

# **Smoking Policy**

## **Guidance for Electronic Cigarettes**

## **INTRODUCTION**

This guidance informs services how to comply with Aberdeenshire Council's Smoking Policy in relation to electronic cigarettes. As well as complying with legal requirements, the implementation of the Smoking Policy is also part of the Council's duty to ensure the health and well-being of its employees. The terms of the Smoking Health and Social Care (Scotland) Act 2005 and the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 do not prevent Aberdeenshire Council from implementing a policy which exceeds the minimum statutory requirements.

The law prohibits smoking in public places which are wholly or substantially enclosed. It is an offence to smoke or to knowingly permit smoking in no smoking premises. Although electronic cigarettes are not covered within the scope of the legislation, electronic cigarettes are considered the same as tobacco cigarettes in terms of Aberdeenshire Council's Smoking Policy, and the use of electronic cigarettes, therefore, is not permitted within any Council building.

All employees should be made aware of the policy as soon as possible. This may be via a services newsletter, a team meeting, 1:1, EAR, e-mail etc.

## **WHAT IS AN ELECTRONIC CIGARETTE**

An electronic cigarette is an electronic device which releases nicotine to the user via a vapour. An odourless vapour is then released in to the air as the smoker exhales, as in the image below. These products are seen by some as an alternative to smoking traditional tobacco cigarettes without the tobacco, toxins and tar that come with a conventional cigarette. Electronic cigarettes can come in a variety of appearances however they are often made to replicate a conventional cigarette with a light at the end which glows.



Image 1 – Use of an Electronic Cigarette

Electronic cigarettes have split public health experts, with some believing that they are a safer alternative to the traditional tobacco cigarette while others believe that they are an unlicensed product, the safety of which is still to be established and they may glamorise smoking, especially among the young. Electronic cigarettes are an unlicensed and unregulated product which are not currently considered a medicine as other nicotine replacement therapies are.

## **THE USE OF NICOTENE REPLACEMENT THERAPIES IN ABERDEENSHIRE COUNCIL PREMISES**

Aberdeenshire Council's Smoking Policy does not affect the use of any medically licensed, regulated nicotine replacement therapies used as a support to stop smoking such as inhalators, nicotine patches, lozenges, gums, micro tabs, nasal sprays or prescribed tablets. All of these products may still be used within Aberdeenshire Council premises.

### **NO SMOKING SIGNAGE – ELECTRONIC CIGARETTES**

It is the responsibility of the person with control over the site to ensure that all employees, service users and visitors are aware that electronic cigarettes will not be permitted within Aberdeenshire Council premises. It is recommended that where employees, service users or visitors may enter a council building then signs are displayed prominently and visibly alongside existing no smoking signs.

It is the responsibility of the person in charge of a site to determine the number of signs that are required.

Guidance on appropriate signage for electronic cigarettes can be found at the end of this document.

### **NO SMOKING GROUNDS**

There is no legal requirement or obligation for Aberdeenshire Council to provide a designated smoking area within its premises for employees. As identified in the Scottish Governments [Tobacco Strategy for Scotland: Towards a Smoke Free Generation \(2013\)](#), Local Authorities are required to remove smoking from the grounds of their sites. Aberdeenshire Council will not permit smoking (including electronic cigarettes) within the grounds of its premises. This must be clearly communicated to all employees, service users and visitors to the site and clear, prominent signage should be used to notify all who may visit the site. Information on where to purchase signs from, posters and pocket ashtrays can be obtained from the Wellbeing Team.

### **WHAT TO DO IF SOMEONE IS USING AN ELECTRONIC CIGARETTE WITHIN A COUNCIL PREMISES OR SITE**

Training is available on this topic via [ALDO](#), alternatively, a DVD of the training can be obtained from the Wellbeing Team. Whereby an employee, service user or visitor enters an Aberdeenshire Council site or premises whilst smoking a cigarette, or are found to be smoking a cigarette within the site or premises, the following actions are recommended:

- Politely explain that it is Aberdeenshire Council's Policy that electronic cigarettes are not permitted within our sites or indoors and if they would like to continue to use the electronic cigarette could they please do so outside the site or away from any entrance or window where the vapour may enter the building if there are no additional grounds to the site.
- Point out the signage which tells them that electronic cigarettes are not permitted indoors.
- Whereby there is any evidence of anger/aggression then refer to the zero tolerance policy.
- Report the issue to your line manager.

## FURTHER INFORMATION

Any questions regarding the Smoking Policy should be addressed to Aberdeenshire Council's Wellbeing Team, who can be contacted on 01467 532 932 / [hrodwellbeing@aberdeenshire.gov.uk](mailto:hrodwellbeing@aberdeenshire.gov.uk) .

## SIGNAGE FOR PREMISES – GUIDANCE FOR ELECTRONIC CIGARETTES

As per Aberdeenshire Council's Smoking policy, electronic cigarettes are not permitted to be used within any Aberdeenshire Council building. This is not a legal requirement, however, it is a requirement of the policy which applies to all Councillors, Employees, Volunteers, Visitors and Service Users.

To assist with the implementation of this policy, it may be beneficial to display a sign notifying any person who enters the building that they may not use an electronic cigarette within the premises as is the case with tobacco cigarettes. The sign below is what should be used to convey this message.

### Sign



Aberdeenshire  
COUNCIL 

This sign should be displayed in a prominent position along with the legally required No Smoking Signs.

This does not replace the No Smoking Signs that must be displayed in all premises.

In order to display this sign, click [here](#) for the link to the document. This should be printed off, in colour, laminated and displayed in conjunction with the No Smoking Signs.

