

# SMOKING or VAPING

## *conventional and e-cigarettes*

<b>VERSION No</b>	3	
<b>REVIEWED BY</b>	Manager (MP)	
<b>NUMBER OF PAGES</b>	3	

### Policy Statement

*This organisation complies with the Health Act 2006, which bans smoking in all enclosed public places. The law requires enclosed public places (including workplaces) to be smoke-free. Outdoor areas are not covered by the legislation. The legislation affects most public premises, with only a few exemptions (mainly on humanitarian grounds). **These include designated areas or rooms in adult resident care homes. Any smoking by service users should not present a hazard.***

*This smoking policy applies to all organisation employees. The policy has been developed after consultation with the people who use our services and staff. As employers we recognise our duty to provide an environment that enables residents to follow their preferred lifestyles and staff to meet their contractual duties. At the same time, we must safeguard the health of those who do not smoke and who do not want to breathe in smoke from others. Our policy is to ensure that no-one is subject to second-hand smoke against their wishes.*

*The organisation is committed to promoting the health and safety of its employees and all the people who uses its services. There is now a substantial body of research that links smoking to a variety of serious medical conditions, and evidence increasingly suggests that these health risks apply equally to passive smokers. There is also evidence to link smoking to greater risk of fire.*

### The Policy

#### Staff Smoking

All staff, volunteers and contractors are now covered by the *Health Act 2006* legislation and are banned from smoking in the workplace. Employers are empowered to apply a total ban on smoking inside and outside their premises. Manager and staff have agreed on designated areas for staff who wish to smoke.

All staff should be made aware that the breach of smoking guidelines could lead to disciplinary action. If confronted with a member of staff who fails to comply with the ban on smoking on organisation premises, managers should:

-  Tell them that the organisation would be breaking the law if it allowed them to smoke; that they are breaking the law by smoking in a smoke-free premises or vehicle; and that both parties could be fined
-  Remind them that the new law is to protect employees and the public from the harmful effects of second-hand smoke
-  Remind them of the organisation's policy and of the likely repercussions of continued refusal to comply with the policy
-  If necessary, implement the disciplinary procedure for non-compliance with the organisation's smoke-free policy
-  Keep a record of where and when incidents took place, the names of those involved and the outcome
-  Staff who continue to refuse to comply should be issued a written warning and, where indicated in the disciplinary procedure, may have their employment terminated

### Policy Details

There must be no smoking in respect of the following:

-  Staff are not allowed to smoke inside the premises owned by the organisation
-  Staff are allowed to smoke only in designated areas, such as the terrace and in the garden

-  The organisation does not, at any time or in any place, provide breaks or respite for staff to smoke
-  The organisation ensures that its premises are clearly marked with no-smoking signs that comply with regulations issued under the *Health Act 2006*
-  The organisation also tries to obtain the views of its staff on their willingness to inhale second-hand smoke from service users and to accommodate their wishes, e.g. not to be exposed in any way to second-hand smoke wherever possible.

### **Violations**

The organisation's management treats breaches of these rules as serious matters of discipline and they are dealt with accordingly. Staff violations of the policy are subject to the normal disciplinary procedures and sanctions.

### **Support to Stop Smoking**

Residents who wish to stop smoking can be referred to their GP or put in touch with the local NHS smoking cessation service. Staff wishing to give up smoking should discuss the matter with their supervisor or care home manager who may be able to refer the staff member to an occupational health support or smoking cessation service. *NICE quality standard [QS92] Published date: July 2015 Smoking; harm reduction offers advice and tools to help a person stop smoking*

### **Policy Guidance**

The principles of any policy, in light of the current legislation and general trends, are as follows:

-  Non-smoking should be regarded as the norm
-  Priority should be given to the needs of non-smokers who do not wish to breathe tobacco smoke
-  Special provision that complies with anti-smoking legislation is made for any smoking permitted

## **Vaping: Use of Electronic Cigarettes ('e-cigarettes' or 'e-cigs')**

### **Statement**

The use of e-cigarettes has been rapid and taken the NHS by surprise. E-cigarettes are licensed and regulated as a medicine from 2016, in order that the government can be sure if they are effective and safe for use.

### **Questions of Safety**

It is not clear whether e-cigarettes are safe until they have been thoroughly assessed and monitored in a large population over time; however, compared with regular cigarettes, they are certainly the lesser of two evils. Foremost, e-cigarettes don't contain any tobacco, only nicotine; though highly addictive, nicotine is much less dangerous. For this reason, smoking e-cigarettes (known as 'vaping') is generally regarded a safer alternative to smoking for those unable or unwilling to stop using nicotine.

Also, while the US Food and Drug Administration (FDA) found the liquid and vapour to contain traces of toxins (PDF-273kb) including cancer-causing chemicals nitrosamines and formaldehyde, the level of three toxins is about one-thousandth of that in regular cigarette smoke. There cannot be certainty that these traces of toxins are harmless, but tests on animals and a small study of 40 smokers are reassuring; they provide some evidence that e-cigarettes are well tolerated and only associated with mild adverse effects (slight mouth or throat irritation, a dry cough etc.).

The public health charity Action on Smoking and Health (ASH) is cautiously optimistic, concluding in its January 2013 briefing (PDF-447kb) that "there is little evidence of harmful effects from repeated exposure to propylene glycol, the chemical in which nicotine is suspended."

Others are more cautious: some health professionals do not recommend them because they believe the potential for harm is significant. It is worth bearing in mind that nicotine is not altogether harmless; for example, it has been linked to anxiety and research suggests that nicotine plays a direct role in the development of blood vessel disease. E-cigarettes are banned by other countries and by

some UK schools concerned about their influence on adolescents.

### **Risks to Others from E-Cigarette Vapour**

The risks to others from e-cigarette vapour is unclear until more studies are carried out (see ‘Questions of Safety’). Research to-date has not shown the vapour to be harmful, since it largely consists of water.

According to ASH any health risks of second-hand exposure to propylene glycol vapour are likely to be limited to irritation of the throat. To support this, it cites a 1947 study that exposed animals to propylene glycol for 12 to 18 months at doses 50 to 700 times the level the animal could absorb through inhalation. Compared to animals living in a normal room atmosphere, no irritation was found, and the kidney, liver, spleen and bone marrow were all found to be normal.

### **Contents of E-Cigarettes, and How They Work**

Most e-cigarettes contain a battery, an atomiser and a replaceable cartridge. The cartridge contains nicotine in a solution of either propylene glycol or glycerine and water, and sometimes also flavourings. When the device is sucked a sensor detects the air flow and starts a process to heat the liquid inside the cartridge so that it evaporates to form water vapour. Inhaling this vapour delivers a hit of nicotine straight to the lungs.

*This is the latest updated information from NHS Choices. This organisation is aware of the current discussion around the use of e-cigarettes but is not going to ban their use; however, we would comply with any requirements when they become regulated as medicines in 2016. Where staff raise concerns we will listen and try to resolve the situation. At present, e-cigarettes are deemed on balance to present very little risk to passive smokers whilst benefiting those who are trying to stop.*

#### ***Related Policies***

*Code of Conduct for Workers*

*Meeting Needs*

*Fire Safety*

*Oxygen Therapy and Pulse Oxymetry*