

No Smoking Policy (Tobacco and E Cigarettes)



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The Board of Management (or any person/group with delegated authority from the Board) reserves the right to amend this document at any time should the need arise following consultation with employee representatives. This Policy has been subject to an Equality Impact Assessment, which is published on our website: <https://www.glasgowkelvin.ac.uk/equality-diversity/>

Glasgow Kelvin College

No Smoking Policy (Tobacco and E Cigarettes)

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1. Introduction

This policy aims to protect staff, students, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College from exposure to second hand smoke. Tobacco smoke has now been shown to cause serious damage to the health of both smokers and non-smokers.

The Smoking, Health and Social Care (Scotland) Act 2005 and Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 require workplaces and vehicles for business purposes to be smoke free. Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

Section 2(2)(e) of the Health and Safety at Work Act (1974) places a duty on employers to provide a working environment for employees that is:

- safe;
- without risk to health; and
- adequate as regards facilities and arrangements for their welfare at work.

The requirements of the Management of Health and Safety at Work Regulations 1999 and the Workplace (Health, Safety and Welfare) Regulations 1992 and Safety and Health of Pregnant Workers Directive (92/85/EEC) place stringent requirements on employers to assess risks and ensure that non-smokers are protected from the dangers of tobacco smoke in work and rest areas, so far as is reasonably practical.

Smoking in any of Glasgow Kelvin premises and vehicles used for business purposes is strictly prohibited.

Each College building has rules in regard to smoking as detailed below:

Easterhouse Campus	Designated smoking area available in area to the front of the campus boiler house (smoking shelter): this will cease effective from 01 August 2022
East End Campus	Designated smoking area available at rear of campus along back wall facing car park: this will cease effective from 01 August 2022
Springburn Campus	Designated smoking area available on Flemington Street

2. Scope

This Policy seeks to guarantee the right to work and learn in an environment free from tobacco smoke and vapours from electronic-cigarettes (“e-cigarettes”), whilst taking account of the needs of those who continue to wish to smoke or use e-cigarettes.

The Policy applies to all staff, students, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College. The Policy applies to all College facilities, owned or leased, regardless of location including vehicles used for business purposes. This includes private vehicles that are being used for business purposes when carrying passengers.

3. Principles

- Smoking is **not** permitted in any of the buildings of Glasgow Kelvin College.
- Smoking is **not** permitted **at or near** the entrance to any of the College’s buildings.
- Smoking is **not** permitted in any Glasgow Kelvin College vehicles.
- Smoking is **only** permitted in the designated areas which are clearly indicated.
- Smoking is permitted during official breaks. Staff who wish to smoke or vape during the working day may be permitted reasonable breaks, in agreement with their line manager, provided these do not prevent them from satisfactorily carrying out their responsibilities and work duties. Work time lost to smoking or vaping breaks should be made up as necessary.
- The promotion and sale of tobacco or e-cigarette products is prohibited on College premises.
- The College will provide information and education for all staff and students by taking part in the annual No Smoking Day campaign, displaying posters and providing leaflets and other available appropriate information; and
- The College will provide encouragement and assistance to employees and students who wish to voluntarily stop smoking. Advice can be sought from the Health and Safety Manager or People and Culture Services.

Staff, students, visitors and contractors are reminded that it is a criminal offence to smoke in smoke-free areas and doing so may result in a fine.

4. Electronic Cigarettes

The College acknowledges that some individuals may wish to make use of electronic cigarettes (“e-cigarettes”) in the workplace, particularly as an aid to giving up smoking. E-cigarettes are battery-powered products containing liquid nicotine that release a visible vapour.

Although they fall outside the scope of smoke-free legislation, the use of e-cigarettes

are subject to the **same prohibitions and restrictions as other tobacco products** under this policy. The College's rationale for treating e-cigarettes in a similar manner to tobacco products is that:

- the existing regulatory framework is inadequate in ensuring that e- cigarettes are safe and effective as a nicotine replacement therapy. In light of these concerns the British Medical Association believes the existing smoke free legislation in place in the UK should be extended to include vapour from e-cigarettes and recommends employers implement organisation wide policies prohibiting the use of e-cigarettes in their workplaces.
- whilst e-cigarettes do not produce smoke, they produce a vapour that could provide an annoyance or health risk to other individuals; and
- some e-cigarette models can, particularly from a distance, look like a real cigarette, making a smoking ban difficult to police and creating an impression for others that it is acceptable to smoke.

Those wishing to use e-cigarettes should **NOT** use these within College buildings. The principles in section 3 apply.

5. Support for those who wish to stop smoking

The College recognises that smoking is a primary health concern. People who smoke may, therefore, desire help or treatment to stop or reduce smoking.

Periodic publicity campaigns will be undertaken by the College to encourage smokers to stop and to publicise the support available. Staff and students who wish to give up smoking are advised to seek assistance from their General Practitioner.

It should be noted that this Policy is not concerned with whether or not anyone smokes but that they are not permitted to smoke in premises used by the College. It is recognised that this policy may act as an incentive to smokers to give up or reduce smoking.

Staff who experience difficulty in coping with giving up smoking may receive assistance from the Employee Assistance Programme (EAP). Staff can arrange an appointment through the People and Culture Services or direct by calling 0808 1961441. Alternatively, information about the EAP can be obtained from their website. The website address is [Employee Wellbeing \(glasgowkelvin.ac.uk\)](http://glasgowkelvin.ac.uk/EmployeeWellbeing). The EAP does not provide financial assistance to give up smoking.

Students who experience difficulty in coping with giving up smoking may receive assistance from external organisations and a selection of these is outlined in appendix

1. Assistance from local groups near the Campus may also be available and students should contact the Advice and Guidance Team for further information.

In an effort to help individuals stop or reduce smoking, assistance and information materials can be sought from:

- Your doctor or health professional who can provide self-help guides for giving up smoking; free or subsidised nicotine replacement therapy such as gum or patches; access to programmes for giving up smoking (the College will provide reasonable time off to attend such programmes).
- College's Health and Safety Manager.
- College's People and Culture Services; or
- Employee Assistance Programme (employees only).

This Policy now forms an integral part of the College's Health and Safety Policy.

6. Compliance

Smokers are required to comply with the terms of this Policy for their own and for their colleagues' well-being. However, the requirement of Health and Safety legislation place a much stricter emphasis on Smoking in the Workplace. Those who do not comply with the legislation on smoking are liable to a fixed penalty fine and possible criminal prosecution.

Where an employee fails or refuses to comply with the requirements of this Policy then disciplinary action may be considered under the College's Disciplinary Policy. A breach of the College's No Smoking Policy could be considered to be misconduct under the Disciplinary Procedure and may, therefore, lead to appropriate disciplinary action.

Students who fail or refuse to comply with the requirements of this Policy may be subject to appropriate disciplinary action. A breach of the College's No Smoking Policy will be dealt with under its Code of Student Code of Discipline.

Visitors and Contractors who fail or refuse to comply with the requirements of this Policy may be asked to leave College premises.

An employee or student who breaches this Policy may be given the opportunity of accepting advice and assistance from the appropriate agencies as an alternative to action being taken under the College's Disciplinary Procedure/Code of Discipline. Providing the individual undertakes to co-operate and successfully undertakes treatment, disciplinary action may be suspended in respect of the offence which led to the referral under the Disciplinary Procedure/Code of Discipline. The suspension of any action is, however, dependent on the seriousness of the conduct in question and

each instance will need to be assessed on an individual basis.

Employees may be granted, if necessary, subject to the exigencies of the service, time off with pay to attend any specialist or help group for advice and assistance.

Appropriate no smoking signs will be clearly posted at all entrances and throughout the workplace and in the vehicles hired for College activities. Copies of this Policy shall be made available for the information of students and on the College intranet.

There should be no discrimination against anyone exercising the rights afforded by this Policy. The success of this Policy will depend on the thoughtfulness, consideration and cooperation of smokers and non-smokers. All employees and students share in the responsibility for adhering to and enforcing this Policy.

7. Visitors

All visitors to the College are expected to abide by the terms of this Policy. Visitors will be made aware of the Policy by means of adequate sign posting and formal advice from appropriate staff in service areas.

8. Responsibilities

Overall responsibility for Policy implementation and review rests with the Principal and Chief Executive. All members of staff and students are obliged to adhere to and facilitate the implementation of this Policy.

All staff and students have a responsibility to comply with the terms of the policy and refrain from smoking anywhere on Glasgow Kelvin College premises or vehicles other than designated areas.

Staff are encouraged to assist the College by drawing attention to the 'No Smoking' signs should they see anyone smoking on College grounds or buildings. The No Smoking Policy ensures a safe environment for all staff, students, other service users, contractors and visitors.

Managers have a responsibility to enforce the Policy and to support staff or students who wish to stop or reduce smoking. Managers will receive information and training on how to carry out their responsibilities as part of the College's induction process, management training and annual welcome back event.

Campus/Facilities staff will ensure that:

1. No smoking/Smoke Free Zone notices are clearly displayed at all entrances to the College premises and other strategic areas throughout the college

buildings and vehicles.

2. All contractors and service providers will be informed of the policy requirements during the contracting process.

Copies of this Policy shall be made available to students and staff on the College intranet and information provided during the induction process.

Employee and student concerns with respect to this Policy should be directed to the Health and Safety Manager in the first instance.

Appendix 1

Support Agencies

1. Smokeline

Tel: 0800 84 84 84

Website: www.canstopsmoking.com

Scotland's national stop smoking helpline available from 8am to 10pm, 7 days per week.

2. ASH Scotland

8 Frederick Street
Edinburgh EH2 2HB

Email:

ashscotland@ashscotland.org.uk

Tel: 0131 225 4725

Website:

www.ashscotland.org.uk

Offers a free information and support service regarding the dangers of tobacco.

3. NHS Greater Glasgow and Clyde Smokefree Services

NHS Greater Glasgow and Clyde Smokefree Services are responsible for a wide range of tobacco projects aimed at reducing the damage from tobacco to people in and around Greater Glasgow and Clyde.

The Services offered in Greater Glasgow & Clyde to help you stop smoking come in many formats and using such a service can increase your chances of quitting successfully by up to four times. There is a service to suit everyone: group support in your local area, one to one support at a local pharmacy, one to one support for pregnant women, for patients in hospital and support for young people.

To find out about the stop smoking services and support in your area, what they offer and how to get in touch with them, visit:

www.nhs.gov.uk/smokefree-services

Staff Only

4. On-line Service

[MCL Medics \(Employee Assistance Programme\)](#)