

Royal College of Physicians of Edinburgh
response to Scottish Government consultation on
Prohibiting smoking outside hospital buildings

1. Do you support the proposal that the distance from hospital buildings which will form the perimeter of the no-smoking areas outside a hospital building should be 15 metres?

Yes. There is general acceptance that this measure is necessary to help protect hospital patients, staff and visitors from tobacco smoke. It is an especially important measure for hospitals, because those who are ill or recovering in hospital are especially vulnerable to the negative health effects of tobacco smoke. Second-hand smoke can also make its way into hospitals through open windows and ventilation shaftsⁱ.

The College is a member of the Scottish Coalition on Tobacco (SCOT) and endorses the response of SCOT to this consultation.

2. Do you support the proposal that the perimeter should be measured from the outside wall of a building and include all land or area under any canopy or overhang even where those extend beyond 15 metres?

Yes, the College supports the proposal due to scientific evidence showing second hand smoke has been found to circulate and remain present at elevated levels in sheltered areas such as under a canopyⁱⁱ.

3. Do you support the proposal to set the wording and dimensions of no smoking notices as described above?

Yes. Clear and visible signage is an important element in encouraging people to respect smoke-free areas. The College strongly supports SCOT's position that such notices, by themselves, are not enough to ensure that people will respect smoke-free regulations and signage should be included alongside no-smoking notices that clearly highlights Scotland's 'Quit Your Way' approach, and the effective support available through NHS Scotland to people who want to quit smoking.

These communications should also be accompanied by comprehensive support and training for hospital staff, so that they feel able to confidently communicate the rationale for smoke-free regulations and policies to hospital patients and visitors.

4. Do you support the proposal that no specific hospital or type of hospital should be exempted under the definition of "hospital" in the Act?

Yes. The College shares the view of SCOT that exempting specific hospitals or types of hospital from the regulations would present an equalities issue.

5. Do you support the proposal that no-smoking areas will only apply to buildings used wholly or partly as a hospital?

No, as this could create potential for confusion in terms of the implementation of the regulations and detract from the strength of message. The exemption of some buildings and not others from the regulations could also constitute an equalities issue.

6. Do you support the proposal that public footpaths, cycle paths and footways should be considered hospital grounds for the purposes of establishing no-smoking areas outside the doorways of hospital buildings, and that the size of the grounds would extend up to 15 metres from the centre of doorways?

Yes. This seems a reasonable proposal.

7. Do you support the proposal that the use of NVPs should be allowed as an alternative to smoking on hospital grounds but not within the no-smoking area outside hospital buildings?

No, as this would dilute the clear messaging and potentially confuse implementation and enforcement of the no smoking regulations. The College agrees with SCOT that vaping should be treated in the same way as tobacco throughout NHS Scotland premises. This will limit the potential for misinterpretation of the regulations governing the no-smoking perimeter on NHS Scotland hospital when it comes to communicating them to patients, staff and visitors.

The College supports the current NHS Scotland guidance on smoking in hospital grounds, <http://www.smokefreegrounds.org/> which states that “*e-cigarettes are not allowed in NHS Buildings or on the majority of NHS grounds. This is because they are not currently regulated as a tobacco product or a medicine in the UK, and we (NHS Scotland) can only recommend products that are known to be safe and effective. E-cigarettes can also mimic the look of smoking, which may make it harder for others not to smoke*”.

8. Do you consider there to be any positive or negative impacts on equality as a result of the proposals in this consultation?

There are likely to be positive impacts relating to protecting patients, staff and visitors to hospitals from the hazards of environmental tobacco smoke (ETS).

ⁱ Scottish Parliament Information Centre- SPICe FAQ – Smoking Outside Hospitals (July 2018)

<https://spice-spotlight.scot/2018/07/09/spice-faq-smoking-outside-hospitals/>

ⁱⁱ Nipapun Kungskulniti, Naowarut Charoenca, Jeremiah Mock, Stephen Lorin Hamann, Secondhand smoke point-source exposures assessed by particulate matter at two popular public beaches in Thailand, *Journal of Public Health*, Volume 40, Issue 3, September 2018, Pages 527–532, <https://doi.org/10.1093/pubmed/fox112>