

Smoke-Free Workplace Legislation Implementation

Public Health (Tobacco)
Acts 2002 and 2004

Progress Report, May 2004

Smoke-Free Workplace Legislation Implementation

Public Health (Tobacco)
Acts 2002 and 2004

Progress Report, May 2004

Office of Tobacco Control
Clane Shopping Centre
Clane, Co Kildare

Tel: +353 45 892 015

Fax: +353 45 892 649

Website: www.otc.ie

email: info@otc.ie

© May 2004

Smoke-Free Workplace Legislation Implementation Progress Report, May 2004

Introduction

The new smoke-free workplace law came into effect on the 29th March 2004. The Office of Tobacco Control is charged with coordinating the National Inspection Programme for tobacco control. In this context the Office has prepared this report on compliance with Sections 46 and 47 of the Public Health (Tobacco) Acts, 2002 and 2004, as amended.

The overall report comprises of data from three sources:

1. The smoke-free workplace compliance line,
2. The national tobacco control inspection programme and
3. Market research on public attitudes and behaviours.

The report covers the period from the introduction of the legislation to the end of April 2004. The market research was carried out in the month prior to the introduction of the legislation and the month after its introduction.

1. Smoke-Free Compliance Line

Since March 29th the Office of Tobacco Control has operated the Smoke-Free Compliance Line 1890 333100. People who observe contraventions of the law first raise the issue with the proprietor of the premises concerned. If they do not receive a satisfactory response they are advised to contact the compliance line. All such complaints are passed to the appropriate enforcement agency and are prioritised in their inspection programmes.

In the five-week period from 29th March to 30th April a total of 1,524 calls were made to the compliance line (see table below). These calls are categorised as complaints, queries, information requests or prank calls.

Complaints accounted for 677 calls or 44% of the total number of calls. Over half of these calls (827 or 54%) were received in the first week with a steady decline in call volumes since then (104 or 6% of the total were in week five). More than two thirds of the complaints received related to the hospitality sector.

Table 1 - Activity on Smoke-Free Compliance Line

Call Type	Week 1	Week 2	Week 3	Week 4	Week 5	Total
Complaint	284	167	66	104	56	677
Info request	9	2	4	4	1	20
Query	305	61	40	30	28	464
Prank	229	57	39	19	19	363
Total Calls	827	287	149	157	104	1524

2. National Tobacco Control Inspection Programme

As part of its remit the Office of Tobacco Control, in conjunction with the health boards, have developed a framework for the national inspection programme with the aim of ensuring the consistent enforcement of tobacco control legislation. Through the use of national protocols and records a common data set is generated that measures compliance levels, assists in the effective targeting of resources and in the identification of best practice.

This report is based on the inspection programme on the first month of operation of the new law, from 29th March to 30th April 2004. The report is based on data from health board inspections undertaken by Environmental Health Officers and gives an overview of the national picture with particular reference to the hospitality sector.

The key findings from the data are that compliance levels are high nationally with 97% of premises inspected being compliant in respect of the smoking prohibition i.e. no one smoking

and no evidence of smoking in contravention of the law (Section 47) and 87% compliant with the requirements for 'No Smoking' signage (Section 46).

Table 2 provides national data on complaints received, inspections and compliance levels. In response to concerns expressed by the licensed trade much of the compliance building effort and support materials were directed specifically at this sector and this is reflected in the statistics. 66% of inspections related to licensed premises with compliance levels of 96% in respect of the smoking prohibition i.e. no one smoking and no evidence of smoking in contravention of the law (Section 47) and 89% in respect of the requirement for 'No Smoking' signage (Section 46).

The compliance levels are uniformly high throughout the country ranging from 92-99% (See charts 1 and 2).

Table 2 - National Compliance Data

Business Type	Complaints	Inspections	Section 47 % Compliant	Section 46 % Compliant
Hotel	30	414	95%	91%
Restaurant	7	1231	99%	90%
Licensed Premises	592	4995	96%	89%
Other	114	949	97%	69%
Total	743	7589	97%	87%

Chart 1 - Section 47 Smoking Prohibition - % Compliance by Health Board

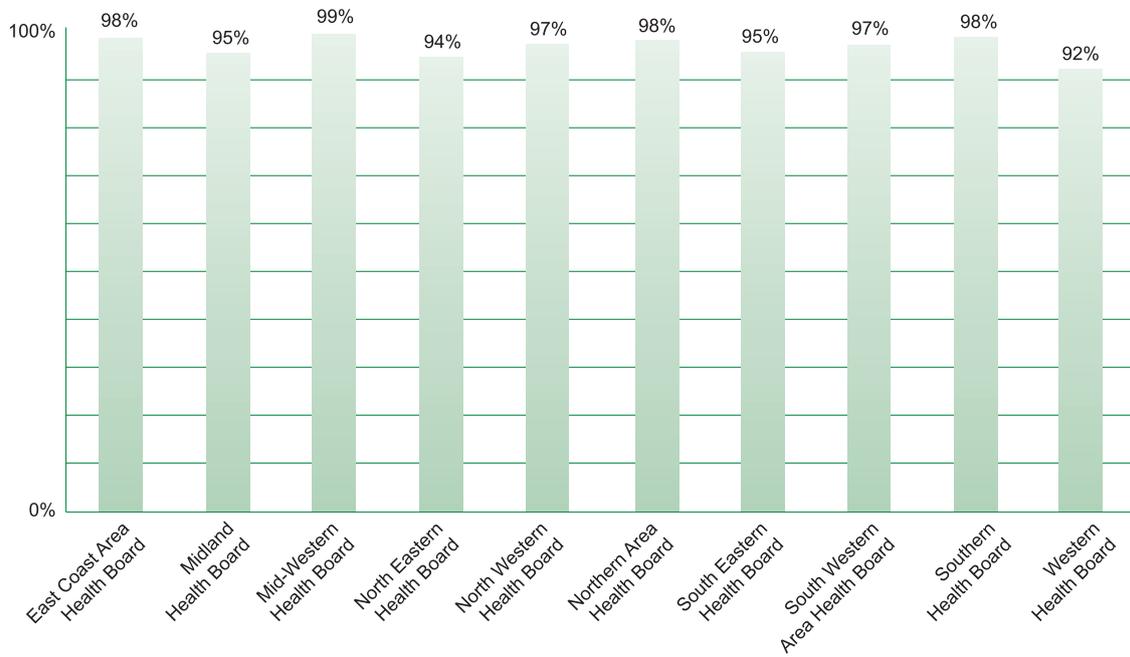
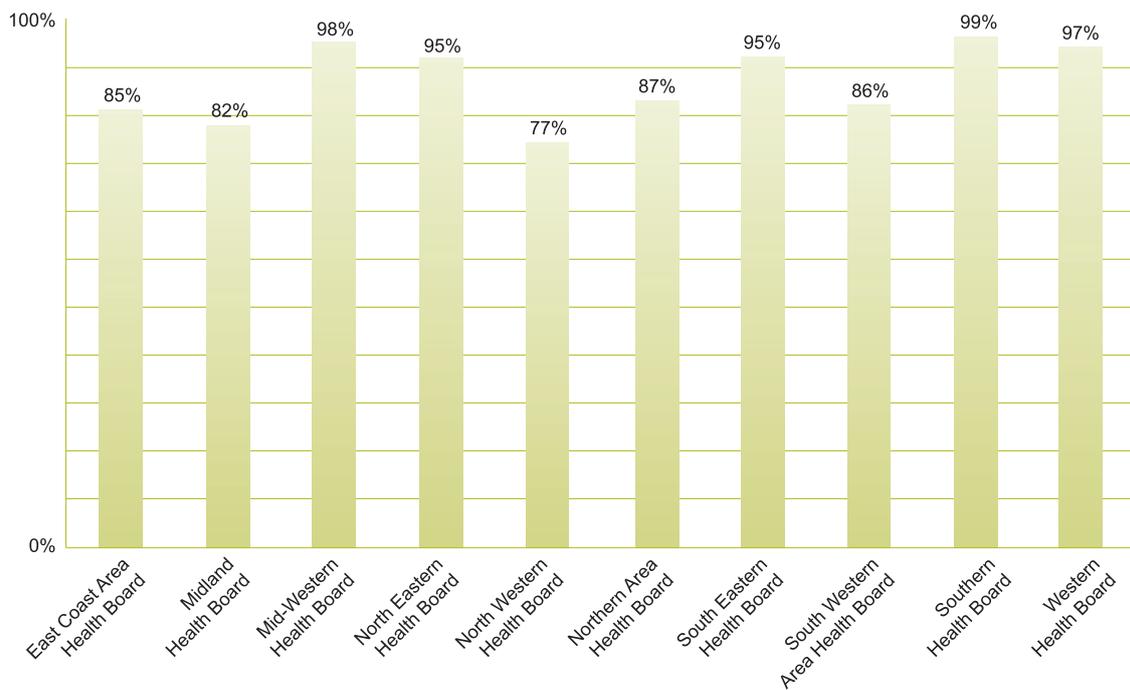


Chart 2 - Section 46 'No Smoking' Signage - % Compliance by Health Board



3. Research on Public Attitudes and Behaviours

The Office of Tobacco Control commissioned market research from TNS mrbi on public attitudes and behaviours in respect of the new law. Two surveys were conducted, one in March prior to the introduction of the new law and the second at the end of April. The surveys were conducted among a representative sample of 1000 people aged 15 years and older.

The research indicates that compliance with the law is very high and that visiting patterns to pubs and restaurants remain constant.

Compliance with the law is very high

All enclosed workplaces

- 96% of all indoor workers report that their work atmosphere was not smoky since the introduction of smoke-free workplace legislation.

Pubs

- Since the introduction of the new law, 98% of those surveyed who visited a pub within the previous fortnight reported that the atmosphere was not smoky. The comparable figure prior to the ban was 46%.
- 99% of all smokers surveyed who visited a pub within the past fortnight either smoked outside or did not smoke at all. Almost one in five smokers chose not to smoke at all when out socialising.

Visiting patterns to pubs and restaurants remain constant

Pubs

- Since the introduction of the legislation, 71% of the population surveyed stated that they had visited a pub within the previous fortnight. The corresponding figure prior to the smoke-free workplace legislation coming into effect was 68% of the population. The increase in pub visits is accounted for by an increase in the numbers of non-smokers from 67% to 70%. The rate of pub visiting by smokers has remained steady at 74%.

Restaurants

- Visiting patterns to restaurants have been virtually unchanged since the introduction of the smoke-free workplace legislation. Prior to the introduction of the smoke-free workplace law, 91% of the population stated that they would be either more likely or just as likely to visit a restaurant to eat. Since the introduction of the law, this figure is 92%.

Conclusion

This report gives an overview of the national picture on compliance with the provisions of the Public Health (Tobacco) Acts, 2002 and 2004 relating to smoke-free workplaces in the first month of its operation (29 March to 30 April 2004).

The data gathered from the National Tobacco Control Inspection Programme demonstrates high levels of compliance across the country.

This evidence is consistent with other data sources i.e. smoke-free workplace compliance line activity data and attitudinal research conducted during the period on perceptions of compliance with the legislation.



Office of **TOBACCO
CONTROL**

Office of Tobacco Control
Clane Shopping Centre
Clane, Co Kildare

Tel: +353 45 892 015

Fax: +353 45 892 649

email: info@otc.ie

Website: www.otc.ie