


Report of: Health Scrutiny Committee


To: Executive Board


Date: 18th June 2007

Item No

Title of Report : Smoke Free Legislation & Smoking Cessation Services



 **Summary and Recommendations**

 **Purpose of report:** To report to the Executive Board the recommendations of the Health Scrutiny Committee as part of their discussions on the SmokeFree Legislation.


 **Key decision:** No


Portfolio Holder: Cllr Murray

Ward(s) affected: All


Report Approved by:  Imogen Wooder (Legal Services)
Andy Collett (Financial & Asset Management Services) 

Policy Framework: No

 **Recommendation(s):** The Executive Board is asked to respond to the Health Scrutiny Committee's recommendation that:

 Oxford City Homes disseminate smoking cessation information to all its tenants.

(Oxfordshire PCT is willing to facilitate this and provide training to frontline staff in signposting customers to the Smoking Cessation Service.) The detailed minutes of the item and comments are attached overleaf



Health Scrutiny Committee – 26th April 2007

8. SMOKE FREE LEGISLATION AND SMOKING CESSATION SERVICES

The Scrutiny Officer submitted a report (previously circulated, now appended) introducing the impending smoke free legislation to the Committee. Xanthe Bevis (Smoking Cessation Specialist, Oxfordshire Primary Care Trust) also submitted a short report (previously circulated, now appended) concerning the smoking cessation service within Oxford. The Committee welcomed Xanthe Bevis, Mark Preston and Neil Bacon (Oxford City Council) to the meeting.

Ms Bevis presented her report to the Committee and gave the following additional information:-

- (1) 30 years ago 46% of the population smoked. In 2004 29% of Oxford's population were smokers, higher than the national average. It was hoped to reduce this to 21% by 2010. Smoking rates tended to be higher in areas of deprivation, a number of which were situated within Oxford. Councillor Pressel asked for further information (perhaps post code data) concerning the location of people giving up smoking within Oxford.
- (2) Second-hand smoke was a cocktail of unpleasant chemicals containing over 50 known carcinogens. Ventilation was ineffective at controlling second-hand smoke, and smoke could linger in a room for up to 2 hours. It was hoped that the anti smoking legislation would protect people from second-hand smoke and thus form adverse effects on health.
- (3) The Scientific Committee on Tobacco and Health concluded that the only way to protect people from the health risks associated with second-hand smoke was to eliminate all indoor smoking.
- (4) The law would come into effect at 6am on July 1st 2007, and would cover all types of smoke, including cigarette, pipe, cigar and herbal. It would cover all workplaces that were wholly or partially enclosed, and it would no longer be possible to have a designated smoking room. There was no obligation upon employers to provide exterior shelters for their employees, although some would do so. Failure to comply with the law would be a criminal offence.
- (5) There were some exemptions, including prisons, hotels and residential care homes and hospices, which would be allowed to

designate some rooms as smoking rooms for people over the age of 18.

- (6) Local Authorities would be involved in regulation (mainly through Environmental Health), partnership working and leadership. A Smoke Free Task Group had been established to ensure that regulation was consistent across Oxfordshire.
- (7) Businesses were offered support and guidance via Smokefree England, which had a website and a telephone advice line (Smokefreeengland.co.uk and 0800 169 1697 respectively).
- (8) The Oxfordshire Smoking Advice Service had been engaged with local workplace smoking issues since August 2003. It was also working in partnership with Oxford City Council, and had 500 trained advisors operating within the County as a whole. City Council departments (for example, Housing), could pass on information about smoking cessation services to tenants; and Councillor Pressel felt it would be useful for Councillors to have such information available as well.
- (9) Neil Bacon and Mark Preston explained that the government had sent information packs to employers, but the Environmental Health Business Unit was carrying out routine inspections and ensuring that local businesses were aware of the impending legislation. The City Council had received a grant to help it with the introduction and enforcement of the legislation, but not all of it had been awarded to Environmental Health, thus limiting its ability to act.
- (10) It was anticipated that there would be an increase in the number of licence applications for outdoor cafes.
- (11) Neil Bacon indicated that enforcement would be approached gradually, first by raising awareness, then by education and advising, and that prosecution would follow if the offences continued in the face of this. Scotland had introduced an anti-smoking law very successfully because it operated saturation enforcement within the first few weeks of the law's introduction.
- (12) It was likely that in the short term people would continue to smoke outside the workplace. Councillor McGregor expressed concern that smokers should not be turned into pariahs, and that children in particular should be protected from the effects of smoking in the home. Ms Bevis informed the Committee that smokers tended to take the anti-smoking message home from the workplace, and that there was no evidence that smoking increased at home because of a ban on workplace smoking.
- (13) It was suggested that the City Council should consider what help it could offer to employees wishing to stop smoking, for example,

paid time off to enable employees to attend smoking cessation workshops. Mark Preston confirmed that the City Council had organised a "stop smoking" campaign in 2000, but that only 11 members of staff took up the offer of help. Councillor Huzzey felt that, however worthwhile they were, any suggestions should be properly costed before introduction.

Resolved to:-

- (1) Thank Xanthe Bevis, Neil Bacon and Mark Preston for their attendance and useful presentation;
- (2) Ask the Human Resources Business Manager to prepare for the Committee meeting on 26th July a report outlining the steps taken so far by the City Council to enforce the anti smoking legislation within the workplace. This should include some indication of the cost to the Council of offering staff paid time off to attend smoking cessation sessions (assumed to be 7, 1 hour sessions over 7 weeks), since the Committee believed that this would be a very positive move.
- (3) Write to the Strategic Director to ask what happened to the portion of the grant given to introduce and enforce the new legislation that did not go to Environmental Health;
- (4) Ask Executive Board to recommend that Oxford City Homes disseminated smoking cessation information to tenants;
- (5) Note that Xanthe Bevis had indicated willingness to offer training sessions for frontline Housing staff who regularly engaged with tenants;
- (6) Write to the Oxfordshire PCT to congratulate them on achieving a performance rating of "excellent" for their work on tobacco control and promoting the benefits of being smoke free.

Comments from Smoking Cessation Specialist Oxfordshire PCT

Oxfordshire PCT could provide the Smoking Cessation leaflets and Oxford City Council's costs would be limited to delivery.

If there is a Tenants Newsletter going out, with costs for that already accounted for, we could supply information for this, if this is the preferred cost neutral option.

This would not be an "anti-smoking" campaign being targeted at tenants, it would simply be advising tenants of a free local NHS service that offers support for those people who do wish to quit smoking (70% of all smokers), for those who wish to use it. In our work as a local NHS we have specific

targets aimed at reducing health inequalities, which aim to address the differing health status and differing access to healthcare between different citizens in our society. Most of the areas of the city that we would be advised to target for reasons of scoring highly on the indices of multiple deprivation do largely consist of the tenants of social housing.

Oxfordshire PCT Smoking Cessation Services can also offer free in-house Brief Advice Training (1-2 hours) to all "frontline" Housing and Leisure staff (as discussed at Health Scrutiny) to enable word of mouth signposting to our service. This could complement display of materials in the local service points as discussed at the Health Scrutiny meeting, as well as any plan to leaflet tenants.

We hope to work in partnership with the City to ensure that all citizens of Oxford wishing to quit smoking can hear about our service at this time, using a range of different methods to reach these people.

Comments from Strategic Director, Housing, Health and Community

The national and local campaigns do not differentiate between groups of citizens and therefore it would be inappropriate for the Council to put additional resource into an anti-smoking campaign specific to its tenants.

The tenants newsletter will feature an article about smoking being banned in public areas. I would be happy for the edition of this newsletter to include information on Smoking Cessation support services.

I'm also happy for our front line staff to be encouraged to sign post people to the PCT but this should not be labelled as a big campaign its just common sense. Leaflets singling out Council tenants would be a bad idea in my opinion. We have a whole spectrum of health in our tenants from very healthy to very ill.

Comments from Portfolio Holder for improving housing

I would be reluctant to put any additional resources staff time/ money to the recommendation, as there are probably higher priorities. However I would not oppose the option of the Smoking Cessation Service including an article on their support services in the tenants newsletter.

Comments from Legal Services

There is no legal duty to disseminate smoking cessation information to tenants. Secondly, there are costs implications as to how this would be funded.