



Belfast City Council

Report to:	Strategic Policy and Resources Committee
Subject:	Draft Smoking Policy
Date:	12 December 2014
Reporting Officer:	Ronan Cregan, Director of Finance and Resources and Deputy Chief Executive
Contact Officer:	Emma Eaton, Corporate Health and Safety Manager, ext 3223

1	Relevant Background Information
	<p>At the Strategic Policy and Resources Committee on the 19th September, a report was tabled on upgrading the existing Council Smoking Code of Practice to a Smoking Policy and a proposal to prohibit the use of electronic cigarettes within Council buildings and vehicles.</p> <p>The Committee agreed to defer consideration of the report to enable further information to be obtained.</p>

2	Key Issues
	<p>As requested by Committee, further consideration has been given to accommodating electronic cigarette users inside Council facilities.</p> <p>After consideration, it remains the position of the Corporate Health and Safety Unit that due to the unregulated nature of electronic cigarettes and uncertainty over the chemical composition of the vapours, that the Council should follow the advice of the Public Health Agency and British Medical Association and extend the Council's Smoking Policy to include e-cigarettes. This is until such times as more evidence becomes available on the health impacts of second hand vapour from electronic cigarettes.</p> <p>With regards to concerns that such restrictions on the use of electronic cigarettes may imply that the Council are not supportive of staff who are trying to give up smoking, the Council's overall commitment to the health and wellbeing of staff</p>

	<p>and the provision of an in-house Smoking Cessation Programme should be recognised. This programme is in accordance with NICE recommendations and uses approved Nicotine Replacement Therapy (NRT) products. At this time, electronic cigarettes have not been approved for this use.</p> <p><u>Conclusion</u></p> <p>It is recommended that until such times as more evidence becomes available on the health impacts of second hand vapour from electronic cigarettes, that the Council supports the advice of the Public Health Agency and British Medical Association and extends the Council's Smoking Policy to include e-cigarettes.</p> <p>As this is an evolving issue and new studies and advice are being published on a regular basis, it is recommended that if agreed, this Policy be formally returned to Committee in twelve months for review.</p>
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3	Resource Implications
	<p><u>Financial</u> None</p> <p><u>Human Resources</u> None</p> <p><u>Assets and Other Implications</u> None</p>

4	Equality and Good Relations Implications
	None

5	Recommendations
	The Strategic Policy and Resources Committee is requested to give consideration to this matter and to approve the revised Smoking Policy including e-cigarettes provided at Appendix One.

6	Decision Tracking
	Ronan Cregan, Director of Finance and Resources and Deputy Chief Executive

7	Key to Abbreviations
	NICE – National Institute for Health and Care Excellence

8	Documents Attached
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Appendix 1: Draft revised Smoking Policy which is extended to place restrictions on electronic cigarettes



BELFAST CITY COUNCIL POLICY

SMOKING POLICY

DATED DECEMBER 2014 (DRAFT)

INTRODUCTION

The Belfast City Council Smoking Policy aims:

- To protect the health of staff, visitors and contractors from the potential ill-health effects of passive smoke and electronic cigarette vapours whilst in Council buildings and vehicles;
- To ensure compliance with the statutory requirements of The Smoking (NI) Order 2006;
- To demonstrate the commitment of Belfast City Council to creating a cleaner, greener and healthier environment.

SCOPE

This policy will apply to all Belfast City Council staff, elected members, contractors and any other persons who enter Belfast City Council premises or vehicles.

REFERENCES

The Smoking (NI) Order 2006
The Smoke Free (Signs) Regulations 2007

RESPONSIBILITIES

- The Corporate Health & Safety Manager is responsible for the implementation and review of the Smoking Policy and related documentation;
- The Elected Members, Chief Executive and the Corporate Management Team are responsible for the authorisation of the Smoking Policy and related documentation;
- The Corporate Management Team is responsible for the implementation of the Smoking Policy and related documentation within their Departments.
- All employees are required to be aware of this Policy and comply with it at all times including ensuring that customers and visitors do not smoke in Council buildings and vehicles.

POLICY STATEMENT

Smoking is not permitted at any main entrance /exit or inside any part of any building managed, leased or owned by Belfast City Council.

Smoking (including the use of electronic cigarettes) is not permitted inside any Belfast City Council vehicle at any time.

The use of electronic cigarettes is not permitted at any main entrance /exit or inside any part of any building managed by Belfast City Council.

SMOKING CONSIDERATIONS

The smoking ban does not extend beyond the inside of Council buildings and vehicles. Where employees smoke in the open on Council grounds or are provided with designated smoking areas, the following should be considered:

- Any health, safety and/or fire related risks i.e. smoking is not permitted in the vicinity of any flammable, highly flammable or explosive stores; where there is any significant combustible material; or anywhere that presents a significant fire risk
- The provision of smoking receptacles
- Public image issues such as employees gathering at the front / rear of Council buildings and employees smoking in the vicinity of children, other employees and members of the public
- Smoking must not be permitted where passive smoke could reasonably access a building via open windows, ventilation systems etc.
- Agreement (as appropriate) on times when smoking is permitted such as during authorised breaks, whilst undertaking specific activities etc.
- Any designated smoking area is compliant with the legislation if:
 - i) It has no roof; or
 - ii) It has a roof and the structure has 50% of the surrounding walls open ('roof' includes any fixed or moveable structure or device that can cover all or part of the premises as a roof including canvas awnings)

ELECTRONIC CIGARETTES

E-cigarettes are battery-powered products designed to replicate smoking behaviour without the use of tobacco. They consist of a cartridge containing liquid nicotine, an atomiser (heating element), a rechargeable battery and electronics. They turn nicotine, flavour and other chemicals into a vapour that is inhaled by the user. The exhaled vapour can be seen, and some products have a light emitting diode at the tip that lights up when the user inhales.

The Council's decision to prohibit the use of e-cigarettes within its buildings and vehicles is based on the British Medical Association's (BMA) guidance on the subject. The BMA advises that e-cigarettes are subject to limited regulation, are not licensed and there is no peer reviewed evidence that they are safe or effective in helping smokers cut down or quit. The BMA recommends that their use should be prohibited in workplaces and public places to limit second hand exposure to the vapour exhaled by the use, and to ensure their use does not undermine smoking prevention and cessation by reinforcing the normalcy of cigarette use.

POLICY ENFORCEMENT

Any employee found to be in breach of this Policy i.e. smoking (including e-cigarettes) in a Council building or vehicle will be liable to formal disciplinary action in accordance with established Council procedures.

The Health & Environmental Services Department within the Council have a statutory duty to enforce all smoking legislation. Any employee smoking (excluding e-cigarettes) in

a Council vehicle or premises will be committing a criminal offence and may be issued with a Fixed Penalty Notice. Failure to display appropriate signage in council vehicles or premises may result in a Fixed Penalty Notice.

SMOKING SIGNAGE

To ensure compliance with The Smoke-Free (Signs) Regulations (NI) 2007 all Belfast City Council vehicles and entrances to premises must display appropriate 'No Smoking' signage.

SMOKING CESSATION SUPPORT FOR EMPLOYEES

The council will support any employee who wishes to stop smoking. They should contact the Smoking Cessation Officer at stopsmoking@belfastcity.gov.uk

RELATED DOCUMENTATION

Belfast City Council Health and Wellbeing Strategy

AMENDMENT HISTORY

Version No.	Changes	Date
1	Third revision	April 07
2	Existing Smoking 'Code of Practice' upgraded to a Smoking 'Policy' in line with best practice and extended to include e-cigarettes.	December 14

Further Information and Advice

For further information and advice please contact the Corporate Health and Safety Unit

Health and Safety Team: DDI 9027 0400 Ext 3234

E-mail: health&safety@belfastcity.gov.uk