

# North Yorkshire County Council

## Health and Adult Services

### Executive Members Meeting

Friday 22<sup>nd</sup> March 2023

**REPORT TO** Director of Public Health, Corporate Director Health and Adult Services (HAS) in consultation with the Executive Member for Health and Adult Services

#### **Contract award for the procurement of e-cigarettes as a harm reduction tool within Living Well Smokefree**

### **1.0 Purpose Of Report**

The purpose of this report is for the Director of Public Health, in conjunction with the Executive Member of Health and Adult Services, to agree to award a contract, to an appropriate company, to provide access to e-cigarettes for smokers who choose to adopt this method of quitting, as part of the Living Well Smokefree (LWSF) offer.

Planned dates for the procurement award are:  
Procurement portal to close on Thursday 16<sup>th</sup> March 2023  
Panel to meet Thursday 6<sup>th</sup> April 2023  
Contract award mid -end April 23.

The contract is for 2 years with the option of a 1-year extension pending a review

### **2.0 Executive Summary**

Smoking is one of the biggest causes of death and illness in the United Kingdom. Every year around 78,000 people die from smoking, with many more living with debilitating smoking related illnesses. Smoking can increase your risk of developing more than 50 serious health conditions, some of which are fatal, the remainder causing irreversible long-term damage to your health.

Although the prevalence of adult smokers in North Yorkshire has declined over the last decade (18% of adults in 2011 compared to 11% in 2021), in order to meet the national ambition of a smokefree population by 2030 access to all stop smoking aids is essential. This is where access to e-cigarettes plays an important role.

North Yorkshire County Council provides the Living Well Smokefree Service (LWSF) to people who want to quit smoking. The current service offer includes using proven methods of stopping smoking like nicotine replacement therapy (NRT) or Zyban to help to break individuals' reliance on nicotine alongside behavioural interventions.

The proposal is to introduce e-cigarettes into the LWSF as an alternative offer that will support individuals to quit smoking. The service undertook an e-cigarette pilot in July 2021 to February 2022. Within this time period, 144 people set a quit date with the intent of using an e-cigarette as a harm reduction intervention. Of those 144 people that set a quit date with the intent of using an

e-cigarette, 134 achieved a positive 4 week quit status. In terms of a conversion quit rate, that worked out at 93%.

An e-cigarette is a plastic electric cigarette with a heating element. It holds a nicotine cartridge containing liquid nicotine which, when heated, changes the nicotine into a vapour. The nicotine and other ingredients are inhaled into the body.

E-cigarettes are a comparatively new and rapidly evolving product. Many people are using e-cigarettes (also known as vaping) as an alternative to smoking tobacco.

### **3.0 Background**

In recent years, e-cigarettes have become a very popular stop smoking aid in the United Kingdom. They are far less harmful than cigarettes (95% safer than smoking normal cigarettes) and they can help adults quit smoking for good. They are not recommended or should not be sold to people who are younger than 18 years old. They should also not be used by non-smokers.

As a service LWSF are encouraged to provide access to e-cigarettes by the National Centre for Smoking Cessation and Training (NCSCT), Office of Health Improvement and Disparities, (OHID) National Institute for clinical Excellence (NICE) and Action on Smoking and Health (ASH), all of which are bodies seeking to reduce the harm caused by smoking.

An e-cigarette is a device that allows you to inhale nicotine in a vapour rather than a smoke. E-cigarettes do not burn tobacco and do not produce tar or carbon monoxide, two of the most dangerous elements of tobacco smoke.

Many thousands of people in the UK have already stopped smoking with the help of an e-cigarette. There is evidence that they can be effective. A 2021 review found people who used e-cigarettes to quit smoking, as well as having expert face-to-face support, can be up to twice as likely to succeed as people who used other nicotine replacement products, such as patches or gum. Using an e-cigarette may help people manage nicotine cravings<sup>i</sup>.

In the UK, e-cigarettes are tightly regulated for safety and quality. Vaping is not completely risk-free, but it is important to recognise that the evidence suggests e-cigarettes, as a harm reduction tool, are 95% safer than smoking standard cigarettes in the short and medium term. <sup>ii</sup>. It is important to note that research still needs to be conducted regarding to their long-term impacts e-cigarettes have on our health. However, LWSF would be using e-cigarettes in the short term only, as part of a structured quitting regime where levels of nicotine are reduced to very low levels towards the end of the 12-week treatment programme, as with all other stop smoking medications that LWSF use.

### **4.0 Issues**

Although the most recent evidence suggests that e-cigarettes are significantly less harmful than smoking tobacco, they are not risk free. Most e-cigarettes contain nicotine, which is highly addictive, as well as other ingredients such as propylene glycol, glycerine and flavourings.

E-cigarettes have been regulated by the government since May 2016. From April 2017 it's illegal to sell e-cigarettes to, or buy them for, under 18s. It will be some time until studies will show the long-term impact and any unforeseen risks of using e-cigarettes. More is known about the safety and effectiveness of other stop smoking medications.

## **5.0 Performance Implications**

The performance of the e-cigarettes will contribute to the overall reduction in smoking prevalence across North Yorkshire:

- Increase in quit dates set
- Increase in 4 week quit rates
- Increase in 12 week quit rates
- Overall decrease in smoking prevalence

## **6.0 Policy Implications**

None

## **7.0 Financial Implications**

Contract value.

## **8.0 Legal Implications**

Procurement and legal advice have been sought regarding the use of e-cigarettes as part of the LWSF service. This has led to the inclusion of liability statements and a disclaimer that will be filled in by the end user.

## **9.0 Consultation undertaken and responses**

Feedback has been sought as part of the pilot and whilst responses were limited feedback was predominantly positive. There has been no specific consultation with the public on this issue.

## **10.0 Impact on other services/organisations**

None

## **11.0 Risk Management Implications**

Contractually risks have been mitigated by:

- End users will be issued with a disclaimer which confirms that it is within the sole discretion of the end-user to determine whether they are suitable for them and further confirms that in absence of any negligence or other breach of duty by the Council, the Council assumes no responsibility or liability for any end users use of any e-cigarette or vaping product including any adverse effects they may suffer, and that the Council assumes no responsibility or liability for injury or damage to a person or property as a result of the ownership, possession or use of the e-cigarettes or vaping products. End users will be required to sign the disclaimer form prior to being admitted on to the Scheme.
- The winning supplier must be licensed and comply with regulations and ensure that the product meets certain criteria. The Council will ensure that this is the case.
- The Council is not promoting them as a 'medical device'
- The suppliers T&Cs that apply between them and the end user will be reviewed by legal services to ensure that they are fit for purpose

## **12.0 Environmental impact**

The plan is to consult with waste management services within the council to find a way of offering a disposal bin at our community-based face to face sessions to provide an offer to dispose correctly. The service will also educate users to dispose of them correctly at household recycling centres.

### 13.0 Recommendation/s

The Director of Public Health, in conjunction with the Executive Member of Health and Adult Services, decides to award a contract to an appropriate company, for the supply of e-cigarettes, to be used as a harm reduction tool as part of the Living Well Smokefree Service Offer.

## **Natalie Smith: Head of Service HAS population planning Scott Chapman: Service Manager Living Well Smoke Free**

<sup>i</sup> References: [Association of e-Cigarette Use With Discontinuation of Cigarette Smoking Among Adult Smokers Who Were Initially Never Planning to Quit](#). Kasza KA, Edwards KC, Kimmel HL, Anesetti-Rothermel A, Cummings KM, Niaura RS, Sharma A, Ellis EM, Jackson R, Blanco C, Silveira ML, Hatsukami DK, Hyland A. *JAMA Netw Open*. 2021 Dec 1;4(12):e2140880. doi: 10.1001/jamanetworkopen.2021.40880. PMID: 34962556

<sup>ii</sup> Public Health England: Vaping in England: an evidence updates including vaping for smoking cessation, February 2021  
A report commissioned by Public Health England  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/962221/Vaping\\_in\\_England\\_evidence\\_update\\_February\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/962221/Vaping_in_England_evidence_update_February_2021.pdf)

The Khan review: making smoking obsolete: Independent review by Dr Javed Khan OBE into the government's ambition to make England smokefree by 2030. [The Khan review: making smoking obsolete - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/962221/The_Khan_review_making_smoking_obsolete_-_GOV.UK.pdf)

National Centre for Smoking Cessation and Training (NCSC), [https://www.ncsc.co.uk/publication\\_electronic\\_cigarette\\_briefing.php](https://www.ncsc.co.uk/publication_electronic_cigarette_briefing.php)

Action on smoking and health (ASH) <https://ash.org.uk/resources/view/electronic-cigarettes>

National Health Service [What are the health risks of smoking? - NHS \(www.nhs.uk\)](https://www.nhs.uk/health-risks-of-smoking/)