

-----Original Message-----

From: Pauline [mailto:Pauline@palliativecarescotland.org.uk]

Sent: 24 May 2005 13:20

To: Glen J (John)

Subject: Response to the Consultation: Smoking, Health & Social Care (Scotland) Act 2005 (Prohibition of smoking in certain premises) Regulations 2005: Draft

Importance: High

This email has been received from an external party and has been swept for the presence of computer viruses.

Please find attached Annex D

-----Original Message-----

From: Pauline [mailto:Pauline@palliativecarescotland.org.uk]

Sent: 24 May 2005 13:18

To: john.glen@scotland.gsi.gov.uk

Subject: Response to the Consultation: Smoking, Health & Social Care (Scotland) Act 2005 (Prohibition of smoking in certain premises)

Regulations 2005: Draft

Importance: High

FAO: John Glen, Scottish Executive Health Department, Tobacco Control Division.

Dear Mr Glen ...

Please find attached a copy of the Scottish Partnership for Palliative Care's response to the consultation 'Smoking, Health & Social Care (Scotland) Act 2005 (Prohibition of smoking in certain premises) Regulations 2005: Draft'

Kind regards ... Pauline

Pauline Britton
Publications & Group Liaison Officer
The Scottish Partnership for Palliative Care
1a Cambridge Street
Edinburgh

Scottish Partnership for Palliative Care

Response to the consultation 'The Smoking, Health & Social Care (Scotland) Act 2005 (Prohibition of smoking in certain premises) Regulations 2005': Draft

The Scottish Hospices Forum operates under the auspices of the Scottish Partnership for Palliative Care and represents all of the voluntary hospices in Scotland. This is a majority response.

The Scottish Hospices Forum wishes to respond to question 1 only:

Do the definition of words and phrases ensure clarity of what premises are covered or exempted from the regulations? If not how might they be improved?

The document has two definitions for hospices:

"Adult Hospice" means a hospice providing care exclusively for adults.

"Hospice" means an establishment the whole or main purpose of which is to provide palliative care for persons resident there who are suffering from a progressive disease in its final stages.

In the proposed regulations 'Hospices' are defined as no-smoking premises whereas "Adult Hospices" are defined as exempt from the legislation.

The Scottish Hospices Forum believes that having different statuses for the two will cause confusion. There are two children's hospices in Scotland, the remaining hospices provide care exclusively for adults, although they are not considered resident in them, the average length of stay is around 15 days.

The Scottish Hospices Forum believes that all hospices should be no-smoking premises, with only a designated room in each hospice being exempted.

ANNEX D

RESPONDENT INFORMATION FORM

THE SMOKING, HEALTH AND SOCIAL CARE (SCOTLAND) Act 2005
(PROHIBITION OF SMOKING IN CERTAIN PREMISES) REGULATIONS 2005

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: SCOTTISH HOSPICES FORUM

Postal Address: SCOTTISH PARTNERSHIP FOR PALLIATIVE CARE
12 CAMBRIDGE STREET, EDINBURGH EH1 2DY

1. Are you responding: (please tick one box)
- (a) as an individual go to Q2a/b and then Q4
- (b) on behalf of a group/organisation go to Q3 and then Q4

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in Scottish Executive library and/or on the Scottish Executive website)?

- Yes (go to 2b below)
- No, not at all We will treat your response as confidential

- 2b. Where *confidentiality is not requested*, we will make your response available to the public on the following basis (please tick one of the following boxes)

- Yes, make my response, name and address all available
- Yes, make my response available, but not my name or address
- Yes, make my response and name available, but not my address

ON BEHALF OF GROUPS OR ORGANISATIONS:

- 3 The name and address of your organisation *will be* made available to the public (in the Scottish Executive library and/or on the Scottish Executive website). Are you also content for your response to be made available?

- Yes
- No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

- 4 We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?

- Yes
- No