Corporate Social Responsibility and Access to Policy Elites: An Analysis of Tobacco Industry Documents

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Abstract

Background: Recent attempts by large tobacco companies to represent themselves as socially responsible have been widely dismissed as image management. Existing research supports such claims by pointing to the failings and misleading nature of corporate social responsibility (CSR) initiatives. However, few studies have focused in depth on what tobacco companies hoped to achieve through CSR or reflected on the extent to which these ambitions have been realised.

Methods and Findings: Iterative searching relating to CSR strategies was undertaken of internal British American Tobacco (BAT) documents, released through litigation in the US. Relevant documents (764) were indexed and qualitatively analysed. In the past decade, BAT has actively developed a wide-ranging CSR programme. Company documents indicate that one of the key aims of this programme was to help the company secure access to policymakers and, thereby, increase the company’s chances of influencing policy decisions. Taking the UK as a case study, this paper demonstrates the way in which CSR can be used to renew and maintain dialogue with policymakers, even in ostensibly unreceptive political contexts. In practice, the impact of this political use of CSR is likely to be context specific, depending on factors such as policy elite’s understanding of the credibility of companies as a reliable source of information.

Conclusions: The findings suggest that tobacco company CSR strategies can enable access to and dialogue with policymakers and provide opportunities for issue definition. CSR should therefore be seen as a form of corporate political activity. This underlines the need for broad implementation of Article 5.3 of the Framework Convention on Tobacco Control. Measures are needed to ensure transparency of interactions between all parts of government and the tobacco industry and for policy makers to be made more aware of what companies hope to achieve through CSR.

Please see later in the article for the Editors’ Summary.


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Abbreviations: BAT, British American Tobacco; CSR, corporate social responsibility; CSRP, corporate social responsibility programme; DoH, Department of Health; DTI, Department of Trade and Industry; EU, European Union; FCTC, Framework Convention on Tobacco Control; PCP, Partnership for Change Programme

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Introduction

On December 3rd 2000, British American Tobacco (BAT) gave arguably the clearest indication yet of its decision to join the growing corporate social responsibility (CSR) movement [1] with the highly symbolic announcement of a £3.8 million donation to create a Centre for CSR at the University of Nottingham [2,3]. Notice of BAT’s endowment heralded the existence of a broader strategy that BAT had been working on since the spring of 1997 [4]. Unsurprisingly, news that the world’s second largest publicly traded tobacco company—selling a product which is currently estimated to cause 5.4 million deaths a year worldwide [5]—was attempting to associate itself with the idea of CSR was initially met with a mixture of cynicism and hostility [6–10]. In the years following the announcement, however, BAT’s CSR programme (CSR P) has been steadily accepted and approved by large parts of the investment and CSR communities. Senior employees are now frequently invited to speak at public engagements on CSR and business ethics [11–16] and the company has won numerous awards for its CSR P (see Box 1) [17].

Whilst the above may represent relatively limited measures of the extent to which BAT has been accepted as a socially responsible corporation, the gradual acceptance of the company’s CSR P is significant given that it has occurred despite widely available studies pointing to the existence of basic inconsistencies between many claims in its social reports and how it conducts its business in practice [18–25]. One reason for this acceptance might reside in the focus of the existing literature, which, arguably, does not pay sufficient attention to the essential political nature of BAT’s CSR P. Analysis of tobacco companies’ motivation to develop CSR initiatives tends to focus on its efforts to restore legitimacy and manage reputation. Where studies do concern themselves with what we might broadly describe as political aspects of CSR, such as its use as a tool of regulatory management [18,21,25], these effects tend to be stated, rather than scrutinised and explained. As a result, there is currently a lack of depth in our understanding of what exactly BAT (and, to a lesser extent, other tobacco companies) hopes to gain from CSR, how its senior managers believe it might facilitate these ambitions, and how successful such strategies appear to have been.

This paper aims to build on the existing literature on CSR [26–28] by exploring how BAT’s CSR P works as a form of corporate political activity. In keeping with our interest in undertaking a relatively detailed exploration of the practices and strategies that CSR makes available to large transnational companies like BAT, we have taken a case study approach to illustrate the relationship between CSR, access to policymakers, and issue definition (which is sometimes used interchangeably with agenda setting [37]). We define access as taking place when officials give consideration to the views of policy advocates (in this case BAT) [29]. This is commonly evidenced by meetings with company representatives. Access to policymakers is often a necessary precondition for achieving political influence [30–34]; indeed, political scientists often conceive it as an indicator of political influence [35] and a crucial component of agenda setting [36]. Issue definition (which is sometimes used interchangeably with agenda setting [37]) is typically used to refer to the strategies adopted by social actors (in this case, large multinational corporations) to define the legitimate concerns, appropriate reach, and optimal alternatives of public policy. In the present study, we primarily use the concept to draw attention to the way in which BAT used its CSR P in dialogue with policymakers in its efforts to influence the priorities of public and elected officials in the UK, encourage them to take notice of alternative modes of (voluntary) regulation being proposed by the

### Box 1. Selective summary of awards for BAT’s social and environmental programmes/reporting [137].

**2009:**
- Received a Platinum rating in the UK Business in the Community Corporate Responsibility Index
- Selected for the 8th successive year as the only tobacco business in the 2009 Dow Jones Sustainability World Index (DJSI World) and the Dow Jones STOXX Sustainability Index (DJSI STOXX) for Europe, scored on economic, social, and environmental performance.

**2008:**
- Awarded a Gold ranking in the ‘Companies that Count 2008’ list of the UK’s 100 most responsible companies, published in the Sunday Times and based on the Business in the Community Corporate Responsibility Index.

**2007:**
- Ranked third out of the FTSE100 companies in the Ethical Bonus Index 2007 (compiled by Intelligent Giving on and focusing on how companies enable staff to donate to charity, including allowing time off for volunteering, matching donations, and running a ‘payroll giving’ service).
- Earned an overall score of 98.6% in the Business in the Environment Index run by Business in the Community (which placed the company in the highest possible Platinum performance band).

**2006:**
- Ranked in the Premier League of Business in the Community’s Environment Index, as one of the 23 companies out of 155 participants to score over 95%
- Ranked joint 31st of the top 100 companies in Business in the Community’s wider Corporate Responsibility Index (including ‘outstanding’ scores for environmental management and marketplace management)

**2004:**
- Ranked fourth by the UN Environment Programme (UNEP) among 50 corporate social reporters (UNEP found the company’s reporting on human rights and community development to be ‘world class’ and gave the Group a score of 64% for its ethical, social, and environmental performance against an average score of 47%).
company, and to revise their concerns about whether the industry could be trusted to work in partnership.

We propose that our case study underlines the value of understanding BAT’s CSRP as an innovative form of corporate political activity [38–41]. This approach to conceptualising CSR has potentially important implications for public health given the widely documented impact of tobacco companies’ political activity in delaying and blocking health related policies [42–44]. More generally, it is likely to be relevant to understanding the impact of CSR in other industrial sectors, such as alcohol and food, where CSR also seems to have been used to shape government policy [45,46].

Methods

The analysis is based on BAT documents made publicly available as a result of litigation in the US, and which are now available online at the Legacy Tobacco Documents Library (http://legacy.library.ucsf.edu/index.html). The case study emerged from a larger programme of work that aimed to explore the rationale, extent, and impact of BAT’s CSR activities. A snowball approach was taken to searching the archive between April 2008 and March 2009. Initial searches used broad terms such as social responsibility, social reporting, and CSR. During this phase of our documentary searching, the issue of access emerged as an important potential line of enquiry. Further search terms were then selected to reflect the names of specific initiatives used to secure access, such as Partnership for Change, key BAT employees involved in developing BAT’s CSRP and liaising with policymakers, and public and elected officials with whom BAT employees attempted to meet. In total 185 search terms have been used to retrieve 9,603 documents (many of which were duplicates) relating to CSR and social reporting. For the current study 764 documents, with a date range between 1998 and 2000, have been studied in detail and indexed. Analysis was based on an approach to company document analysis summarised by Forster and complemented by archival techniques recommended by Hill [47,48]. Secondary data were obtained from newspaper reports and contacts in the field.

Results

Political Background

A brief understanding of the political context to our case study is crucial to understanding how BAT came to conceive of CSR as both a mode of securing access and as a way of reshaping the thinking of policymakers in the UK about how best to respond to the problem of widespread tobacco use. As a large multinational company registered in the UK, BAT was, historically, treated as a political insider by public and elected officials [49,50]. This meant that it enjoyed privileged access to policymakers and was regularly consulted on plans for new government policy [51,52]. The company relied on this close relationship in a number of different ways. Summarising an agreement by the UK Department of Trade and Industry (DTI) to act as the company’s sponsor, a note from the company’s External Affairs Manager records that the department was “particularly keen to help [BAT] against [its] foreign competitors” [53–55]. Other evidence indicates that the DTI was open to helping BAT break into new markets [56] and, until Labour’s 1997 election victory, BAT had often relied on the UK to work with other member states to veto proposed EU tobacco control legislation [57,58].

By the late 1990s, however, senior BAT managers had become concerned that its deteriorating relationship with the DoH was uncertain regulatory environment [79], and it was in this context that reestablishing access in the UK became a key objective of BAT’s public affairs strategy.

CSR as a Tool to Reestablish Political Access: BAT and the UK DoH, a Case Study

CSR as a means of initiating access. BAT’s attempts to reestablish access with the UK DoH in the late 1990s were restricted by widespread, low levels of trust in the tobacco industry [70]. Consequently, senior BAT executives determined that they first had to explore ways of improving public perception of the company, as a letter from Broughton to the company’s end markets in October 1998 explains: “The group’s image and reputation as an honest and open organisation have suffered recently, mainly as a result of the litigation in the US. The new British American Tobacco plc needs to regain a reputation of being trustworthy and responsive if we are to … gain the access and influence that we need externally. Much of this will come from being economically successful. However, an important contribution will also come from our reputation as a good corporate citizen.” [80]

Broughton’s remarks reflect a long held assumption of a positive correlation between corporate reputation and access, which was
In the event, the DTI’s investigation resulted in no further action being taken against BAT. The circumstances leading up to the decision was the subject of an investigation by the Guardian newspaper in 2004 [67]. Evidence of BAT’s alleged complicity in smuggling had initially been presented to the House of Commons Health Committee inquiry whose report specifically called on the DTI to investigate BAT [64]. Given the serious and complex nature of the allegations the DTI was reported to be considering an inquiry under section 432 of the Companies Act 1985 [67], which gives DTI inspectors wide-ranging powers to seize files, summon witnesses, question them under oath, and require them to give every assistance in connection with the investigation. Further, inspectors’ reports under section 432 are published. This threatened to raise BAT’s risk to litigation from overseas governments who had lost revenue and encountered difficulties in enforcing public health standards as a result of tobacco smuggling. According to the sequence of events reported by the Guardian BAT tried to persuade the DTI against a section 432 inquiry. Martin Broughton, the company’s chief executive, wrote to Stephen Byers (then Secretary of State for the DTI) twice, asking for an audience, but was rebuffed on both occasions. However, as a member of the multinational chairman’s group, a lobbying group composed of leading executives of multinational companies, Broughton was able to press his case directly to the prime minister during a private breakfast at Number Ten. Following the meeting, Byers was summoned to breakfast with the Prime Minister where he was pressured into granting Broughton a formal audience. As The Guardian reported at the time, this was despite the fact that the “company stood accused of colluding in cigarette smuggling on an unprecedented scale” [67] and despite the fact that ASH, the antismoking group, had been refused a similar meeting.

At the meeting, Byers agreed to back BAT in its legal fight against the Colombian government, which was bringing a lawsuit in the US over the smuggling allegations. After the meeting, official documents indicate a distinct change in tone in the way in which BAT was discussed within the DTI [67,138]. BAT was talked about as one of Britain’s world-class companies and Byers’s civil servants pressed him to cancel the planned inquiry, arguing there was insufficient evidence. Whilst accepting that the Health Committee’s intervention necessitated some sort of formal response, Byers was persuaded to launch the investigation under section 447 of the Companies Act, which grants inspectors more limited powers of questioning and which does not lead to the publication of a report. The inquiry dragged on for almost 4 years, during which time no further information was released into the public domain. Byers moved on and, finally, under the new trade secretary, Patricia Hewitt, the DTI announced there was insufficient evidence to take the matter further [67].

**Box 2. DTI investigation into BAT.**

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Box 3. BAT Partnership for Change proposals [99,139].

Twenty suggestions for progress

1. Define and ensure responsible marketing
   “We believe in our right to provide adult smokers with
   brand choice and information, alongside our responsi-
   bility to ensure that our marketing does not undermine
   efforts to prevent children from smoking. This means, for
   example, that:
   - Tobacco advertising should not contain imagery or
     messages which appeal to children;
   - Tobacco marketing should not take place in environmen-
     tals mainly by people under age;
   - Tobacco advertising should not be misleading.”

   Our proposals:
   (a) Establish a forum where the industry, government,
       public health groups and consumer advocacy groups
       can reach consensus on what constitutes responsible
       marketing of tobacco products.
   (b) Fund independent research to determine whether any
       specific form of marketing has a particular impact on
       decisions to smoke by under age teenagers.
   (c) In the light of this research, comprehensively review the
       voluntary code governing tobacco marketing.

2. Ensure that only adults smoke

   Our proposals:
   (a) Set up a summit meeting amongst Government, public
       health groups, educationalists, tobacco companies, and
       retailers, to develop a UK action plan on under age
       smoking.
   (b) Fund independent research into teenage behaviour,
       including decisions to smoke.
   (c) Set up a teenage action group, where teenagers
       themselves can develop messages to their peers on
       how to deal with adult products such as cigarettes and
       alcohol, and also on how to deal with illegal drugs.
   (d) Mobilise teachers, parents, Government and public
       health bodies in an integrated communications cam-
       paign with effective messages.
   (e) Raise the legal age for tobacco purchase in the UK from
       16 to 18, in line with alcohol.
   (f) Involve retailers in developing a tighter and more
       effective enforcement regime to prevent under age
       sales.
   (g) Provide more support through schools and retail
       outlets for the CitizenCard, a youth identity scheme
       that helps retailers confirm a customer’s age.
   (h) Research the formal and informal channels through
       which under age smokers obtain cigarettes, including
       the rapidly growing UK “black market.”
   (i) Fund independent research into the best excise
       strategy to make a major reduction in the UK black
       market in tobacco products.

3. Ensure that the public are appropriately informed of
   the risks; Ensure that smokers are informed of the
   varying levels of risk and are therefore encouraged to
   smoke fewer cigarettes, smoke lighter cigarettes, and
   quit smoking sooner. We believe that after decades of
   public education, people are well aware of the health
   risks associated with smoking. However we also believe
   there are steps which smokers could take to reduce their
   exposure to risk, and that public health messages could
   address these. Government, public health bodies and
   tobacco companies could work together on such
   messages to smokers and innovative ways to deliver
   them.

   Our proposals:
   (a) Fund independent research to determine the extent to
       which risk may be reduced from low tar cigarettes.
   (b) Discussion amongst tobacco companies, Government,
       public health groups and the medical profession to
       develop consumer messages on smoking fewer ciga-
       rettes, smoking lighter cigarettes, and quitting smoking
       sooner.

4. Ensure that the desires of non-smokers to avoid the
   annoyance of smoke are accommodated.

   Our proposals:
   (a) Provide funding to BRE (the Building Research Estab-
       lishment) to investigate cost-effective devices for
       reducing environmental tobacco smoke in public
       spaces.
   (b) Support the AIR (Atmosphere Improves Results) cam-
       paign in the UK which provides solutions for the
       hospitality sector.

5. Ensure that the effort to both research and develop
   lower risk cigarettes, and the communication of those
   developments to consumers, be encouraged and
   supported, unencumbered by opportunistic criticism.

   Our proposals:
   (a) A scientific forum to discuss which product changes
       would be supported by public health groups and might
       gain consumer acceptability, and how new products
       might be tested.
   (b) Fund independent research on very low tar cigarettes,
       to determine how much less tar smokers take.
   (c) Ask the International Standards Organisation (ISO) to
       examine whether current tar and nicotine machine
       measurements could be improved.
   (d) Consider ways of informing consumers about innova-
       tive products, including informational advertising.

BAT could “come up with a 4 or 5 point agenda on ‘common
ground for working together’” [75]. On first inspection, the DTI’s
intervention might indicate that its officials played a part in
shaping BAT’s CSR and Political Access
access to other departments, this illustrates the value of a well-designed set of CSR related messages in setting the agenda of meetings with public officials (see below).

The combined effect of the DTI's assistance and the Prime Ministers' apparent endorsement of PCP appears to have marked a turning point in BAT’s efforts to use CSR initiatives to break down barriers to access. Before receiving the Prime Minister's reply Broughton had accepted an invitation to attend a seminar held annually in the Civil Service National College (now the National School of Government) in Sunningdale, which brought together senior civil servants and business leaders [96]. Although a briefing prepared for this meeting also explored how CSR could be used as a means of facilitating access to other parts of government his primary aim was to make contact with Chris Kelly, Permanent Secretary to the DoH [96,97]. Following the seminar, Broughton appealed to Kelly for further dialogue, asking how BAT might “engage more constructively with regulators, legislators, public health authorities and the academic community” [98].

To underline that BAT wanted to learn more of the DoH’s major concerns about tobacco in order to inform its “thinking about how [the company] might be able to contribute appropriately to positive solutions,” Broughton supplied Kelly with a copy of BAT’s PCP [99]; assuring him that this represented “a genuine attempt to offer potential starting points for dialogue, especially in areas where we believe we could “bring something to the table to achieve positive results” [99]. To keep the dialogue alive, Broughton asked for feedback on these initial ideas, and, significantly, enclosed a copy of the Prime Minister’s reply to underline that dialogue with BAT on its PCP had his approval.

Broughton’s efforts were successful in so far as Kelly directed him to Mohammed Haroon, Branch Head of Cancer Prevention and Substance Misuse at the DoH [100]. Responsibility for taking the matter forward within BAT was delegated to Adrian Payne (BAT’s International Scientific Affairs Manager and future head of Corporate, Social and Regulatory Affairs) [101]. Summarising his first meeting with Haroon in a note to BAT executives, Payne indicated that whilst Haroon had questioned how realistic it was for the department to accede to his request for dialogue when the industry was simultaneously suing the Government, he was prepared to listen to what Payne had to offer. Further, the fact that Payne also described another DoH official as expressing considerable interest in what he had to say [102], and the fact that he noted that both officials “picked up on the need to obtain consensus on what might be regarded as ‘safer cigarettes’” is consistent with CSR being effective at developing a constructive consensus on what might be regarded as ‘safer cigarettes’ to define the issues of meetings with public officials is also suggested in Adrian Payne’s note of his first meeting with Mohammed Haroon, which records that, as “prearranged at my suggestion, the theme of the meeting was … risk communication and ‘safer’ cigarettes” [102]. The note further indicates that a key aim of using BAT’s CSR in this way was to “establish a dialogue at a more strategic level than the existing TMA (Tobacco Manufacturers’ Association) DoH meetings on specific issues such as ‘additives/ingredients’” [102]. Although capable of being interpreted in several ways, these passages are consistent with BAT attempting to use CSR initiatives strategically to influence the policy alternatives under discussion within the DoH. The persistent emphasis on safer cigarettes by BAT officials was commercially significant for the company for several reasons. However, a key motivation was the creation of common ground between health ministries and industry scientists. This was regarded as an important first step in rehabilitating the reputation of industry funded science, which, in addition to being seen as crucial to the ability of BAT’s in-house scientists to create new products, was considered essential to giving the company a credible voice in policy discussions on how to reduce the risks associated with tobacco use [103].

Using CSR narratives and initiatives as a means for suggesting an agenda for future discussions also provided a platform for BAT employees to request further dialogue with officials. Payne reported that he had wound up the meeting by “restating [the company’s] desire for dialogue over a range of issues” [102]. His note suggests that, although cautious, Haroon was open to the idea, responding that “a step by step approach was the best option” because “time was needed to build trust” [102]. Payne’s note goes on to explore how he planned to take the matter forward and suggests that using CSR as a means of continuing dialogue and, ultimately, normalising relations between the DoH and BAT was a key objective. In addition to reiterating an earlier suggestion that the DoH participate in a “risk reduction forum” organised by BAT, Payne indicated he would ask DoH officials for feedback on BAT’s Web site; consider suggesting that the Department send an observer to one of the company’s training sessions on smoking and health messages; solicit the DoH’s advice on how to get these messages across “to those in developing countries that can’t read or write”; invite DoH officials to tour the company’s research and development facilities; and generally encourage discussion of some of the company’s other CSR proposals [102]. Significantly, the note also illustrates BAT’s awareness of the need to control the way in which the concepts involved in its CSR were defined and understood by officials, with Payne floating the idea of making a series of presentations to DoH officials so that they were “fully informed and not dependent on third parties’ views” [102].

Additional evidence indicates that BAT has continued to use CSR as a means of issue definition; effectively making old arguments against (nonvoluntary forms of) regulation and governance in a new form. For example, at a meeting of an All Party Parliamentary Group on Corporate Responsibility in 2008 [13] Michael Prideaux (Director of BAT’s Corporate and Regulatory Affairs department [CORA]), claimed that, by focusing on reducing smoking rates, the FCTC had effectively rejected harm reduction “as a part of a pragmatic approach to public health” [13]. In this way, CSR was used to reframe BAT’s long running efforts to reduce the impact of the treaty on tobacco sales as a constructive and responsible response to the health problems associated with tobacco consumption [104].

Although, as in the above examples, the inherent capacity of CSR to define issues for discussion typically facilitates dialogue around specific CSR initiatives and concerns, it may also have
long term effects on the relationship between government and the
industry that expedite influence. To this effect, there is
some evidence to suggest that CSR-based access is designed to
shift relations from low trust, low frequency access to high trust,
high frequency access—something that is broadly recognised as
being key to political influence across policy domains [105–108].
As Payne put it after his first meeting with Haroon: “If we can get
a dialogue going it would be a good opportunity for [Martin
Broughton] to get together with Alan Milburn to take an umbrella
view of the interaction (how could we progress faster?). If we can’t
get one going they could meet to focus on why not (i.e., what
would we have to do to build trust?). As with many of our
stakeholder interactions, trust-building is paramount.” [102].

CSR and the Proliferation of Access Points

The documents also illustrate the way in which CSR has
expanded the number of access points across Government, pro-
viding BAT with more opportunities to meet and talk to officials.
This is perhaps best exemplified by a note from BAT’s Inter-
national Development Affairs Manager outlining civil service
contacts with a CSR brief in British Government Departments in
preparation for Broughton’s Sunningdale meeting. The document
records four government departments (the Department for
International Development, the DTI, the Department for the
Environment, Transport and the Regions, and the Foreign and
Commonwealth Office) either with units devoted to, or with
strategic interests, in CSR, in addition to the Performance and
Innovation Unit in the Cabinet Office which, at the time, oversaw
the CSR agenda [97].

BAT’s use of these additional access points to change attitudes
within government more broadly is illustrated by a written
exchange between Michael Meacher, then the Minister for the
Environment, and Broughton. Meacher had written to Broughton
as part of the Government’s strategy on sustainable development
in the UK, asking him for a summary of the action BAT was
taking to measure, manage, and report on its environmental
impact. Meacher noted that he had particular cause to write to
Broughton, given that BAT had scored poorly in a recent survey
by Pensions Investment Research Consultants’ (PIRC; Environ-
mental Reporting 2000). The significant point to note about the
letter is that it focused exclusively on the environment, Meacher
requesting detailed responses from Broughton to a range of
questions (see Box 4) [109]. Despite this, Broughton’s lengthy reply
opened by discussing the company’s PCP proposals, which he
claimed exemplified the company’s policy of “actively seek[ing]
constructive dialogue on many issues relevant to [the] industry, in
the spirit of commitment to corporate social responsibility.” Ack-
nowledging that this was not immediately specific to Meacher’s
questions, Broughton nonetheless invited Meacher to “discuss any
of these matters … within the context of the broad social di-
menion of sustainable development, and would welcome an
opportunity to hear [Meacher’s] views.” [110]. In the event,
Meacher’s reply ignored Broughton’s invitation [111]. Nonethe-
less, the exchange highlights how the fuzzy boundaries and
negotiation at the core of CSR can allow companies to exploit
alternative channels to getting key strategic messages across to
officials.

Discussion

Before discussing the policy implications of our findings, it is
important to note that our account gives an incomplete picture.
As we explain below, the ability of CSR to facilitate access and create
opportunities for issue definition is likely to be context dependant
[112]. Our efforts to interview the policymakers mentioned in
BAT’s documents were unsuccessful, making it difficult for us to
fully explore this context and its effects on what officials may have
thought about BAT’s proposals. Nevertheless, the data suggest that
CSR facilitates access and creates opportunities for issue definition
in a number of ways.

First, CSR facilitates access by providing a basis for requesting
meetings with officials who are reluctant to talk to the industry—
something illustrated by the fact that whilst attempts to discuss
other issues (e.g., tax) were dismissed outright, officials were still
willing to discuss BAT’s PCP. In relation to the DoH, CSR
appears to have worked to this effect by: (a) allowing the company
to open up a dialogue about the importance of cooperation and
consensus; (b) conveying a sense that the company was offering,
or was prepared to offer, some support for government efforts
to reduce tobacco consumption; and (c) adding a vital moral
dimension to the company’s argument that some level of coopera-
tion between the company and government was desirable by
presenting the company’s proposals as genuine and in the interests
of public welfare. Indeed, one of the key factors behind the ability
of CSR to open channels of communication may relate to its use
of accessible images and emotive appeals to widely accepted
social and political values [113–116]. By linking the company’s
preferred policies to politically salient values such as harm
reduction, child health, and the importance of cooperation be-
tween business and government, BAT’s employees were able to
represent dialogue as both the morally right thing to do and
benign and, therefore, as unlikely to compromise government
policy on tobacco control.

In terms of issue definition, our case study illustrates how BAT
then harnessed the initiatives and narratives associated with its
emerging CSRP to shape the agendas of meetings, in effect
defining key issues once access had been established. Using CSR
as a means of defining salient issues [117] allowed the company to
reopen dialogue over specific issues that appeared closed for
discussion and to shift the focus of talks onto voluntary alterna-
tives to statutory measures or other topics (e.g., reduced harm

Box 4. Meacher’s initial questions to Broughton [109].

- Does your company have an environmental policy and, if so,
  what is it, is it made public and where?
- Is there a board member with specific responsibility for
  environmental issues?
- What information does your company publish about
  environmental performance including compliance with
  relevant laws and regulations?
- Specifically, does your company measure its impact on
  the environment in terms of greenhouse gas emissions
  from energy use, waste emissions, and water use. Is this
  information made public and how?
- Does your company set quantified targets for improve-
  ment in these or other environmental impacts and, if so,
  what are they, are they made public and how?
- What other environmental initiatives does your company
  carry out or support?

If you cannot yet respond positively to all or some of these
questions, but your company is already planning to take
action in these areas, I would be grateful if you could also
make this clear.
cigarettes), which were consistent with the company’s immediate and long-term commercial interests.

In this respect, BAT’s engagement with the DoH illustrates the way in which CSR offers companies with poor social or environmental records a structured environment of dialogue and engagement, which shifts attention away from both the social costs associated with the business and any past behaviour that might cause doubts about the trustworthiness of the company and the relative merits of granting it access. Furthermore, by creating new access points for such companies, it helps normalise engagement and dialogue—a crucial step in this context to restoring the trust necessary for the tobacco industry to reestablish its political authority [107,118–120]. These risks are magnified by the fact that new access points created around CSR largely exist outside of departments and agencies with experience of dealing with the tobacco industry, which means contact is often with public officials who have little knowledge of the company’s core business and past conduct. An important point to understand in this context is tobacco firms’ ability to absorb the costs associated with political activity. This means that the depth of industry–government contact is primarily determined by officials’ attitudes to and beliefs in the value of meeting with representatives of the industry. By increasing industry contact with government, CSR effectively alters the balance of officials’ diet of information about tobacco and the tobacco industry in favour of tobacco companies.

There is evidence that our case study of the UK is not an isolated example. A recent report by Corporate Observatory Europe suggests that BAT has also used CSR practices, such as stakeholder dialogue, to transmit policy positions to EU policy makers [121]. Likewise a 2007 presentation by Ben Stevens, now BAT’s Finance Director, indicates that a key aim of stakeholder dialogue is to develop cooperative relationships with policymakers, which represent a more effective platform for influencing tobacco regulation [122].

Despite the importance that corporate actors attach to access, it is no guarantee of either issue definition or policy influence. Since 1997, UK government policy on tobacco control has largely been at variance with industry interests [62]. This is consistent with evidence from the documents which suggests that some DoH officials tried to actively manage BAT’s expectations of in person meetings by emphasising that agreements to meet and listen to what the company had to say did not mean that either government policy or policy implementation were open to negotiation [102]. In short, whilst CSR may represent an effective medium of issue definition under the right conditions (see below), documents indicate that this is more difficult for corporations where officials are well informed and following a clear, evidence-based public policy agenda formulated independently of economic interests.

DoH replies to BAT letters on the draft EU directive reinforce this interpretation of the documents [123]. Despite BAT’s failure to translate access into policy outcomes, and despite the fact that the documents only give company officials’ explanations of the course of events, it is nonetheless important to stress that CSR was still used successfully by BAT to secure and extend access within an unreceptive policy environment, where public health advocates have been active in highlighting the risks attendant on industry and political activity. It is reasonable to hypothesise that the impact of political CSR is likely to be greater under different political administrations or in countries where policy elites have historically been more accommodating of industry interests and where the health and economic impacts of specific policy alternatives favoured by the industry is not as widely understood.

This observation raises a more general point about the impact of economic and institutional factors on the relative effectiveness of political CSR. Broughton’s membership of high-level policy groups (the Multinational Chairman’s Group) and elite social networks (Sunningdale)—both of which were important to reopening dialogue with the DoH—indicate that officials’ perceptions of tobacco and, for that matter, other companies as an important source of capital investment, employment, foreign revenue, and taxation receipts [124,125] are likely to be a key factor in determining the effectiveness of political CSR. In our case study, these “access drivers” were offset by DoH officials’ reluctance to negotiate with BAT on alternatives to policy implementation; suggesting that trust amongst policy elites in companies’ ability to provide reliable information is likely to be a key determinant of the impact of political CSR.

This last point may help to explain why companies from other industrial sectors—specifically food and alcohol—are currently enjoying greater success in influencing public health policy in the UK through the government’s Public Health Responsibility Deal [126]. The Deal encompasses five cross-sectoral networks established to drive improvements in public health. As presently constituted, corporations and business organisations outnumber nonbusiness organisations and individuals (academics, nongovernmental organisations, representatives of public institutions) two to one in the food and alcohol networks that are responsible for setting immediate public health objectives in these areas [127,128]. By devolving policy formation and delivery to companies whose products and marketing practices constitute the key proximate drivers of alcohol- and diet-related ill health and mortality this marks a potentially important shift in public health policy towards coregulation [129–133]. The organising principles of the Deal draw heavily on the idea that CSR can be exploited to promote public health. Further, devised when the Conservative Party were in opposition, newspaper reports indicate that the existence of the Deal owes much to the success that large food and drink companies have had in using CSR as a means of both gaining access to senior Conservative Party members and developing an alternative agenda for public health policy, which attempts to reconcile public health with business competitiveness [129]. Our findings—and the absence of strong evidence suggesting that coregulation is capable of aligning the business models of big food and drinks companies with the demands of public health [126]—suggest that the role of CSR in the Deal needs to be subjected to closer scrutiny.

Finally, in highlighting the political dimensions of CSR, this paper underlines the importance of parties to the FCTC acting on the Guidelines for implementation of Article 5.3 [134]. Article 5.3 was specifically introduced to protect health policies from tobacco industry influence [135]. Its impact depends on governments

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**Box 5. Recommendation 6.1 and Guiding Principles 2 and 3 of Article 5.3 of the FCTC** [134].

**Recommendation 6.1:** Parties should ensure that all branches of government and the public are informed and made aware of the true purpose and scope of activities described as socially responsible performed by the tobacco industry.

**Guiding Principle 2:** Parties, when dealing with the tobacco industry or those working to further its interests, should be accountable and transparent.

**Guiding Principle 3:** Parties should require the tobacco industry and those working to further its interests to operate and act in a manner that is accountable and transparent.
implementing the Guidelines that comprise a number of Guiding Principles and Recommendations [135]. Recommendations 6.1 and Guiding Principles 2 and 3 are particularly relevant to our findings (see Box 5) [134,136]. Recommendation 6.1, one of four recommendations that relate to political CSR, states that parties should encourage all branches of government and the public are informed and made aware of the true purpose and scope of tobacco industry described as socially responsible performed by the tobacco industry. Guiding Principles 2 and 3 emphasise the importance of interactions between the tobacco industry and government being transparent (principle 2) and that parties to the Convention require the tobacco industry to provide government officials with information that facilitates the effective monitoring of tobacco industry political activity (principle 3). Although the events described in this paper predate the FCTC, they highlight the importance of ensuring that public officials in nonhealth government departments [such as the DTI, now the Department of Business, Innovation and Skills] are appropriately briefed on the underlying political motivations of tobacco industry CSR and given advice on how to respond to the industry in light of the general intent of Article 5.3. Second, they underline the importance of all meetings with representatives from the tobacco industry being formally minuted and made publicly available either through government Web sites or through freedom of information legislation. This is presently not the case in the UK in relation to meetings of the Multinational Chairman’s Group, which was the subject of a complaint by the UK Information Commissioner. The Commissioner ruled that minutes and correspondence of the meetings are not disclosable under the Freedom of Information Act on the basis that they relate to the formulation and development of government policy and are therefore, exempt under section 35(1)(a) of the Act. In light of the findings of this paper, this decision needs to be revised in relation to tobacco companies to bring it into line with the Guidelines for Implementation of Article 5.3.

Author Contributions

Analyzed the data: GJF ABG CH KL. Designed the experiment/study: GJF ABG JC. Collected data/did experiments for the study: GJF. Wrote the first draft: GJF. Contributed to writing of the paper: ICMJE criteria for authorship: GJF ABG KES JC CH KL. Results and conclusions: GJF ABG KES JC CH KL.

References

Editors’ Summary

Background. In the past, companies and multinational corporations were judged on the profits they made. Nowadays, though, much is made of corporate social responsibility (CSR). CSR is the commitment by business to behave ethically and to contribute to economic development while improving the quality of life of the workforce, their families, the local community, and society at large. Put simply, companies and corporations now endeavor to show that they have a positive impact on the environment, consumers, employees, and society in addition to making money for their shareholders. Large tobacco companies are no exception. British American Tobacco (BAT, the world’s second largest publicly traded tobacco company), for example, began working on a wide-ranging CSR program more than a decade ago. Given that tobacco is responsible for an estimated 5.4 million deaths worldwide annually, this program was initially met with hostility and dismissed as an image management exercise. However, large parts of the investment and CSR communities now approve of BAT’s CSR program, which has won numerous awards.

Why Was This Study Done? But what do BAT and other tobacco companies actually hope to achieve through their CSR initiatives and how successful have they been in achieving these aims? Few studies have addressed these important questions. In particular, there has been little research into the extent to which tobacco companies use CSR initiatives as a form of corporate political activity that can help them gain “access” to policymakers and define the legitimate concerns and optimal alternatives of public policy (“issue definition”). Access is defined as taking place when policymakers consider the views of policy advocates such as tobacco company employees and is a crucial component of issue definition, which refers to the strategies adopted by bodies such as multinational corporations to influence the policy agenda by defining what issues public policy should concern itself with and how it should approach them. In this case study, the researchers explore whether BAT’s CSR program works as a form of corporate political activity by systematically examining internal BAT documents made publicly available as a result of US litigation. Specifically, the researchers examine BAT’s efforts through its CSR program to reestablish access with the UK Department of Health following the department’s decision in the late 1990s to restrict contact with major tobacco companies.

What Did the Researchers Do and Find? Using iterative searching, the researchers identified 764 documents in the Legacy Tobacco Documents Library (a large collection of internal tobacco company documents released as a result of US litigation cases) that contain information relevant to BAT’s CSR strategies. Their analysis of these documents indicates that one of the key aims of the CSR program actively developed over the past decade by BAT was to help secure access to policymakers and shows how BAT used CSR to renew and maintain dialogue with policymakers at a time when contact between government and tobacco companies was extremely restricted. The documents also show that BAT employees used CSR initiatives as a means of issue definition to both optimize the probability of subsequent discussions taking place and to frame their content. Finally, the documents illustrate how BAT used its CSR program to expand the number of access points across government, thereby providing BAT with more opportunities to meet and talk to officials.

What Do These Findings Mean? These findings suggest that CSR is a form of corporate political activity that potentially has important implications for public health given the documented impact of the political activity of tobacco companies in delaying and blocking health-related tobacco control policies. In practice, the impact of the political use of CSR is likely to be context specific and will depend on factors such as whether senior policymakers regard companies as reliable sources of information. Importantly, these findings underline the need for broad implementation of Article 5.3 of the World Health Organization’s Framework Convention on Tobacco Control (FCTC), an international treaty that calls for the introduction of multiple measures to reduce tobacco consumption, including tobacco advertising bans and relevant taxation policies. Article 5.3 aims to protect public-health policies on tobacco control from tobacco industry influence. The findings of this study indicate that implementation of Article 5.3 will require measures that ensure transparency in interactions between all parts of government and the tobacco industry and will need an increased awareness across government of what tobacco companies hope to achieve through CSR.

Additional Information. Please access these Web sites via the online version of this summary at http://dx.doi.org/10.1371/journal.pmed.1001076.

- The Corporate Responsibility (CORE) coalition, an alliance of voluntary organizations, trade unions, and companies, maintains a Web site that contains useful material on corporate social responsibility
- The European Coalition for Corporate Justice (ECCJ) promotes corporate accountability by bringing together national platforms of civil society organizations (including NGOs, trade unions, consumer advocacy groups, and academic institutions) from all over Europe
- The Legacy Tobacco Documents Library is a public, searchable database of tobacco company internal documents detailing their advertising, manufacturing, marketing, sales, and scientific activities
- The World Health Organization provides information about the dangers of tobacco (in several languages), details of the Framework Convention on Tobacco Control (in several languages), and guidelines for the implementation of Article 5.3 of the FCTC
- The Framework Convention Alliance provides more information about the FCTC
- For information about tobacco industry influence on policy, see the 2009 World Health Organization report “Tobacco interference with tobacco control”