

HR & OD POLICIES

human resources and organisational development



Smoking Policy Policy

1. INTRODUCTION

Smoking is known to cause a number of diseases including cancers, heart disease and other problems such as fertility problems, early menopause and impotence. Second hand smoke is known to cause the same health hazards as smokers and as such nonsmokers must be protected from breathing in passive smoke.

This policy is mandatory and exists to guarantee, so far as is reasonably practicable a healthy working environment free from tobacco smoke, and as required under the Smoking Health and Social Care (Scotland) Act 2005 ('The Act') and associated regulations to ensure that non smokers are not exposed to tobacco smoke.

As well as complying with legal requirements, the implementation of this policy is also part of the Council's duty to ensure the health and well-being of its employees. The terms of the legislation do not prevent the Council from implementing a policy which exceeds the minimum statutory requirements.

2. SCOPE OF THE POLICY

This policy is applicable to all Councillors, Employees, Volunteers, Contractors, Visitors and Service Users.

This policy is applicable to smoking as defined under 'The Act' and associated Regulations. Smoking means smoking tobacco, any substance or mixture which includes tobacco or any other substance or mixture. A person is presumed to be smoking if they are in possession of lit tobacco or of any other lit substance or mixture which is in a form or in a receptacle in which it can be smoked.

Whilst electronic cigarettes (e-cigarettes) are not included in the definition of 'The Act' they will be considered the same as smoking, as described above, for the purpose of this policy.

Premises means any building or part of a building; any structure or part of a structure, whether moveable or otherwise; any installation on land or offshore; any tent, marquee or stall; and any vehicle. Site means any area within or around a premises that is owned by Aberdeenshire Council including car parks, grounds and buildings. Smoking within cars parked within these car parks is included within the scope of this policy.

This policy does not form part of any employee's contract of employment and may be amended at any time.

3. IMPLEMENTATION

It will be the responsibility of each service to implement this policy within their own workplace. Where a site, buildings or vehicles are shared it will be the responsibility of the member of staff nominated as having control of the building or vehicle to co-ordinate with all occupants and members of the public.

4. ARRANGEMENTS

Smoking is prohibited in all sites owned by and vehicles used by Aberdeenshire Council; this includes vehicles owned or hired by Aberdeenshire Council and private vehicles which are being used to transport other employees or members of public during work related activities. The following Aberdeenshire Council sites are exempt for service users only:

- i) Designated areas in Residential Accommodation
- ii) Designated rooms in Adult Care
- iii) Adult Hospices
- iv) Designated rooms in psychiatric units
- v) Private homes
- vi) Private vehicles (those vehicles that are being used to transport other employees are not exempt apart from the requirement for signage).
- vii) Sites where a risk to service user safety in leaving the site to smoke has been identified and exemption granted by the service Director

Notices must be displayed conspicuously in all council buildings and premises stating the following:

- That the premises are no smoking premises; and
- That it is an offence to smoke within the buildings or knowingly to permit smoking there.

For employees who work in a smoky environment within an exempt site, a risk assessment should be carried out and employee exposure to second hand smoke should be reduced by adopting a safe system of work. Guidance should be sought from the following [Guidance on Smoking Policies for NHS, Local Authorities and Care Service Providers](#).

Aberdeenshire Council is under no obligation to provide smoking areas for employees. Employees are not permitted to smoke next to any entrance or window where smoke may enter a building. Employees should ensure that they dispose of cigarette butts and other litter appropriately.

5. COMPLIANCE

Managers have responsibility to operate within the boundaries of this policy, to ensure that all employees understand the standards of behavior expected of them and to take action whenever behavior falls below its requirements.

All staff will co-operate fully with the policy, and any breach will be viewed as a disciplinary matter and dealt with under the Disciplinary Policy and Procedures.

Employees who consider that they have been unfairly treated may refer to Aberdeenshire Council's Grievance Procedure Policy.

All staff are responsible for informing visitors of the policy and reporting any breach of the policy to the appropriate line manager.

6. HELP TO STOP SMOKING

Aberdeenshire Council recognises that smoking is an addiction and many smokers may need help and support to stop smoking. Employees who wish to stop smoking can access support and assistance from the following:

Grampian Smoking Advice Service

Telephone: 0500 600 332

e-mail: grampiansas@nhs.net

Just 5 minutes

Internet: nhsgrampian.justfiveminutes.com

Health Point

Telephone: 0500 20 20 30

Smokeline

Telephone: 0800 84 84 84

Internet: www.canstopsmoking.org

NHS 24

Telephone: 08454 24 24 24

Internet: www.nhs24.com

Living life to the full

Internet: www.livinglifetothefull.com

Aberdeenshire Council's Wellbeing Team
Telephone: 01224 664876
e-mail: holly.morrison@aberdeenshire.gov.uk

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Revision Date	Previous Revision Date	Summary of Changes
	22/08/2013	
23/12/2015	22/08/2013	Update to reflect Scottish Government target for Local Authorities outlined in Tobacco Strategy for Scotland (2013)