



**NHS TAYSIDE**

**SMOKING**

**NHS TAYSIDE  
SMOKING POLICY**

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**Review Group: Smoking Policy Working  
Group**

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**UNCONTROLLED WHEN PRINTED**

**Signed:**

**Executive Lead**  
(Authorised Signatory)

## **1. INTRODUCTION**

### **1.1 Health Improvement**

Smoking causes the premature deaths of 13,000 people in Scotland every year. It's the single largest preventable cause of ill health and mortality. 'Second-hand' smoke or passive smoking (sometimes referred to as Environmental Tobacco Smoke or ETS) is a significant health risk to non-smokers. Passive smoking is calculated to cause:-

- nearly 1 in 10 of all deaths due to stroke;
- nearly 1 in 20 of all deaths due to asthma;
- more than 1 in 30 of all deaths due to heart disease;
- more than 1 in 25 of all lung cancers.

### **1.2 NHS Responsibilities**

- To maintain a safe, healthy working environment.
- To protect the health of patients, staff, visitors and contractors and not subject them to hazardous environments.
- To comply with the Smoking, Health and Social Care (Scotland) Act 2005, the Health & Safety at Work Act 1974 and the Safety & Health of Pregnant Workers Directive (92/85/EEC). The policy/supporting information includes evidence of consultation with all levels of staff during policy development.
- To make sure that staff understand their responsibilities in respect of the above.

## **2. SCOPE OF THE POLICY**

**2.1** This policy covers all NHS premises and grounds in Tayside. The policy applies to:-

- All NHS staff in Tayside.
- All patients, including out-patients, day patients, in-patients and long-stay patients.
- All other people including visitors, contractors, students, voluntary staff and anyone whose work, study or personal circumstances brings them into NHS premises and grounds in Tayside.
- All NHS vehicles and private vehicles.

**2.2** NHS Tayside must comply with the Smoking, Health and Social Care (Scotland) Act 2005 which includes:-

- No smoking in any NHS buildings except for adult hospices and psychiatric in-patient hospitals and units. This includes NHS buildings, the whole or main purpose of which is to treat persons with a mental disorder within the meaning of Section 328 of the Mental Health (Care and Treatment) Scotland Act 2003. This also includes persons with a learning disability.
- Designated rooms (for use by in-patients only) in adult hospices and psychiatric in-patient hospitals and units are exempt from the smoke-free legislation. Continuing care does not fall within the exemptions.
- New signage for all NHS sites.
- Adaptation or removal of current smoking shelters.

**2.3** NHS Tayside will implement a Smoking Policy which goes beyond the requirements of the national legislation in order to maximise the benefits of the smoke-free agenda.

### **3. PRINCIPLES UNDERPINNING THE POLICY**

- 3.1** The Policy is designed to contribute to the improvement of the health of the population of Tayside by providing a smoke-free environment while offering support to those who smoke and those who would like to stop.
- 3.2** No patient, visitor or staff member should be exposed to smoke against their will.
- 3.3** NHS staff, visitors and patients who wish to stop smoking will be offered support.
- 3.4** Awareness raising, education and support will be key components of this Policy.
- 3.5** NHS Tayside staff who visit other organisations must comply with the smoking policies of those organisations.

### **4. THE POLICY IN PRACTICE**

- 4.1** There will be no smoking by anyone other than in-patients (see Exemptions, Section 5) within NHS buildings and grounds.
- 4.2** A review will be undertaken of current NHS Tayside smoking shelters in order to identify those necessary to act as external designated areas for in-patients. These shelters will be adapted to comply with the smoking legislation. All other smoking shelters will be removed.
- 4.3** Patients who receive domiciliary visits from NHS staff will be requested not to smoke during the period of the visit.
- 4.4** Within the legislation NHS Tayside must:-
- display the required 'No Smoking' signs in such a way as to make staff, patients and visitors aware they must comply with the law;
  - ensure that anyone smoking (i.e. within NHS buildings or vehicles) is informed that he/she is committing an offence and request they extinguish their smoking material immediately.
- 4.5** Within the terms of the legislation, NHS staff who observe someone smoking in a smoke-free area must take action:-
- Approach the person smoking and request that he/she extinguishes his/her smoking material.
  - If the person refuses then the NHS member of staff should ask the person smoking to leave the premises.
  - If at any stage the NHS member of staff feels that any of the above actions would put his/her safety at risk then he/she should inform a more senior member of staff who must then take appropriate action.
  - If NHS members of staff are unable to contact a more senior member of staff they should contact the NHS site manager.
- 4.6** In all other aspects of the NHS Tayside Smoking Policy, NHS staff are not obliged to request patients or visitors to stop smoking unless they feel it is safe to do so. If they do not feel it is safe they should inform the relevant site manager.

- 4.7** The Smoking Policy is part of each staff member's employment documentation and prospective staff must be informed of the Policy at interview. The Policy will be confirmed to successful candidates in their letter of appointment.
- 4.8** Staff smoking anywhere in NHS buildings or grounds will be liable for potential disciplinary action. If such action is necessary it will be dealt with within the established disciplinary procedure.
- 4.9** Contractors working on NHS Tayside sites are subject to this Policy and will be notified of these conditions prior to employment/commencement of work.
- 4.10** The promotion and sale of tobacco products is prohibited on site.

## **5. EXEMPTIONS**

### **5.1 Adult Hospices**

Within the legislation adult hospices are allowed designated rooms for the use of patients only – i.e. not staff or visitors. These rooms must have adequate ventilation (i.e. do not ventilate into any other part of the no-smoking premises and are clearly marked as rooms in which smoking is permitted).

### **5.2 Psychiatric In-patient Hospitals and Units**

As with adult hospices, psychiatric in-patient hospitals and units (including learning disabilities) are allowed designated smoking rooms for patients. These rooms must comply with the same criteria as designated rooms in hospices.

### **5.3 In-patients in other NHS Premises (i.e. not Adult Hospices and Psychiatric In-patient Hospitals and Units)**

In-patients in NHS premises in Tayside will be allowed to smoke in designated external shelters. A review of current shelters will establish which of these are required to act as in-patient external shelters. These shelters will be adapted to meet the requirements of the new legislation.

## **6. IMPLEMENTATION**

**6.1** The national legislative components of the Smoking Policy will commence at 6.00 am on 26 March 2006. All other aspects of the NHS Tayside Smoking Policy will be fully implemented on 23 November 2006. This period of nine months which follows on from the presentation of the Policy at the Health Board on 23 February will allow sufficient time to set in place procedures to implement the Policy. Staff side representatives will be fully involved in all aspects of the implementation process. Key areas for implementation are:-

- Dissemination of information to NHS staff, patients and visitors re the new smoking legislation.
- Ensure all ventilation systems required for designated internal smoking rooms meet legislative requirements and are in place by 26 March 2006. Ensure that changes to smoking shelters (either adapted or removed) are completed in consultation with the Environmental Health Departments of Angus, Dundee and Perth & Kinross.

- A system for requesting patients not to smoke during domiciliary visits will be drawn up ready for implementation .
- All signage required by the new legislation will be in all NHS sites by 26 March 2006.
- Signage and information for the new NHS Tayside Smoking Policy will be in place in all sites by 23 November 2006.
- Information on smoking cessation services will be distributed throughout NHS Tayside sites.
- An awareness raising and information programme on the new NHS Tayside Smoking Policy will commence in April 2006 and run until November 2006.
- Procedures to deal with the issue of in-patients smoking in designated external smoking areas will be agreed ready for implementation on 23 November 2006.
- All NHS sites in Tayside must have clear procedures for enforcement of both the new legislation and the NHS Tayside Smoking Policy. All NHS staff must be aware of their responsibilities as well as their own personal safety. With regard to the new legislation and NHS Tayside Smoking Policy, these procedures must be in place by 26 March 2006 and 23 November 2006 respectively. NHS entrances will carry notices indicating that people can contact the Consultant in Health Promotion (with phone number) re any queries to do with the Policy.
- NHS Tayside will support public health and awareness campaigns in relation to smoking and will support and encourage employees who wish to give up by offering smoking cessation classes and providing information on Locality Primary Care Smoking Cessation Classes. Further information can be obtained by contacting the Tayside Smoking Helpline 0845 600 999 6.
- Employees can raise concerns/questions regarding the Smoking Policy with line managers or with the consultant in Health Promotion.

## **7. INFORMATION AND COMMUNICATION**

It is crucial that NHS staff and the general public are fully aware of the Smoking Policy. This process has already commenced and will continue during 2006. In addition to internal communication such as leaflets, patient letters, posters, meetings and newsletters, the continuing support of the local press and media will be critical to the success of this communication process. NHS Tayside will therefore continue to work closely with the local press and media in order to publicise the Policy and act as a mechanism for dialogue.

## **8. MONITORING AND EVALUATION**

The current NHS Tayside Smoking Policy Working Group will review the Policy at 12 monthly intervals. An annual report of the Policy will be submitted to relevant NHS Tayside Standing Committees and Senior Management Team.

**Paul Ballard**  
**Consultant in Health Promotion**  
**September 2007**

## **REFERENCE DOCUMENTS**

- Scottish Executive : The Smoking, Health and Social Care (Scotland) Act 2005.
- Scottish Executive : The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006.
- Scottish Executive : Smoke-free Scotland – Guidance on Smoking Policies for NHS, Local Authorities and Care Service Providers 2005.
- Scottish Executive : Improving Health in Scotland – The Challenge 2003.
- Scottish Executive : A Breath of Fresh Air for Scotland – Improving Scotland's Health : Tobacco Control Action Plan 2004.
- ASH/Health Scotland : Smoking Cessation guidelines for Scotland 2004.

## NHS TAYSIDE - POLICY APPROVAL CHECKLIST

This checklist must be completed and forwarded with policy to the appropriate forum/committee for approval.

**POLICY AREA:** (See Intranet Framework) Smoking  
**POLICY TITLE:** NHS Tayside Smoking Policy  
**LEAD OFFICER:** Consultant in Health Promotion

Why has this policy been developed?	In order to comply and build upon the Smoking, Health and Social Care (Scotland) Act 2005 and the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006																			
Has the policy been developed in accordance with or related to legislation? – Please give details of applicable legislation.	See above																			
Has a risk control plan been developed? Who is the owner of the risk?	Not yet																			
Who has been involved/consulted in the development of the policy?	Widespread consultation																			
Has The policy been assessed for Equality and diversity in relation to:- Will be assessed by end of March 2006	Has the policy been assessed For Equality and Diversity not to disadvantage the following groups:-																			
<table border="0"> <tr> <td>Race/Ethnicity</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td rowspan="6">                     Minority Ethnic Communities (includes Gypsy/Travellers, Refugees &amp; Asylum Seekers)                      Women and Men                      Religious &amp; Faith Groups                      Disabled People                      Children and Young People                      Lesbian, Gay, Bisexual &amp; Transgender Community                 </td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Gender</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Age</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Religion/Faith</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Disability</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> <tr> <td>Sexual Orientation</td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> <td>Yes <input type="checkbox"/> No <input type="checkbox"/></td> </tr> </table>	Race/Ethnicity	Yes <input type="checkbox"/> No <input type="checkbox"/>	Minority Ethnic Communities (includes Gypsy/Travellers, Refugees & Asylum Seekers) Women and Men Religious & Faith Groups Disabled People Children and Young People Lesbian, Gay, Bisexual & Transgender Community	Yes <input type="checkbox"/> No <input type="checkbox"/>	Gender	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Age	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Religion/Faith	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Disability	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Sexual Orientation	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	
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Sexual Orientation	Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>																	
Does the policy contain evidence of the Equality & Diversity Impact Assessment Process?	YES <input type="checkbox"/> NO <input type="checkbox"/>																			
Is there an implementation plan?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>																			
Which officers are responsible for implementation?	Consultant in Health Promotion																			
When will the policy take effect?	23 November 2006																			
Who must comply with the policy?	<ul style="list-style-type: none"> <li>• All NHS staff in Tayside</li> <li>• All patients, including out-patients, day patients, in-patients and long-stay patients</li> <li>• All other people including visitors, contractors, students, voluntary staff and anyone whose work, study or personal circumstances brings them into NHS premises and grounds in Tayside</li> </ul>																			
How will they be informed of their responsibilities?	Communication programme details in Policy paper																			
Is any training required?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>																			
If yes, has any been arranged?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>																			
Are there any cost implications?	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>																			
If yes, please detail costs and note source of funding	Costs largely paid for by ring-fenced funding. Costs re ventilation still to be assessed.																			

<b>Who is responsible for auditing the implementation of the policy?</b>	<b>Consultant in Health Promotion</b>
<b>What is the audit interval?</b>	<b>One year</b>
<b>Who will receive the audit reports?</b>	<b>Chief Executive, NHS Tayside</b>
<b>When will the policy be reviewed and by whom? (please give designation)</b>	<b>November 2007 Consultant in Health Promotion</b>

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_