

Public Health and Food and Beverage Industry Engagement: *A Tool to Assess Partnership Opportunities and Challenges*



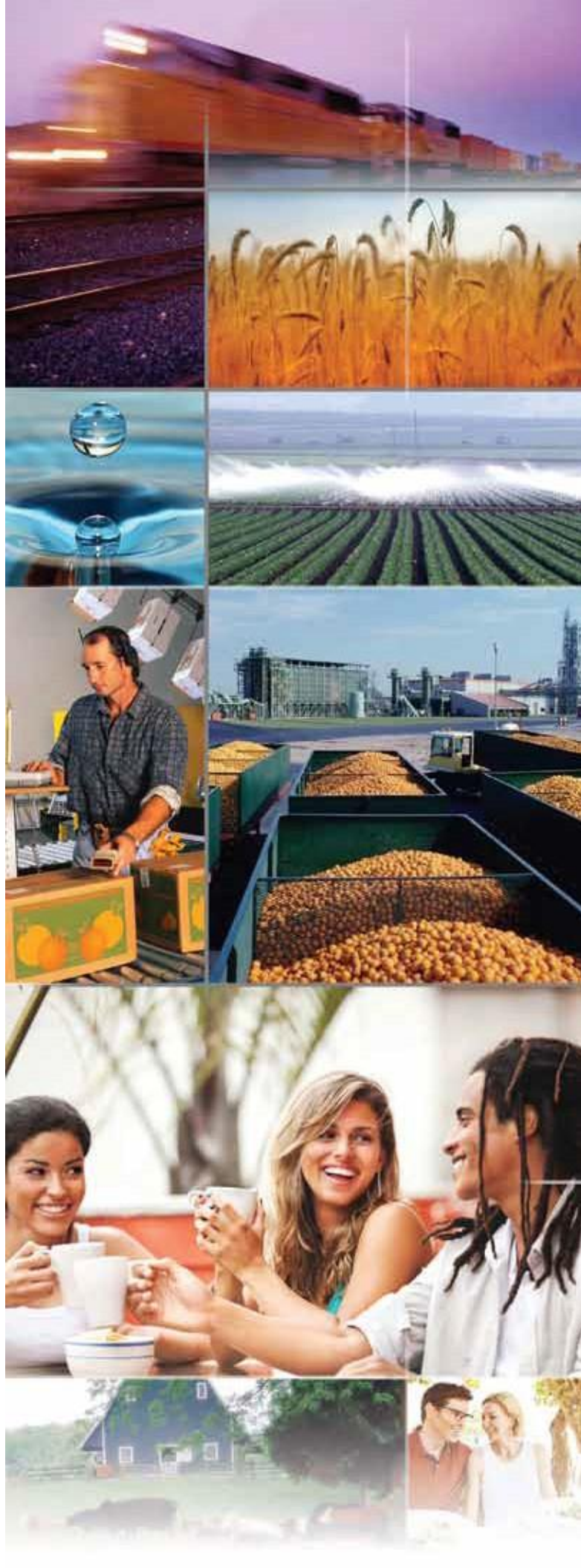
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Written by [Vivica I. Kraak, PhD, RD](#), in consultation with representatives of Health Canada, the Ontario Ministry of Health and Long Term Care, and The Healthy People and Communities Steering Committee's Multi-Sectoral Partnerships Task Group.
Layout and design by [Juan Quirarte, QDesign](#).

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Introduction

This document is a tool that provides Canadian government department or ministry staff with a set of guiding principles, criteria and a six-step decision-making framework to assess whether and how to engage with the food and beverage industry in partnerships to support public health promotion goals.

As part of an ongoing dialogue between potential partners, this information will be valuable to inform institutional decisions about engaging with food and beverage industry stakeholders to advance health promotion efforts. Collaborating with the food and beverage industry is a new area of work for government departments and ministries, and this guide will help to assess these types of partnerships to decrease the potential for conflicts of interest. It will also allow for more comprehensive, transparent and efficient assessments.

A partnership is a mechanism to foster interactions among diverse groups to achieve a mutually beneficial goal. For the purpose of this guide, a public-private partnership* is an agreement between a publicly funded organization (e.g., government ministry, department or agency) and one or more for-profit businesses that agree to work together through shared decision making to achieve a goal that benefits public health.

A partnership between public-sector and private-sector actors may produce many benefits, which include: sharing information and technology to promote innovation; leveraging financial or in-kind resources and expertise; influencing networks and accessing valuable distribution systems to benefit

a shared goal. It allows for gaining access to populations with new or broader activities or services that each partner could not achieve on its own and ultimately enhances each partner's capacity to achieve a mutual goal.¹⁻⁶

Potential risks must also be considered when exploring public sector partnerships with the food and beverage industry. The greatest challenge for government engaging with the private sector is the alignment with and focus on public health goals, while avoiding any real or perceived conflict of interest. Much of the criticism is concerned with motives of private firms using the partnership as a mechanism to achieve profits, or influencing the agenda of governmental organizations.

Potential food and beverage industry partners operate throughout the food-system value chain to deliver products or services to consumers. Food and beverage industry stakeholders include: growers, producers, distributors, suppliers, retailers, restaurants and catering businesses, franchisers, commodity groups, trade associations, food advertisers and marketers, public relations firms, and industry trade media.

A government department or ministry may identify one or more of the benefits (e.g., leverage resources, networks or distribution systems) as a reason for partnering with the food and beverage industry. There are opportunities as well as potential risks and challenges that should be assessed before a government department or ministry commits to a partnership to achieve a public health promotion goal.⁷

*The glossary on pages 12–13 define key terms used in this guide.

Principles, policies and procedures for food and beverage industry engagement

Before engaging in a food and beverage industry partnership, it is important to review the policies and procedures for partner engagement and become familiar with the institution's code of conduct,⁸ corporate-sponsorship guidelines,⁹ and conflict of interest disclosure and management policies.

Conflict of interest is an important consideration in the development of public-private partnerships. A conflict of interest exists where one engages in any private or personal or business undertaking or other activity (referred to as "activity") in which one's private or personal interest conflicts with one's duties or responsibilities as part of the public private partnership.

The phrase "private or personal interest" includes, but is not limited to, any activity:

- (a) in which one engages and in which one has a pecuniary or other interest;
- (b) that results in a benefit to one personally, one's spouse, one's children, siblings, or parents;
- (c) that results in a benefit conferred upon, any other person or entity.

Decisions about a partnership are made by many people at different levels. The partnership assessment can be informed by consulting with colleagues, supervisors, legal counsel, and external staff at peer organizations who may have interacted with the business or company of interest. It is important to determine the person within the ministry or department who will be responsible for approving the partnership and managing the relationship from its inception through to completion.

Public health government departments or ministries that lack explicit partnership principles can adopt those developed by the Canadian Institute for Health Research,¹³ which include:

- **Public interest:** Partnerships should provide maximum benefits to society, create outputs that are publicly available, and promote health equity goals.

- **Innovation:** Partnerships should add value to research, knowledge translation and direct-service programs designed for reaching populations.
- **Compatibility:** Partners should share common goals and objectives and be selected through a fair process.
- **Stewardship:** Partnerships should ensure that resources are used in the best possible ways to achieve the public health goals. Relevant values include efficiency, excellence commitment and prudence.
- **Accountability:** Partners should be accountable to each other, their respective organizations, the public and other relevant stakeholders. This requires good governance and management, transparency, mutual respect and processes for managing conflicts of interest.

Public health government departments or ministries that lack clear partnership engagement guidelines can use a six-step partnership decision making framework¹ described on page six to inform their food and beverage industry engagement.

Due diligence involves undertaking a voluntary investigation of a business or situation prior to proceeding with a decision or entering a legally binding contract. The **partnership decision-making framework** is a tool that provides specific questions and criteria at each step that government department or ministry staff can utilize to inform the process and assess as part of the due diligence process to assess the viability of a partnership with a food or beverage industry representative.

Determining whether to proceed with a partnership, based on application of the six step partnership decision making framework, depends on the public sectors partner's assessment. The tolerance for risk and the value placed on potential benefits will vary by jurisdiction and will also change as government priorities change.

Company profile

Complete this background section to inform the assessment of a prospective food and beverage industry partnership. This information can be used in consultation with internal staff and checked with other public health agencies or peer organizations to review a company's track record for partnerships.

Company name: _____

Address: _____

Web links: _____

Chief Executive Officer: _____

Board of Directors: _____

Relevance to public health or nutrition: _____

Primary contact for partnership engagement: _____

Phone and email: _____

Describe briefly the company's mission and scope of commercial or business operations:

Identify any connections to commercial activities or practices that may present a conflict of interest or partnership risk (e.g., tobacco, alcohol, weapons, environmental practices, labour practices, infant formula, dietary supplements, sugary beverages, salty snacks or fast foods, etc.)

Web links to relevant company reports:

Include any current corporate social responsibility and sustainability commitments and reports for nutrition, physical activity, health and wellness programs in Canada and globally, as appropriate.

Provide examples of current partnerships, statements or activities where the company has supported public health, nutrition, obesity prevention or healthy lifestyle research or programs:

Background questions

1. Has the government department or ministry ever had any relationship with the company or business?

Yes No Unsure

2. If yes, briefly describe the nature of the relationship (e.g collaborative partnership, sponsorship etc.)

3. Who initiated contact (government department/ministry or potential partner) and how was contact made?

4. Are there other parties involved (e.g. federal/provincial/municipal government departments/ministries, non-profit organizations, other companies etc).

5. What is the partnership or engagement request* and timeline for implementation?

- Philanthropic donation of money or food products (e.g. beverages, infant formula, fruit and vegetables).
- Receive funding through a cause-marketing arrangement or co-branded endorsement to promote a food product, physical activity program, or healthy balanced-lifestyle initiative.
- Receive funding from a food or beverage company to co-brand or sponsor a professional nutrition or physical activity association conference.
- Improve the nutrient profiles of foods through product reformulation (e.g., reduce salt, sugar).
- Promote food labelling of healthy products through a consumer awareness or nutrition education program.
- Enhance healthy food-retail opportunities at local grocery stores.
- Improve healthy food promotion and marketing practices targeted at children.

**Illustrative examples (refer to the glossary on pages 12–13 for a definition of terms used below).*



Partnership decision making framework for food and beverage industry engagement

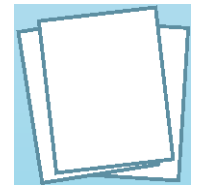
- STEP 1: Clarify the public health promotion goal and objectives for the partnership.



- STEP 2: Explore compatibilities, convergence of interests (benefits) and divergence of interests (risks) thoroughly for a potential partner.



- STEP 3: Identify and propose a plan to manage tensions and perceived or actual conflicts of interest for the partnership.



- STEP 4: Develop a formal agreement to clarify the terms of engagement for the partnership.



- STEP 5: Ensure the partnership is accountable to achieve the public health promotion goal and objectives.



- STEP 6: Communicate the partnership activities and outcomes to relevant audiences.



Partnership Decision Making Framework for Food and Beverage Industry Engagement

STEP 1. Clarify the public health promotion goal and objectives for the partnership.

1. Does the proposed partnership or engagement activity align with the mission, values, public health promotion goal and objectives (e.g., healthy eating or physical activity promotion) of the agency or organization? Yes No Unsure
2. Does it address an unmet need for the agency? Yes No Unsure
3. Will it focus on an under-resourced priority? Yes No Unsure

If the response is no to any of the above questions, propose how the partnership could be modified or negotiated to align with the public health promotion goal or specific objectives or activities of the organization.

STEP 2. Explore compatibilities, convergence of interests (benefits) and divergence of interests (risks) thoroughly for a potential partner.

When a government department or ministry engages in a partnership with a food or beverage company, industry trade group or marketer, there may be benefits as well as risks associated with the relationship. Companies may offer benefits to government departments or ministries through co-sponsored nutrition and healthy-lifestyle education programs; cause marketing arrangements; product or company endorsements; branded products provided through in-kind donations; and access to more people through new channels (e.g., existing business networks).¹⁻⁶

There may also be risks associated with partnerships as businesses may have missions and values that support commercial goals that directly or indirectly conflict with public health-promotion goals. The decision to engage with this type of business may represent a high-risk partnership. Therefore, a thorough assessment should be conducted on a case-by-case basis to clearly demonstrate that the benefits outweigh the risks of a partnership.

A higher risk partnership may raise several concerns, such as:

1. Reputational threats that may diminish the public's trust in the government department or ministry;
2. Power imbalances that can influence or compromise the independence of a government department or ministry from industry's interests;
3. The potential for a perceived or actual conflict of interest if the benefit to the private sector partner exceeds the impact of the health promotion goal; and
4. A lack of accountability if the partners do not monitor and evaluate the partnership outcomes, and disclose information publically about the partnership's outcomes.⁷

The decision to engage with any of these businesses will require a thorough assessment.

Key areas of Step 2 relate to the mission and values, strategic alignment, resources, products or causes, ethical practices and accountability for the government department or ministry.

Mission and values

1. How will the partnership or engagement express the mission and values of the government department or ministry?
-

Strategic alignment

2. What rationale has the company identified for the partnership?
-

Resources

3. What type of resources (e.g., funding, technical assistance, in-kind donations, access to policymakers or target populations) will the partner provide to support the public health promotion goal and objectives?
-

4. Would the government department or ministry have difficulty accessing the resources on its own to achieve the public health promotion goal?

Yes

No

Unsure

Products or causes

5. What type of partnership activity is proposed? (See page 5 for examples.)
-

6. List any food or beverage products (e.g., snack foods, bottled water, infant formula) or branding activities (e.g., use of corporate logos on T-shirts) that the company or business has proposed to be used through the partnership.
-

7. If food or beverage products are proposed, do they align with [Canada's Food Guide](#) and [Physical Activity Guidelines](#)?

Yes

No

Unsure

8. If the proposed food or beverage products do not meet the guidelines, identify other product brands that would be acceptable.
-

Ethical practices

9. Has the company made public commitments and taken action to support healthy eating (e.g., improve marketing practices targeting children or improve the nutrient profile of food)?

Yes No Unsure

Accountability

10. Is the government department or ministry likely to commit resources to monitor and evaluate the outcomes of the partnership to justify the results to its relevant audiences?

Yes No Unsure

If not, propose a plan to ensure that the partnership will be evaluated.

STEP 3. Identify and propose a plan to manage tensions and perceived or actual conflicts of interest for the partnership.

1. Has the company or business been involved in any recent controversy or legal proceedings that would present a reputational risk to the partnership?

Yes No Unsure

If yes, briefly describe the controversy and outcome, and the rationale to proceed with the partnership.

Examples: Engaged in unethical marketing targeting children or used misleading health or nutrition claims for food products or infant formula.

2. Does the assessment of the company profile and activities raise any concerns about the partnership?

Yes No Unsure

3. Briefly describe any perceived or actual tensions or conflicts of interest related to the proposed partnership with the company or business.

4. Does the government department or ministry have a process to identify, assess and manage conflicts of interest for the partnership to achieve the public health promotion goal and objectives?

Yes No Unsure

5. What would the government department or ministry risk if it decides to engage with the company?

6. Based on any risks or concerns identified in previous questions, briefly describe the risk-mitigation plan.

7. If necessary, the plan should include a voluntary, legal and public relations communications strategy to extricate the government department or ministry from a relationship with the food and beverage industry partner.

8. If the recommendation is for the government department or ministry to proceed with the partnership, explain the rationale for how the benefits will outweigh the risks of the partnership.

9. If the recommendation is to not proceed with the partnership, explain other engagement strategies with the company that will not pose a risk to the government.

Partnership recommendation

Yes No

Name _____

Job title _____

Organization _____

Signature _____

Date _____

Minister approval _____

Date _____

STEP 4. Develop a formal agreement to clarify the terms of engagement for the partnership.

1. Does the partnership agreement specify the purpose, public health promotion goal, objectives, activities, project ownership and duration?

Yes No Unsure

2. Does the partnership agreement include a process to identify, assess and manage tensions and perceived or actual conflicts of interest?

Yes No Unsure

Does the partnership agreement articulate the deliverables, accountability expectations (e.g., transparency when sharing information, good governance structures), measures of success for the partnership outcomes, a sustainability plan and exit strategy?

Yes No Unsure

3. Has the department or ministry's legal services been consulted before executing the partnership?

Yes No Unsure

STEP 5. Ensure the partnership is accountable to achieve the public health promotion goal and objectives.

1. Does the partnership have a process to monitor and evaluate the outcomes?

Yes No Unsure

2. Does the partnership have a process to share information with relevant stakeholders (e.g., board of trustees, target populations, public health and consumer advocacy representatives, funders, the media and the public)?

Yes No Unsure

3. Does the partnership have a process for holding each partner to account for the outcomes?

Yes No Unsure

4. Does the partnership have a process to take remedial actions to strengthen accountability structures?

Yes No Unsure

STEP 6. Communicate the partnership activities and outcomes to relevant audiences.

1. Do all partners agree on a consistent story to convey to audiences partnership successes and challenges?
 Yes No Unsure
2. Have partners accurately described the benefits and outcomes of the partnership in all media platforms and communication venues?
 Yes No Unsure

Glossary of Terms

Term	Definition
accountability	Individuals or stakeholders must justify their actions to others with authority to assess how well they achieve specific goals and adhere to policies, voluntary guidelines, mandatory standards and laws.
active living environments	The conditions and opportunities across settings and sectors that foster the integration of physical activity into people's daily lives and routines to achieve a healthy weight to prevent obesity and lifestyle-related non-communicable diseases.
alliance	A close association of similar groups united to advance common interests.
cause marketing	A joint commercial and promotional campaign in which a company's sales are linked and a percentage of the sales revenue is given to a charity or other public cause. Cause marketing may benefit both the company and the government organization when consumers purchase the company's branded products or services, and may include merchandise licensing and co-branded sponsorships.
civil society	The shared interests and collective actions of voluntary civil and social groups that form the basis for a functioning society. Civil society is distinct from the public sector (government) and private sector (commercial businesses).
coalition	A temporary alliance where diverse groups unite for a common purpose.
co-branding	A partnership or collaboration between two or more companies, or a company, and an organization or individual that associates a single product or service with two or more brands. A typical co-branding agreement involves two or more entities associating any brand identifiers, such as a logo, mascot, celebrity or color scheme, to a specific product that is contractually designated for a specific purpose to promote profits, value for shareholders, equity and a set of desirable associations and behaviors.
credibility	The quality or power of a source or message to inspire belief and trust.
donation	A free or philanthropic contribution or gift to a charity or public institution.
endorsement	A formal and explicit approval or a promotional statement for a product or service of a corporation.
food and beverage industry	Composed of diverse stakeholders who operate throughout the food and beverage system value chain who enter into contractual business relationships with companies to deliver products or services such as: growers, producers, distributors, suppliers, retailers, restaurants and catering businesses, franchisers, commodity groups, trade associations, advertisers and marketers, public relations firms, and industry trade media.
food product reformulation	To change the composition of a food product by increasing the proportion of desirable nutrients (e.g., fibre, vitamins or minerals) and/or reducing the amount of nutrients of concern (e.g., calories, sugars, fat, trans fats and salt).

Term	Definition
healthy food environments	The economic, policy and socio-cultural conditions and opportunities across sectors and settings that provide regular access to a healthy diet to achieve a healthy weight to prevent obesity and diet-related, non-communicable diseases.
in-kind contributions	A non-monetary donation of a branded product or service made by a company to a government or non-government organization.
negotiation	To arrange and settle through discussion and mutual agreement.
public-private partnership	For the purpose of this guide, a public-private partnership is a contractual agreement between a federal, provincial or territorial government and one or more private for-profit sector representatives who agree to work together through shared decision-making to achieve a goal or objective that benefits public health.
private sector	Businesses representing for-profit commercial enterprises, alliances or associations of businesses (which may be non-profit entities), and corporate foundations that do not operate at 'arm's length' from the company.
public sector	Represents the government and services that provide services to benefit society.
responsibility	Acknowledging one's commitments and obligations based on social, moral and/or legal standards.
risk-mitigation plan	The activities that an agency or organization plans to take to reduce the likelihood or consequences of an incompatible partnership. The plan may include a multi-faceted voluntary, legal and public relations communications strategy to extricate the agency or organization from a relationship or association with the food and beverage industry or business partner.
sponsorship	A business arrangement that involves any form of monetary or in-kind payment or contribution to support an event, activity or individual that directly or indirectly promotes a company's name, brand, products or services. The sponsor provides resources (i.e., money, staff, products or services) and receives a benefit.
transparency	Creating processes and opportunities to foster openness, disclosure and communication to support accountability.

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