



# Smokefree England – one year on

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# Foreword



A year ago today in England, we took one of the most important steps forward in public health for many years. The importance of this law cannot be underestimated. It has resulted in a significant reduction in exposure to secondhand smoke with all its damaging health effects. We expect many lives will have been saved. I am sure that 1 July 2007 will always remain a historic day for public health in England.

I first called for public places and workplaces to be made smokefree in my 2002 Annual Report, which was met with considerable hostility as well as support.

The following year, my 2003 Annual Report set out the economic case for smokefree legislation, and recommended that: 'Smokefree workplaces and smokefree enclosed public places should be created as a priority through legislation.' I was therefore delighted when, on 14 February 2006, the House of Commons voted, by a massive majority, in favour of legislation to make all enclosed public places and workplaces smokefree from 1 July 2007.

One year on and the smokefree law has been accepted by the general public and businesses alike, with almost universal compliance from day one. This means that everyone now has the right to enjoy the benefits of a cleaner, healthier environment, free from secondhand smoke.

We could not have achieved this without the tireless work of local authorities, health campaigners and others involved in the implementation of smokefree law, who helped to ensure that everyone knew in good time how the law would affect them. I also pay credit to businesses across the country for taking the implementation of the new law so seriously.

England's cigarette use is declining, but the smoking epidemic is far from solved. Tobacco kills around 87,000 people annually in England alone and it remains the single greatest cause of preventable illness. Yet still many young people take up the habit each year.

We must do more if we are to continue to reduce the harm of tobacco use in our communities. Measures such as the introduction of picture pack warnings this autumn and the current consultation on the future of tobacco control are essential to keep up the momentum to create a truly smokefree future.

**Sir Liam Donaldson**  
Chief Medical Officer

# Executive summary

On 1 July 2007, England introduced new laws to make virtually all enclosed public places and workplaces in England smokefree. The primary aim of the legislation was to protect workers and the general public from exposure to the harmful effects of secondhand smoke.

Medical and scientific evidence shows that exposure to secondhand smoke increases the risk of serious medical conditions such as lung cancer, heart disease, asthma attacks, childhood respiratory disease, sudden infant death syndrome (SIDS) and reduced lung function. Scientific evidence also shows that ventilation does not eliminate the risks to health of secondhand smoke in enclosed places. The only way to provide effective protection is to prevent people breathing in secondhand smoke in the first place.

This report presents a review of the legislation covering compliance, public opinion, businesses' experience of implementing smokefree law in the workplace and academic research into the health benefits of a smokefree England.

Smokefree legislation was introduced to create a healthier environment for everyone to work, socialise, relax, travel and shop in, free from secondhand smoke. One year on, the evidence clearly suggests that the nation has quickly adapted to, and is benefiting from, a smokefree England.

## Key findings:

- Compliance with smokefree legislation has been consistently high from day one:
  - 98% of all premises and vehicles inspected between July 2007 and March 2008 were smokefree, complying with the requirements of the law.
  - 87% of all premises and vehicles are displaying the correct no-smoking signage.
- The general public and businesses support smokefree law and have quickly adapted to its requirements:
  - 76% of people support smokefree law in workplaces and public places.
  - 81% of business decision makers think the law is 'a good idea'.

- 70% of people consider that creating smokefree environments has had a positive effect on the health of people in England.
  - 87% of businesses said implementation of the law had gone well or very well.
  - 40% of businesses reported a positive impact on the company, compared with only 3% reporting a negative impact.
- Air quality in pubs has improved dramatically from 'unhealthy' average levels prior to 1 July 2007, to smokefree levels that are comparable to outdoor air.
  - Bar workers' exposure to secondhand smoke has been vastly reduced; before the introduction of smokefree law, results indicate that non-smoking bar workers were inhaling 4-6 times more cigarette smoke than the average non-smoking adult.
  - Local NHS Stop Smoking Services have experienced over 20% increased demand as smokers have benefited from the more supportive environment to quit smoking.

# Smokefree compliance

Local authorities are responsible for enforcing smokefree legislation in England. They worked closely with businesses in the run-up to 1 July 2007 to build a supportive environment where people were encouraged and supported to comply with the new laws. The hard work of local authorities to build compliance is a major factor in ensuring that the law has become largely self-enforcing. Reports from local authority inspections have confirmed high levels of compliance from day one.

## Local authority reports

Since 1 July 2007, local authorities have continued with their compliance building work, carrying out enforcement inspections based on risk and, where possible, combined with other regulatory inspections to reduce burdens on businesses.

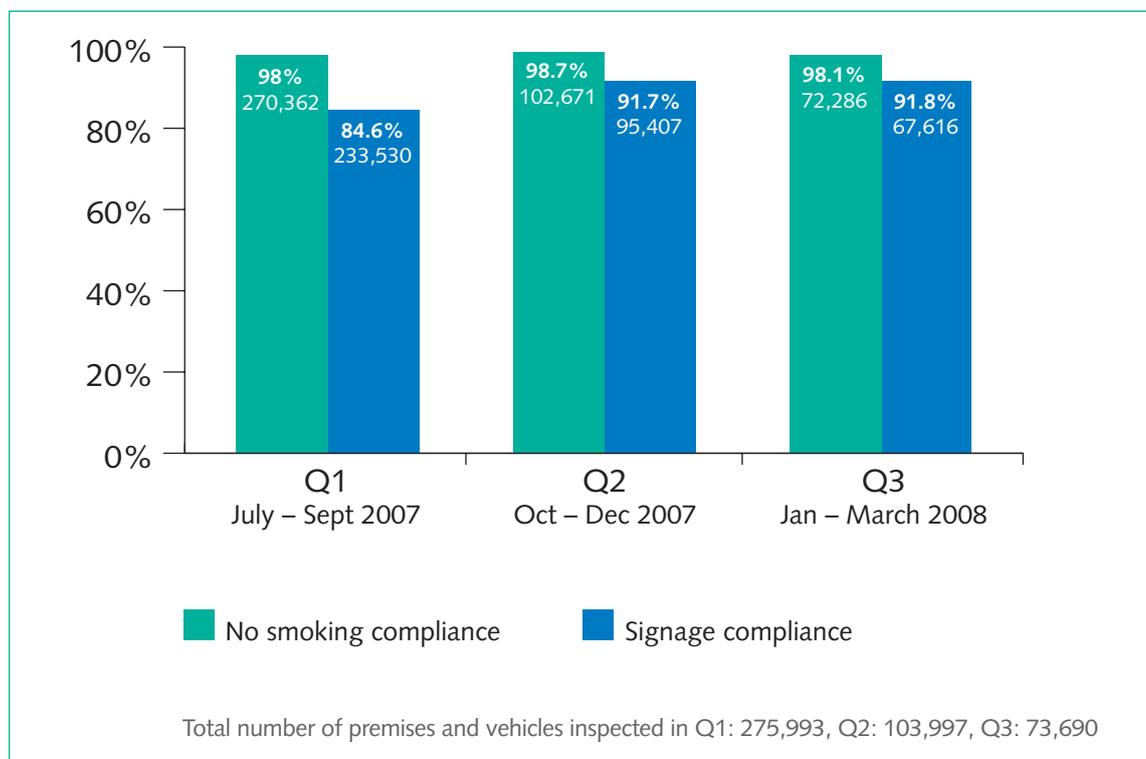
The Department of Health has commissioned the Local Government Analysis and Research organisation (LGAR)<sup>1</sup> to collect data from local authorities on their smokefree compliance inspections carried out since 1 July 2007. The latest available data on smokefree compliance included within this report relates to the nine month period from July 2007 to March 2008.

In the first nine months of the smokefree legislation, local authorities inspected a total of 390,148 premises and 63,532 vehicles required under the law to be smokefree, and found:

- 98.2% were smokefree, complying with the requirements of the law.
- 87.2% were displaying the correct no-smoking signage.

1. LGAR is the research and analytic function that supports the Local Government Association and partner bodies.

Smokefree compliance has remained consistently high since inspections began, whilst compliance with signage requirements has steadily increased as a result of compliance building activity by local authorities.



Over the nine month period since 1 July 2007, data show little regional variation in the smokefree compliance rate, ranging from 97.7% in the North West and South West to 98.7% in the North East. Signage compliance ranged from 84.1% in the South West to 92.7% in the North East.

## July 2007 – March 2008 (cumulative)

	Total number inspected	Identified as compliant – no smoking		Identified as compliant – signage	
		Number	%	Number	%
East Midlands	37,230	36,473	98.0%	32,847	88.2%
East of England	51,960	50,907	98.0%	44,833	86.3%
London	65,601	64,659	98.6%	56,870	86.7%
North East	26,877	26,516	98.7%	25,057	93.2%
North West	78,724	77,026	97.8%	71,712	91.1%
South East	64,616	63,646	98.5%	55,854	86.4%
South West	49,420	48,254	97.6%	41,560	84.1%
West Midlands	34,156	33,663	98.6%	29,285	85.7%
Yorkshire & Humberside	45,096	44,175	98.0%	38,535	85.5%
<b>England</b>	<b>453,680</b>	<b>445,319</b>	<b>98.2%</b>	<b>396,553</b>	<b>87.4%</b>

Base: all respondent local authorities and port health authorities (361)

During the nine months from July 2007 to March 2008 there were:

- 49 fixed penalty notices issued and eight court hearings for signage offences.
- 477 fixed penalty notices issued and eight court hearings for the offence of individuals smoking in a smokefree premises or vehicle.
- 19 court hearings for the offence of failing to prevent smoking in a smokefree premises or vehicle (fixed penalty notices are not available for this offence).

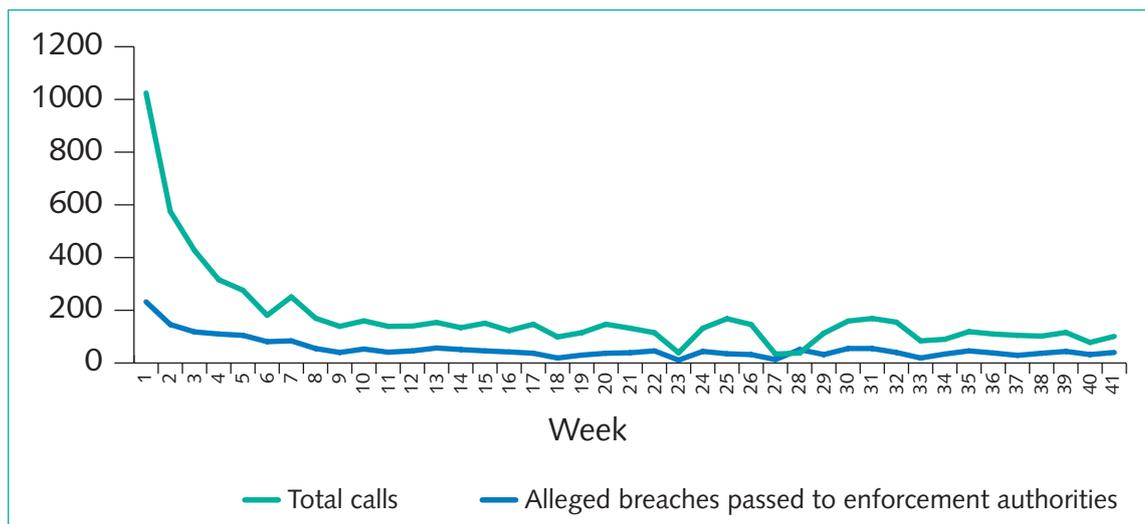
The latest compliance report is available to download at:

[http://www.smokefreeengland.co.uk/files/dhs01\\_03\\_smokefree\\_report\\_period\\_8\\_v1.pdf](http://www.smokefreeengland.co.uk/files/dhs01_03_smokefree_report_period_8_v1.pdf)

## Smokefree England Compliance line

Members of the public can call the smokefree compliance line on 0800 587 1667 to report possible breaches of the law. This information is passed to local authorities to follow up as appropriate.

The compliance line received a total of 7,173 calls in the nine months from July 2007 to March 2008, resulting in 2,163 alleged breaches being passed to local authorities.



The majority of calls were received in the first month and quickly declined to around 20 calls a day, with an average of five or six alleged breaches being passed to local authorities each day. This downward trend in call rates suggests that compliance levels are high.

The discrepancy between the total number of calls made and those passed on to local councils is due to the fact that some calls did not contain details of any alleged breach of the legislation or in some cases incomplete data was supplied, which meant the report could not be correctly matched to a local authority. There have also been some calls to the compliance line seeking information.

# Experiences of smokefree legislation

## General public

ICM was commissioned to undertake a total of four waves of research to assess public awareness of smokefree legislation, levels of support and perceived levels of compliance with the law.<sup>2</sup> The most recent survey, conducted in May 2008, just ahead of the one year anniversary of the law, shows continued high levels of support and compliance with the law:

### Awareness and support

- 96% of people are aware of smokefree legislation, the same level as in June 2007.
- 76% support smokefree law, consistent with previous waves of research.

### Benefits

- 70% think that creating smokefree public places and workplaces has had a positive effect on the health of people in England.
- Many respondents said they'd experienced personal benefits since England became smokefree, with the most popular answers including:
  - Cleaner environment (22%).
  - Don't smell of smoke (22%).
  - Health benefits (12%).
  - Going out is more pleasurable (12%).

### Compliance

- 87% of people believe that smokefree legislation is being obeyed.
- 91% of those in work said that their employer was enforcing the law.

2. The research was conducted via ICM's telephone omnibus amongst a representative sample of c.1,700 adults aged 18+ in England.

## Businesses

Continental Research was commissioned to measure businesses' attitudes to, and understanding of, smokefree legislation in the run-up to and following implementation. A total of seven waves of research were conducted between August 2007 and May 2008.<sup>3</sup> The latest results from May 2008 show:

### Implementation

- 94% of respondents said enough information had been provided about the law.
- 87% of businesses and 93% of licensed premises stated that implementation had gone well or very well.

### Impact of smokefree law

- 81% of businesses agreed that smokefree legislation is 'a good idea'.
- 40% of businesses reported a positive impact on the company, compared with only 3% reporting a negative impact.
- 38% of licensed premises reported a positive impact on the company, outnumbering those reporting a negative impact by three to one (12% reported a negative impact).
- 59% of businesses and 62% of licensed premises reported that staff reactions to the law were positive (4% and 15% respectively reported negative reactions).

### Compliance

- 98% of respondents said their business is fully compliant with smokefree law and 91% think that the new law is being obeyed.
- Almost half of businesses that operate licensed premises and one in six businesses overall said they had been checked for compliance by their local authority.

3. The research was conducted via telephone interviews with business decision makers in England. The sample size varied between 449 and 700 interviews, but all waves were weighted to be representative of the overall business population in England.

## Smoking related behaviour and attitudes

The annual Smoking Related Behaviour and Attitudes survey, published in mid-June by the Office for National Statistics, confirms the high levels of public support for smokefree law found by the ICM research.

Overall eighty percent of respondents said they agreed with the legislation banning smoking in enclosed public places. The survey also asked measured attitudes to the restrictions in specific areas, with at least three-quarters of respondents agreeing with the restrictions across all areas included in the survey:

- 86 per cent agreed with restrictions on smoking at work.
- 94 per cent in restaurants.
- 92 per cent in indoor shopping centres.
- 95 per cent in indoor sports and leisure centres.
- 85 per cent in indoor areas at railway and bus stations.
- 96 per cent in other public places such as banks and post offices.
- 75 per cent in pubs.

The survey also found that there has also been a drop in the number of people allowing smoking in their home. Approximately two-thirds (67 per cent) said that smoking was not allowed at all in their home compared to 61 per cent in 2006.

The research is available to download at:

[http://www.statistics.gov.uk/downloads/theme\\_health/smoking2007.pdf](http://www.statistics.gov.uk/downloads/theme_health/smoking2007.pdf)

# Health impact

## Interim findings of 'Smokefree Bars 07' project

The Department of Health commissioned the 'Smokefree Bars 07' project as one part of its smokefree legislation evaluation programme. Preliminary results from the study show substantial improvements in air quality in bars and reductions in levels of tobacco smoke exposure for bar workers.

The following is a summary of the interim report, which is now available to view on the Department of Health website.

We visited bars from five areas across England in spring 2007 and August 2007, taking measurements to compare the air quality in over 50 bars across England before and after the legislation came into force. Fine particulate matter of less than 2.5 microns in diameter (2.5 millionths of a metre – known as PM<sub>2.5</sub>) was used as a marker of secondhand smoke concentrations in bars.

The results of the study show that levels of PM<sub>2.5</sub> were high before the introduction of the smokefree law:

- Across 62 bars visited in May and June 2007 the average level was 85 µg/m<sup>3</sup>. This is higher than the average 24 hour level regarded by the US Environmental Protection Agency as 'unhealthy' (65 µg/m<sup>3</sup>) for outdoor air pollution.
- In August 2007, the PM<sub>2.5</sub> concentrations in bars had dropped substantially by 91% to an average of 7 µg/m<sup>3</sup>. This is comparable to the level of particles found in outdoor air.

In spring 2007, we also interviewed 180 bar workers from over 40 bars, asking questions about their health, exposure to tobacco smoke and their attitudes to the legislation. During August 2007, two months after the introduction of smokefree law, we managed to contact 118 bar workers for a second interview.

At both interviews, we collected a sample of saliva from each bar worker and measured the level of cotinine in this sample. This is a marker of the amount of cigarette smoke<sup>4</sup> that was inhaled within the last 1-2 days by the bar worker. The results show:

- Before the introduction of smokefree law, results indicate that non-smoking bar workers were inhaling 4-6 times more cigarette smoke than the average non-smoking adult.
- After the introduction of the smoking restrictions, the cotinine levels in non-smoking bar workers were on average reduced by about 76%. This provides further evidence that bar workers in England have experienced a marked improvement in the indoor air quality of their working environment.

These findings are very similar to those seen following the introduction of smokefree laws in Scotland and Ireland.

An interim report is now available on the Department of Health's website at: [www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk)

Full details of other elements of the study, extending through to summer 2008 will be presented in the final report in autumn 2008.

Dr Sean Semple, Dr Martie van Tongeren, Dr Ivan Gee and Professor Jon Ayres

May 2008

4. Cotinine in saliva gives an indication of how much nicotine a person has inhaled over the previous 1-2 day period. Therefore, this indicates how much cigarette smoke was inhaled during this timeframe.

## Smoking cessation

The primary objective of smokefree law was to protect workers and the general public from the harmful effects of secondhand smoke. However, evidence suggests that smokers have also found that smokefree law has created a more supportive environment for them to quit smoking.

Official statistics collected by the Information Centre for health and social care show an unprecedented increase in demand for local NHS Stop Smoking Services in the months preceding and immediately following the introduction of smokefree legislation in England.

The key results show:

- Nearly 234,060 people quit smoking with the help of local NHS Stop Smoking Services between April and December 2007.
- Over half the 462,690 who used the service reported that they were still smokefree at their four-week follow-up.
- This is a 22 per cent increase in the number of successful quitters and a 23 per cent increase in the number of people setting a quit date through local NHS Stop Smoking Services compared to the same period in 2006/07.



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