseas travel or other donations with respect to their work with the All Party Group.

The APPG works closely with ASH, who, according to Parliament's register of interests, "provides administrative support to the group, including sharing of information with members of the group, the occasional provision of briefing material at meetings, and occasional funding of receptions." <sup>49</sup>

Photography from a meeting of the APPG group on 6 June 2010 shows prominent ASH branding, and that ASH Trustee's Dr John Britton, ASH Campaign manager Martin Dockrell, and ASH chief executive Deborah Arnott were all in attendance or speakers at the meeting <sup>50</sup>.

The minutes of the APPG meeting of 6 July 2010 show that no less than 25 charities and other organisations were in attendance, including five members of ASH <sup>51</sup>.

In a submission to the 2010 Spending Review and Public Health White Paper consultation process, 'Inquiry into the effectiveness and cost-effectiveness of tobacco control', the APPG makes the following recommendations regarding funding of tobacco control <sup>52</sup>:

"Government funding for tobacco control should be held at 2009-10 levels and sustained for the future in real terms.

Directors of Public Health should allocate resources from their ring-fenced public health budgets to tobacco control in line with the evidence about how Page | 14 to ensure better public health outcomes for their communities.

Tobacco control must be a central plank of the Government's new public health service and public health strategy.

The new ring-fenced public health funding must include specific funding for tobacco control programmes."

# UK Centre for Tobacco Control Studies (UKCTCS)

UKCTCS is a partnership of nine (originally seven) universities:

- University of Bath (School for Health)
- University of Birmingham (School of Population Sciences)
- University of Bristol (School of Experimental Psychology)
- University of Edinburgh (Public Health Sciences)
- University of Nottingham (School of Community Health Sciences)
- Queen Mary University of London (Wolfson Institute for Preventative • Medicine)
- University of Stirling (Institute for Social Marketing (ISM)/Centre for Tobacco Control Research)
- University of York (Health Sciences)
- University College London (Health Behaviour Research Centre).

Established in 2008, it is one of five new UK Clinical Research Collaboration-funded Public Health Research Centres of Excellence. The UKCTCS aims to deliver a comprehensive programme of original research, policy development, teach, training and public engagement. This work includes promoting UKCTCS to the wider national and international academic community. For instance it organised a UKCTCS symposium at the 14<sup>th</sup> World Congress on Tobacco or Health held in Mumbai in March 2009.

The UKCTCS has been funded with £3,694,498 over five years, commencing June 2008 <sup>53</sup>.

UKCTCS researchers were awarded funding by NHS Nottingham City, NHS Scotland and the Department of Health (both directly and through the Public Health Research Consortium) during the financial year ending 2009.

A 2009 report states that:

"The Department of Health Tobacco Policy teams have approached the UKCTCS Strategic Management Group to request the members to act in a capacity to provide input into DH Tobacco Control Policy initiatives. The SMG are expected to comment on the evidence base for many of the policy Page | 15 interventions DH are proposing in their review of existing Tobacco Control policy due in 2010" <sup>53</sup>.

UKCTCS is hopeful that this relationship will develop and enhance existing links with the Department of Health:

"It is expected that this will be beginning of a positive and productive working relationship with the DH and will mean that the UKCTCS shall actively contribute to the formation of Tobacco Control policy in England. This development enhances centre members existing links with the Department of Health, such as Dr Linda Bauld's role as the Department's Scientific Adviser on Tobacco Control." 53

UKCTCS has representation on the board of ASH (Action on Smoking and Health), the Tobacco Advisory Group of Cancer Research UK and is "heavily involved" in the Royal College of Physicians Tobacco Advisory Group. Two UKCTCS members are working with the Research and Evaluation sub-group of the Ministerial Working Group on Tobacco Control (Scottish Executive) 53.

On 26 May 2010 the UKCTCS was awarded a £1.2 million grant to develop and pilot several projects to implement smoking cessation services in settings associated with health inequalities 54.

# Annex A ASH Scotland organisation chart, May 2010



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