Health (Tobacco, Nicotine etc. and Care)(Scotland) Bill

NHS Highland

**NVPs and smoking in hospital grounds**

1. Do you support the Bill’s provisions in relation to NVPs?
2. Do you support the proposal to ban smoking in hospital grounds?
3. Is there anything you would add/remove/change in the Bill with regards to NVPs or smoking in hospital grounds?

**NHS Highland Response:**

NHS Highland and Highland Council support the Bill which will introduce the restrictions stated above, on the sale of all nicotine vapour products. We also support the proposal of banning smoking in hospital grounds and support the proposed legislation around this. This would support local policies and may strengthen enforcement within these policies. Consideration and caution would need to be exercised if some products become licensed and prescribed by Smoking Cessation Services such as e-cigarettes.

**Duty of candour and willful neglect**

1. Do you support the proposed duty of candour?
2. Do you support the proposal to make willful neglect or ill-treatment of patients a criminal offence?
3. Is there anything you would add/remove/change in the Bill with regards to these provisions?

**NHS Highland Response:**

2. NHS Highland fully supports the proposal to make ill treatment or wilful neglect a criminal offence. We are of the view that there is an urgent need for all staff, and the organisations they are employed by to recognise that harming adults who need care and support is not only professionally unacceptable but also illegal. This offence will limit the potential to minimise the significance of the experiences of adults at risk as opposed to children. It will also support the developing profile of adult protection where individuals are experiencing ill treatment or wilful neglect but do not have a mental disorder or lack capacity.

3. We wish to query the decision to omit staff and organisations working with children from this legislation and would prefer a consistent approach to be adopted for all health and care staff and volunteers whether working with adults or children.

NHS Highland