

# No Smoking and Vaping Policy



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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/>

## **No Smoking and Vaping Policy**

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## 1. Introduction

This policy aims to protect the health, safety and wellbeing of its employees, students, Members of the Board of Management, contractors, consultants, agency workers, partnership organisations and visitors to Glasgow Kelvin College from exposure to second hand tobacco smoke and vaping fumes from electronic-cigarettes (“e-cigarettes”).

It supports the Colleges commitment to provide a safe and healthy workplace in compliance the Health and Safety Policy, and applicable health and safety regulations.

## 2. Scope

This Policy applies to:

- All employees, students, Members of the Board of Management.
- Contractors, consultants, agency workers, partnership organisations and visitors.
- All College facilities, owned, or leased, regardless of location, including outdoor areas designated as smoke-free.
- All College vehicles, owned or leased, used for business purposes.
- Individual's private vehicles that are being used for business purposes when carrying passengers.

## 3. Specific Legislation

[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.

[Health and Safety at Work Act \(1974\)](#) - Section 2(2)(e), 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.

[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 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.

## 4. Principles

Smoking and vaping is strictly prohibited:

- In any of the College buildings, owned or leased.
- At or near **all** entrances to any of the College's buildings.
- In any College vehicle, owned or leased.
- In any designated non-smoking areas.

Smoking and vaping is **only** permitted in the designated areas at each campus which are clearly indicated, see section 6.

Smoking and vaping is permitted during official breaks. Employees 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.

Smoke and vape fumes can also activate the fire detection systems, leading to disruption to work and learning across our campuses.

Employees, 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. The possession, use, or distribution of vaping devices containing illegal substances may be treated as a criminal matter and referred to the police in accordance with relevant legislation.

## 5. 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:

- Research on vaping related harm is rapidly developing. Current evidence suggests vapes are less harmful than smoking tobacco products, but they aren't risk free.
- 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.

Individuals wishing to use e-cigarettes must **NOT** use these within College buildings and grounds, see Section 4.

## 6. Designated Smoking Areas

The College provides designated smoking areas for individuals who choose to smoke or vape at each Campus, as detailed below:

<b>Easterhouse Campus</b>	Designated smoking area available in area to the front of the campus boiler house.
<b>East End Campus</b>	Designated smoking area available at rear of campus along back wall facing car park.
<b>Springburn Campus</b>	Designated smoking area available on Flemington Street

## 7. 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. Employees 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 an individual smokes or vapes but that they are **NOT** permitted to smoke or vape in the premises or the grounds used by the College. It is recognised that this Policy may act as an incentive to individuals to give up or reduce smoking or vaping.

Employees who experience difficulty in coping with giving up smoking may receive assistance from the [Employee Assistance Programme \(EAP\)](#). Employee can arrange an appointment through the People and Culture Department or direct by calling 0808 1961441. Alternatively, information about the EAP can be obtained from their website. The website address is - [Glasgow Kelvin](#) 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 Campuses may also be available and students should contact the Advice, Guidance and Learner Support 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 Management System.

## **8. Compliance**

Individuals who smoke and/or vape are required to comply with the terms of this Policy for their own and for their colleagues' well-being. However, the requirements 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 it could be considered to be misconduct and may therefore, lead to appropriate disciplinary action under the [College's Disciplinary Policy and Procedure](#).

Students who fail or refuse to comply with the requirements of this Policy may be subject to appropriate disciplinary action. A breach of this Policy will be dealt with under its Student Code of Discipline.

Visitors and Contractors who fail or refuse to comply with the requirements of this Policy will 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 Policy and Procedure/Code of Learner 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 Policy and Procedure/Code of Learner Behaviour 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/vaping signage 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.

## **9. 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 the appropriate person whom they are visiting.

## **10. Responsibilities**

Overall responsibility for Policy implementation and review rests with the Principal and Chief Executive Officer. All employees and students are required to adhere to and facilitate the implementation of this Policy.

Employees and students have a responsibility to comply with the terms of the policy and refrain from smoking and vaping anywhere on College premises or vehicles other than designated areas, see section 6.

Employees are encouraged to assist the College by drawing attention to the 'No Smoking and Vaping' signage should they see anyone smoking or vaping on College grounds or in buildings.

Managers have a responsibility for ensuring adherence with this Policy and addressing violations promptly. Managers will receive information and training on how to carry out their responsibilities as part of the College's induction process and annual welcome back event both delivered by the Health and Safety Manager.

Members of the Estates Team, and the Health and Safety Manager will ensure that:

1. No smoking or vaping and Smoke Free Zone signage 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 internally and externally on the College internet and intranet, and information provided during the employee and student 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. Quit Your Way Scotland

Website from NHS Inform - [Quit Your Way Scotland | NHS inform](#)

#### 2. ASH Scotland

121 George Street,  
Edinburgh, EH2 4YN

Tel: 0131 225 4725

Email: [enquiries@ashscotland.org.uk](mailto:enquiries@ashscotland.org.uk)

Website: [www.ashscotland.org.uk](http://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 contact them, visit:

[Stop Smoking Support - Quit your way - NHSGGC](#)

#### 4. On-line Service (Employees Only)

[Employee Assistance Programme](#)