

**Response from Director Primary Care, Elder Care, Nursing & Quality Causeway Health & Social Services Trust**

**DRAFT SMOKE-FREE (GENERAL PROVISIONS) REGULATIONS (NORTHERN IRELAND) 2007**

**Q1. Draft regulation 3** sets out proposed requirements for the content and display of no-smoking signs in premises. Each entrance to smoke-free premises will be required to display a no-smoking sign that meets the standard minimum requirements i.e. a flat rectangular sign with minimum dimensions of 148mm by 210 mm, display the international “no smoking” symbol and carry the words “No smoking. It is against the law to smoke in these premises” (Paragraphs 2.6 – 2.11 of the consultation document refer).

**Do you agree with the proposals for the content and display of no-smoking signs in premises set out in regulation 3?**

Yes  No

**If you wish to comment, please do so here.**

Prior to entering a building signage on smoke-free premises should be displayed in prominent places.

**Q2. Draft regulation 4** sets out proposed requirements for the content and display of no-smoking signs in smoke-free vehicles. The operator of the smoke-free vehicle will be required to ensure that at least one no-smoking symbol is displayed in each compartment of his vehicle. The no smoking symbol consists of a graphic representation of a burning cigarette enclosed in a red circle with a red bar across it, at least 75mm in diameter (Paragraphs 2.12 – 2.15 of the consultation document refer).

**Do you agree with the proposals for the content and display of no-smoking signs in smoke-free vehicles?**

Yes  No

**If you wish to comment please do so here.**

Are vehicles which are used for work to be smoke-free e.g. Trust vehicles or persons claiming mileage allowances and transporting colleagues or patients/clients.

**DRAFT SMOKE-FREE (EXEMPTIONS, VEHICLES, PENALTIES AND DISCOUNTED AMOUNTS) REGULATIONS (NORTHERN IRELAND) 2007**

**Q3. Draft regulation 2** sets out a proposed exemption for a private dwelling. Those parts of the dwelling that are shared with other premises (including other private dwellings) such as communal lifts, indoor stairwells, communal corridors in a block of flats etc., which are open to the public or used as places of work will be smoke-free. It is proposed that any part of a private dwelling that is used solely as a place of work by more than one person will be smoke-free. The smoke-free requirement will not apply to work that is undertaken in any part of private dwellings for the provision of personal care for the person living there or to maintain the structure or fabric of the building etc (Paragraphs 3.3 – 3.6 of the consultation document refer).

**Do you agree with the proposals in the draft regulations for private accommodation?**

Yes  No

**If you wish to comment please do so here.**

Appropriate signage needs to be applied to areas which are smoke-free e.g. stairwells, and lifts. Clarification needs to be made in relation to Trust staff visiting homes of smokers and their rights regarding protection from second-hand smoke. Guidance compiled by Tayside Health Board in Scotland is quite clear and considers the protection of staff working in people's homes. We should strive to ensure that the health of all our staff is protected as far as is reasonably practical.

**Q4. Draft regulation 3** sets out proposed exemptions for designated bedrooms in a hotel, guest house, inn, hostel or members' club. It also specifies certain conditions which must be satisfied (Paragraphs 3.7 – 3.8 of the consultation document refer).

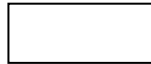
**Do you agree with the proposed exemptions and conditions in draft regulation 3 for hotels, guest houses, hostels etc?**

Yes  No

**If you wish to comment please do so here.**

This does not protect people working within this environment from the health risks of second-hand smoke. This potentially gives rise to an

inequality within the workforce in relation to protection from second-hand smoke.



**Q5. Draft regulation 4** sets out proposed exemptions for designated rooms in residential care homes and nursing homes, hospices and those mental health units that provide long-term residential accommodation (long-term is defined as accommodation which, in the normal course of events, is provided for patients to occupy for not less than 6 months). It also specifies certain conditions which must be satisfied (Paragraphs 3.9 – 3.11 refer).

**Do you agree with the proposed exemptions and conditions in draft regulation 4 for care homes & nursing homes, hospices and mental health units?**

Yes  No

**If you wish to comment please do so here.**

This issue still requires clarification and further consideration. Is it not a fundamental requirement to protect all staff, patients, visitors and others to the exposure of second-hand smoke in the premises listed above? For example, if patients wish to smoke in their bedrooms and are permitted to smoke in smoking rooms, this asks the question – are staff, patients who do not smoke, visitors and others protected within this working environment. Could it be the case that only patient's and no others could smoke within only a designated room. There needs to be careful consideration also given to the placement of this designated smoking room.

**Q6. Draft regulation 8** sets out a proposed exemption for a designated room in a research or testing facility. This includes research or tests in relation to smoking and smoking cessation (Paragraphs 3.15 – 3.16 refer).

**Do you agree with the proposed exemption in draft regulation 8 in relation to research and testing facilities?**

Yes  No

**If you wish to comment please do so here.**

No comment

**Q7. Draft regulation 9** sets out proposals for certain vehicles to be smoke-free (Paragraphs 3.27 – 3.32 refer).

**Do you agree with the proposals for smoke-free vehicles?**

**Yes**

**No**

**If you wish to comment please do so here.**

Additional comment regarding the exclusion of the MOD workforce in relation to this impending legislation. Why should this be the case? Should we not follow the example set in Scotland that would appear to include the MOD.

