

The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022

Fairer Scotland Duty

March 2022



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Assessment Not Required Declaration

Policy Title: The Prohibition of Smoking outside Hospital Buildings (Scotland) Regulations 2022

Directorate: Division: Team: Population Health Directorate, Health Improvement Division, Healthy Living Unit, Tobacco Control and Gambling

Policy Lead responsible: Jules Goodlet-Rowley: Head of Healthy Living Unit

Rationale for decision:

Scottish Government will lay regulations before the Scottish Parliament to produce an enforceable prohibition of Smoking outside hospital buildings, providing a smoke-free perimeter of 15 metres. This primarily supports the de-normalisation of smoking on hospital grounds. In order to help reduce the use of tobacco across the population and to reinforce that the NHS should be seen as an exemplar of health promotion within society and to support people in their efforts to stop smoking. The secondary aim is to help prevent and reduce exposure to second-hand smoke by people in NHS hospital grounds, at entrances and near window vents to buildings.

It is believed that this policy will not have significant impacts on the inequalities associated with social-economic disadvantage. Although smoking is more prevalent in lower economic groups¹, the implications for smokers from different socio-economic backgrounds would be the same as those smokers in higher income groups. It is not apparent that there are negative outcomes or health risks from smoking 15 metres further away from hospital buildings.

It is noted that the greater prevalence of smoking in deprived areas acts as strong component identity and so restrictions on smoking maybe be viewed by low income smokers as targeting people from their background.² However, everyone, including those from low income groups, will benefit from the de-normalisation smoking and less exposure to second-hand smoke and it is expected to outweigh any impact or inconvenience for low income smokers.

Disadvantaged smokers may face higher exposure to tobacco's harms, with higher uptake with those with lower socioeconomic status and with quit attempts will less likely be successful.³ These regulations reflect the NHS's direct but compassionate message. It appreciates that smoking is a difficult habit to break but advises people to seek support to quit. The policy supports people who visit hospital for smoking cessation treatment, who have given up, or who have reduced their smoking, and

¹ [Scottish Health Survey 2019 - volume 1: main report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-health-survey-2019-vol-1-main-report/pages/100-to-109.aspx)

² [Socioeconomic status and smoking: a review - PubMed \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/26414441/)

³ [Socioeconomic Status, Social Context, and Smoking Lapse During a Quit Attempt: An Ecological Momentary Assessment Study - PubMed \(nih.gov\)](https://pubmed.ncbi.nlm.nih.gov/26414441/)

who might find it difficult to pass through areas close to entrances where people have congregated to smoke. The proposal will help people who have been advised to stop or reduce their smoking for periods of medical treatment. Social acceptability has a strong bearing on health behaviours and evidence shows that quitting is made more difficult if a smoker's social environment is filled with smokers⁴. One of the factors which influence whether a quit attempt will be successful is the extent to which a smoker is exposed to "cues"⁵ and it is noted that those from lower socio-economic communities attempting to quit experienced greater pro-smoking social contexts that affected their subsequent risk for relapse.

⁴ [Scollo, MM and Winstanley, MH \(2008\) Tobacco in Australia: Facts and Issues. A comprehensive online resource, 4th edn \(Cancer Council Victoria\):](#)

⁵ [Socioeconomic Status, Social Context, and Smoking Lapse During a Quit Attempt: An Ecological Momentary Assessment Study - PubMed \(nih.gov\)](#)



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The Scottish Government
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Edinburgh
EH1 3DG

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