

**From:** [Karl Holden](#)  
**To:** [Health and Community Services Committee](#)  
**Subject:** FW: H&CS Committee - Response to Question on Notice  
**Date:** Wednesday, 5 November 2014 12:06:19 PM  
**Attachments:** [image009.png](#)  
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**From:** Lucy Fisher [mailto:██████████]  
**Sent:** Wednesday, 5 November 2014 7:18 AM  
**To:** Karl Holden  
**Subject:** H&CS Committee - Response to Question on Notice



Lucy C.A. Fisher  
Executive Director  
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██████

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Dear Karl,

Further to the Health & Community Services Committee Public Hearing on the *Health Legislation Amendment Bill 2014* held on 29 October 2014, I am writing to provide feedback in relation to a question I was asked by Dr Douglas MP, which I took on notice.

Dr Douglas inquired whether any of the private hospitals located in residential streets had successfully implemented an entirely smoke free campus – i.e. without a designated area – and if so what they had done to achieve a successful implementation.

In response to the question posed, I would advise that there are 53 overnight facilities and of these we understand that 12 do not have any residential premises adjoining their boundaries.

Of the 41 with private residences adjoining their boundaries, we received a mix of both written and verbal responses from 33 hospitals (i.e. 80%) and whilst a smoke free environment is actively promoted via signage, only 2 of these hospitals advised that their campus was entirely smoke free with no designated smoking area. One of these is a very small non-metropolitan hospital (less than 25 beds) with only two houses adjoining one of its boundaries. The other hospital (>75&<150 beds) is located on the corner of two streets, one of which is a busy road and the other, a cul-de-sac with a park and some houses at the end. The majority of smokers currently congregate on the footpath just down from the hospital entrance on the main street but within its boundary line, although some go to the end of the side street & smoke outside private property.

Due to the number of complaints the hospital has received from members of the public, particularly in relation to patients smoking on the street, the hospital had been considering establishing a designated area, however since this proposed amendment was released, such plans have not progressed. The hospital indicated its concern that once the prohibition area extended to 5 metres beyond its boundaries, the number of complaints would escalate as these smokers, predominantly patients, would then congregate outside private residential or business premises.

The other 31 hospitals advised that they had a designated smoking area in accordance with the current legislation. Whilst the majority just indicated whether or not they had a designated smoking area, several respondents elaborated and advised that their smoking area was only available for use by admitted patients, others for use by both patients and staff, and some only allowed staff to smoke in the designated area after dark as a measure to address staff safety concerns. In responding, several hospitals reiterated their concerns about future patient and staff safety issues & the potential for increased legal/OHS risks and responsibilities which the proposal to remove a designated area could create. The majority indicated that managing & responding to anticipated complaints from local residents if smokers in future were to congregate outside neighbouring private property would be extremely difficult.

In closing I would advise that as the context of the overall discussion at the public hearing was in relation to overnight private hospitals, PHAQ did not survey any of the Day Hospitals. Given the nature of their business – that is - they generally only operate business or slightly extended hours Monday-Friday; patients are admitted on the day of procedure and discharged 2-3 hours post procedure and relatively few of them are located in residential streets, the significant issues of concern raised by the overnight facilities are not relevant to Day Hospitals.

Should Members of the Committee have any further questions, please do not hesitate to contact me.

Best wishes

Lucy

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