

Freedom of Information Request	FOI 21-334	2 nd September 2021
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Since 1 March 2021, hospital grounds in Wales have been required to be smoke-free. This is in addition to the hospital buildings (the enclosed and substantially enclosed areas of the hospital) which are currently required to be smoke-free.

Failure to comply with the law is now an offense. Please can you provide information on the following:

1. How many people have been fined/prosecuted for smoking on hospital grounds in your Health Boards, since 1 March 2021.

The smoke-free legislation requires Health Boards to take reasonable steps to ensure no smoking takes place on hospital grounds. In March 2021, the Health Boards Executive Team agreed the Aneurin Bevan University Health Board (ABUHB) Smoke-Free Hospitals Implementation Plan which has been progressing in accordance with the agreed Engagement, Education, Encouragement and Enforcement approach. This approach aims to ensure that all staff, patients and visitors are aware of, and are supported to comply with, the Health Board's Smoke-Free Environment Policy and legislation. It also ensures that all necessary steps are in place to ensure enforcement action is taken consistently across the Health Board.

Ahead of moving to enforcement of the Smoke-Free legislation on hospital sites, Smoke-Free Environment Officers will continue to approach staff, patients and visitors who are smoking on site to remind them of the legislation, provide smoking cessation information (where appropriate) and inform them of the £100 fine that will be coming into effect for smoking on site.

To continue taking reasonable steps to enforce the legislation, Local Authority enforcement officers are expected to commence visits to hospital sites one month after enforcement of the ABUHB Smoke-Free Policy commences with staff (November 2021). This would be consistent with the complaints-led approach to enforcement of the legislation that has been agreed with Local Authorities. Local Authority enforcement officers will begin by patrolling sites and providing verbal warnings, building up to issuing fines to staff, patients and visitors who are smoking on a hospital site.

Therefore, to date, no individuals have been fined/prosecuted for smoking on Health Board grounds.

2. Who within the Hospital setting is responsible for enforcing and upholding this law.

I, as Chief Executive, have overall responsibility for enforcing and upholding the smoke-free law in the Health Board. Delivery of the Smoke-Free Hospitals Implementation Plan is overseen by the Smoke-Free Implementation Group, which is chaired by Dr Sarah Aitken, Director of Public Health & Strategic Partnerships.