

Health and Wellbeing Board



Date of meeting:	24 July 2024
Title of Report:	Vaping Working Group, Update
Lead Member:	Councillor Mrs Mary Aspinall (Cabinet Member for Health and Adult Social Care)
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Dan Preece (Public Health Specialist) and Dave Schwartz (Public Health Specialist)
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Your Reference:	N/A
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

At the Health and Wellbeing board, 14 September 2023, the Board agreed to establish a Working Group involving a wide range of partners, to look at agreeing an approach to Children and Young People and vaping. At City Council on 18 September 2023, Council approved the Motion on Notice: Impact of Vaping on Young People, which noted 'that the Health and Wellbeing Board had established a Working Group to produce a joint response with partners on the issues around vaping and young people.'

As a result, a Vaping Working Group was held on 23 May 2024, to explore issues around CYP vaping, and how city partners were responding. This report sets out the findings of the working group for the Health and Wellbeing Board to consider further action as appropriate.

Recommendations and Reasons

1. That the Health and Wellbeing Board notes the outcomes of the vaping working group.
2. That the Health and Wellbeing Board endorses the actions set out in appendix E.
3. That the Health and Wellbeing Board supports ongoing city-wide partnership working to prevent uptake, minimise harm¹, and respond supportively to the issue of CYP vaping.

Reason:

- Increasing prevalence of vaping among young people.

¹ "Minimise harm", in the context of vaping means:

Focus towards preventing vaping with illegal and unregistered vape liquids
Controlling the illegal sales of vapes to people aged under 18
Correcting misperceptions by communicating coherent and correct information about the risks of vaping
Promoting switching from smoking tobacco to vaping with E cigs as an effective way of reducing harm.

- National policy, and the following statement by the Southwest Association of Public Health Directors set out the approach for young people and vaping: *Vaping is not for children; we need to reduce the uptake of vaping and the number of young people accessing vape products.*

Alternative options considered and rejected

I. N/A

Relevance to the Corporate Plan and/or the Plymouth Plan

Keeping Children, Adults and Communities Safe

Implications for the Medium Term Financial Plan and Resource Implications:

N/A

Financial Risks

N/A

Carbon Footprint (Environmental) Implications:

N/A

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

N/A

Appendices

**Add rows as required to box below*

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Report Vaping Working Group – Children and Young People							
B	H&WB Vaping Position Paper 2019							
C	Vaping substances controlled under the Misuse of Drugs Act							
D	UKYP Vaping Report 2024 (Plymouth)							
E	H&WB Areas for Action 100724							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable)						
	If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.						
	1	2	3	4	5	6	7
N/A							

Sign off:

Fin	N/A	Leg	N/A	Mon Off	N/A	HR	N/A	Assets	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: Ruth Harrell											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 16/07/2024											
Cabinet Member approval: Councillor Mary Aspinall (Cabinet Member for Health and Adult Social Care)											
Date approved: 16/07/2024											

APPENDIX A

BRIEFING REPORT VAPING WORKING GROUP: CHILDREN AND YOUNG PEOPLE

I. EXECUTIVE SUMMARY

An update on the Vaping Position Paper (Appendix B) agreed by the Health and Wellbeing Board in 2019 was presented in September 2023. With respect to children and young people the Position Paper noted, *'This is a dynamic situation, and we will continue to review and respond to new evidence as it emerges'*.

Given the increasing prevalence of vaping by young people under the age of 18 nationally and locally it was agreed that work be undertaken by the Board in line with the commitment to review and respond.

A Vaping Working Group was convened, chaired by CLLR Aspinall and led to a workshop being held in May 2024. A wide range of stakeholders attended. The workshop consisted of presentations followed by focused discussions on three key areas.

Learning and areas of activity were captured and have informed the recommendation set out. These are:

1. That the Health and Wellbeing Board notes the outcomes of the vaping working group.
2. That the Health and Wellbeing Board considers further action as appropriate.
3. That the Health and Wellbeing Board acknowledges that there are opportunities for further city-wide partnership working to prevent uptake, minimise harm, and respond supportively to CYP vaping.

Activity in support of recommendations 2 and 3 are reflected in Appendix E.

2. BACKGROUND

2.1 Overview

At the Health and Wellbeing Board meeting on September 14th, 2023, an update to the 2019 HWBB Position Paper (Appendix B) on vaping was presented. Section 3.1 from the paper set out:

A significant area of concern relates to the potential impact on children and young people. While it appears that experimentation with vaping is occurring among children, there is no evidence that this is acting as a gateway into smoking. Children may be trying e-cigarettes but the rate of children regularly using e-cigarettes remains very small and their use is almost exclusively by current or ex-smokers. National government have introduced stringent controls on the age of sale (over 18s) to mitigate this risk. This is a dynamic situation, and we will continue to review and respond to new evidence as it emerges.

To date, e-cigarettes have not undermined public health efforts to drive down rates of smoking among children. Both in Plymouth and nationally, smoking rates have continued to drop in recent years as e-cigarettes have grown in popularity.

At the Board meeting an increase in vaping among young people linked to a significant increase in use of disposable vape devices was reported. Access to disposable vapes included unregulated (illegal) vapes, which do not meet safe standards and in some cases are harmful to people's health. These

issues are a national challenge and not unique to Plymouth. However, as a city we would want to influence all we can locally to enable our children and young people to be healthy and safe. This would compliment the new Tobacco and Vapes Bill² and proposed new regulations to ban disposables that were both paused due to the General Election and are expected to be part of the new government's legislative programme, given the cross-party support it had received.

A recommendation was passed to look at agreeing an approach to Children and Young People Vaping.

Following a planning and scoping meeting it was agreed that a Vaping Working Group (VWG) meet to take evidence and explore lines of inquiry. A report capturing learning and subsequent recommendations would be brought back to the Board for consideration and approval.

Planning had identified the following key areas that would be the focus of the workshop:

- Regulation – e.g. controls / emerging issues (age of sale/ over strength products / counterfeit e-cigarettes / child appealing). Intelligence pathways. Enforcement work.
- Children and young people as a population e.g. prevalence / trend / understanding influencing factors / vaping behaviours – e.g. nicotine / flavour based / key issues including schools / evidence for vaping by under 18s and messaging / building our prevention and response approaches/ vaping behaviours relating to substances controlled under the Misuse of Drugs Act
- Context of Vaping in Plymouth – previous stances and approach and evidence

The VWG met on 23 May 2024, and was attended by City partners including representatives from UK Youth Parliament, Family Hubs, Youth Services, Healthwatch, Vape Retailers, OHID DW (DHSC), Livewell Southwest, University Hospital Plymouth, VCSE, and Cabinet Members. Unfortunately, the two representatives from secondary schools were unable to attend due to illness. Colleagues attending who have been working closely with schools provided insight from the school's experiences.

The following presentations were delivered:

- Context & Relative Harms of Vaping:
Russ Moody – Health and Wellbeing Programme Lead: Office of Health Improvement and Disparities
- Plymouth CYP issues and Responses:
Dave Schwartz – Public Health Specialist - PCC
- Enforcement Approaches and Trading Standards:
Alex Fry: Operations Manager (Intelligence and Investigations - Heart of the Southwest Trading Standards Service

Additionally, a report from UK Youth Parliament / PCC Participation Team was shared setting out the findings from a survey they undertook which received 524 responses.

The group then broke into sub-groups to discuss three key themes:

- What is currently being done in the city?
- What are the challenges, issues and experiences?
- What are the gaps, opportunities and needs?

² It should be noted the prior to the General Election the 'Tobacco and Vapes Bill' had received cross party support. The Bill includes a range of new powers to reduce the appeal and availability to children. It is thought that this Bill will be taken through to become an Act under the new government, but this will only be confirmed following the Kings Speech on July 17 2024.

[Tobacco and Vapes Bill: vapes and other nicotine products factsheet - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/121448/Tobacco_and_Vapes_Bill_vapes_and_other_nicotine_products_factsheet.pdf)

2.2 Key points from the presentations

Context & Relative Harms of Vaping

The position statement from the Association of Directors of Public Health Southwest agreed in June 2023:

- *The evidence is clear that, for smokers, vaping is a far less risky option and poses a small fraction of the risks of smoking in the short and medium term.*
- *Vaping should be offered as an alternative for smoking but not as an activity which is appealing to the wider non-smoking population.*
- *Vaping is not for children; we need to reduce the uptake of vaping and the number of young people accessing vape products.*

Plymouth CYP issues and Responses:

- Vaping by under 18s has increased in the last two years³.
- Much of this increase appears to be associated with use of disposable vapes.
- There has been a lot of work already undertaken in the city to support schools and the children's system with respect to vaping of nicotine-based products. Resources and tools have been made available⁴.
- There is a small cohort of young people who are vaping substances controlled under the Misuse of Drugs Act (VScMDA). Incidents linked to this have been very challenging for schools in particular. Partnership support and resources have been made available in response to this (Appendix C).

Enforcement Approaches and Trading Standards

- A summary of current regulations and other controls was provided e.g. Tobacco and Related Products Regulations 2016; Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations
- Emerging issues were shared e.g. large tank products, over strength products, counterfeit e-cigarettes.
- Examples of enforcement activity over the previous 12 months were provided e.g.
- 1793 illegal vapes seized (£26k - £35k est value); 62 counterfeit Vapes seized (enquiries ongoing); 16 test purchases conducted; 5 Service Warning letters issued for Under Age Selling (UAS); 1 Prosecution pending for UAS.
- Trading Standards and Police liaise and work together where required.

Youth Parliament

A Report from the Youth Parliament based on a survey they undertook on vaping and included a range of 'solutions' identified by their members. These were noted. (Appendix D).

3. PROPOSED CHANGES AND REASONS

3.1.

Analysis of the key issues captured from the workshop has informed areas (key themes) for additional action that compliment or develop our current approach. These key themes are:

1. Building credible messaging and a framework for a consistent approach.
2. Data + Intelligence.
3. Enforcement.

³ [Use of e-cigarettes among young people in Great Britain - ASH](#)

⁴ [Vaping: the facts | PLYMOUTH.GOV.UK](#)

4. Increase access to information, advice and support.
5. Increase education, awareness and knowledge in schools / community / family / business.
6. Workforce development.

A range of activities that sit within each of these themes are set out within Appendix E. Taken together and within the context of new national legislation on vaping the opportunity to enhance our prevention work is clear.

It is therefore recommended that the Health and Wellbeing Board:

1. That the Health and Wellbeing Board notes the outcomes of the vaping working group.
2. That the Health and Wellbeing Board endorses the actions set out in appendix E.
3. That the Health and Wellbeing Board supports ongoing city-wide partnership working to prevent uptake, minimise harm⁵, and respond supportively to the issue of CYP vaping.

4. ALTERNATIVE OPTIONS

N/A

5. FINANCIAL IMPLICATIONS AND RISK

N/A

6. TIMESCALES

On-going

⁵ “Minimise harm”, in the context of vaping means:

Focus towards preventing vaping with illegal and unregistered vape liquids
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