



Workforce

Smoking and Vaping Policy

Aim

The policy aims to provide a framework to:

- Improve employee health by offering support to those who smoke or vape and would like to stop.
- Support employees' legal rights to be protected from exposure to tobacco smoke and the harmful effects of second-hand smoke.

Scope

This policy applies to all employees. It also applies to bank, secondees, agency, sessional workers, volunteers, contractors, and those on placement, such as trainees, students, or individuals undertaking work experience.

Reference to employees applies to all these groups unless otherwise stated.

This policy complies with current legislation and meets the aims of the [Public Sector Equality Duty](#) of the [Equality Act 2010](#).

Definitions

Nicotine is a chemical found in all tobacco products, some e-cigarette liquids and other nicotine products such as pouches. It is a highly addictive substance that is naturally present in the tobacco plant. Laboratories can also produce nicotine synthetically.

The definition of **smoking** in the Health Act 2006 is:

- a) "smoking" refers to smoking tobacco or anything which contains tobacco, or smoking any other substance
- b) smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which it could be smoked

Vaping is using an electronic device (a vape) to inhale vapour. This applies to both nicotine and non-nicotine vapes.

Vapes are electronic devices that vaporise substances other than tobacco for the purpose of inhalation through a mouthpiece.

Roles and responsibilities

There is a range of standard expectations which underpin all policies. [Read more about standard roles and responsibilities](#). In addition, the following specific responsibilities apply to this policy.

Employer

The employer must comply with all laws relating to smoking and vaping in and around NHS buildings:

- [The Prohibition of Smoking Outside Hospital Buildings \(Scotland\) Regulations 2022](#).
- [The Prohibition of Smoking in Certain Premises \(Scotland\) Regulations 2006](#).

Manager

The manager should:

- Make sure the policy is implemented within their work area.
- Support employees who wish to stop smoking.

Employee

The employee should:

- Comply with this policy regarding smoking.
- Seek assistance if they want to stop smoking.

Commitment to a smoke and vape-mist-free environment

To protect everyone's health, there are strict rules on smoking and vaping.

Legal no-smoking zone

By law, smoking is not permitted within 15 metres of any NHS Scotland hospital building.

Smoking and vaping rules

Smoking and vaping are not permitted:

- anywhere on NHS Scotland premises or grounds, including car parks
- in any NHS Scotland vehicle
- in any personal vehicle while on NHS Scotland grounds

You are also not permitted to smoke or vape while in uniform or when you can be identified as an on-duty NHS Scotland employee.

Breaking these rules may be considered misconduct and will be managed in accordance with the NHS Scotland [Conduct Policy](#).

Support to stop smoking

Where an employee advises that they wish to stop smoking, support is provided via Quit Your Way, the stop smoking service. Employees will receive support throughout this journey.

Useful links

- [The Prohibition of Smoking Outside Hospital Buildings \(Scotland\) Regulations 2022](#)
- [How to quit vaping](#)
- [Quit Your Way Scotland](#)

Quit Your Way Scotland can also be contacted on 0800 84 84 84.