

NO SMOKING POLICY

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Endorsing Body:	NHS Lanarkshire Board
Governance or Assurance Committee:	Population Health & Primary Care & Community Services Governance Committee
Original Implementation Date:	August 2017
Current Implementation Date:	September 2023
Version Number:	V12
Review Date:	November 2024
Responsible Persons:	Health Improvement Lead SL HSCP & Senior Health Improvement Manager

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Appendix 1 - Management of Nicotine Addiction Assessment Tool (MNAAT)

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Appendix 3 - Flowchart for Non-compliance of NHS Lanarkshire No Smoking Policy in the buildings

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CONSULTATION AND DISTRIBUTION RECORD	
Contributing Author/ Authors	<ul style="list-style-type: none"> • Senior Health Improvement Manager • Health Improvement Lead SL HSCP • Tobacco Control Team Leader • Health Improvement Senior
Consultation Process/ Stakeholders:	<ul style="list-style-type: none"> • Staff, patients, public via survey and Sounding Board • Joint Policy Forum
Distribution:	<ul style="list-style-type: none"> • All Staff through Staff Briefing • NHS Lanarkshire Corporate Polices Open Access Web Portal

Change Record			
Date	Author	Change	Version
Aug 2017	L O'Hare	The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 shall make it illegal to smoke outside the non-smoking area of a hospital building. This law is expected to come into force by 2017. This policy is still extant until national guidance is received.	9.0
May 18	Risk Dept	GDPR statement added into section 3 and updated name of Data Protection Act	10
Oct 18	Colin Anderson	Minor typographical changes made throughout document.	10
Oct 18	Colin Anderson	Contents list – Section 11. List of appendices updated to include new Standard Operating Procedure	10
Oct 18	Colin Anderson	Any reference to Lanarkshire Stop Smoking Service or Lanarkshire Smoking Cessation Service has been removed and replaced with locally agreed Quit Your Way service descriptor. This reflects the national rebranding of all stop smoking services in Scotland.	10

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Oct 18	Colin Anderson	4.5.1 Inpatients – section updated to refer to the new Management of Nicotine Addiction Assessment Tool (MNAAT) and to include a summary of key points from the Standard Operating Procedure – Management of Nicotine Addiction Assessment Tool (MNAAT).	10
Oct 18	Colin Anderson	5.6 Title of section changed from Lanarkshire Stop Smoking Service, to Lanarkshire Tobacco Control Team and a description added.	10
Oct 18	Colin Anderson	7. Communication plan – section updated to reference action 93 of the Lanarkshire tobacco control strategy.	10
Oct 18	Colin Anderson	Appendix 1 – old version of Integrated Care Pathway removed and replaced with Management of Nicotine Addiction Assessment Tool (MNAAT)	10
Oct 18	Colin Anderson	Appendix 2 – Standard Operating Procedure – Management of Nicotine Addiction Assessment Tool (MNAAT)	10
Aug 21	Karen Mather/ Margaret Sim	Minor administrative changes made throughout document.	11
Aug 21	Karen Mather/ Margaret Sim	Intro, para 2 now includes The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016	11
Aug 21	Karen Mather/ Margaret Sim	Sect 2.2 now includes The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016	11
Aug 21	Karen Mather/ Margaret Sim	<p>Removal of Sect 4.3 exemptions to allow smoking in designated rooms and renumbered accordingly.</p> <p>4.3 Exemptions</p> <p>The ‘<i>Smoking, Health and Social Care (Scotland) Act 2005</i>’⁽³⁾ allows some legal exemptions to smoking in enclosed public places which are listed in ‘<i>The Prohibition of Smoking in Certain Premises (Scotland) Public Health Regulations 2006</i>’⁽⁴⁾ and any subsequent amended versions of it. In order to maximise health improvement for NHS Lanarkshire staff and clients, our policy extends beyond these legal requirements.</p>	11

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		<p>At present the following exempted categories apply within NHS Lanarkshire:</p> <ul style="list-style-type: none"> • Designated rooms in adult care homes. <p>Some long stay patients, for whom NHS facilities are their homes, come in to these categories. When the NHS facilities are considered to be their homes these patients are currently subject to legal exemptions. While they continue to be exempt their choice to smoke will be acknowledged by designated smoking rooms, but designated rooms will only be provided where space permits, with priority being given to the provision of a non-smoking common room. NHS Lanarkshire will provide these inpatients with specialist stop smoking support if desired.</p>	
Aug 21	Karen Mather/ Margaret Sim	<p>Removal of Sect 4.4.1 in relation to Sect 4.3 and renumbered accordingly.</p> <p>4.4.1 NHS premises</p> <p>Staff may occasionally be exposed to second hand smoke under the current exemptions outlined in 4.3 above. Where reasonably practical, staff should not normally be required to work in these designated smoking rooms. If they do enter them their time of exposure to second hand smoke should be kept to a minimum.</p> <p>Staff with pre-existing conditions known to be exacerbated by second hand smoke should not be asked to enter them at all. As far as reasonably practical, and taking into account staff's professional responsibilities toward their patients, staff are entitled to refuse to enter designated smoking rooms.</p>	11
Aug 21	Karen Mather/ Margaret Sim	Review and update of policies	11
August 2023	Karen Mather	Introduction (paragraph 2), sections 2.2, 4.1 (paragraph 3), 4.4.1, 4.6.1, 4.7 and 10 now include The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022	12
August 2023	Karen Mather	NHS Lanarkshire Quit Your Way Service telephone number updated in sections 4.4.3 & 10	12

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1. Introduction

Tobacco control is a priority within Scotland and Lanarkshire as smoking remains the primary preventable cause of ill health and premature death. Smoking continues to have a negative impact on the health and wellbeing of individuals, families and communities. On average 19% of adults in Lanarkshire smoke ⁽¹⁾, this increases to 27% in areas of higher deprivation (2018) ⁽²⁾. Smoking is one of the main causes of the health inequalities that exist within our communities.

NHS Lanarkshire has a responsibility to work towards national targets for reductions in the prevalence of smoking, exposure to second-hand smoke and the incidence of diseases caused by tobacco smoke. In 2017-2018, there were 2102 (per 100,000) smoking attributable hospital admissions within NHS Lanarkshire. This is still higher than the Scottish average of 1724 (per 100,000) ⁽³⁾ and associated regulations 'The Prohibition of Smoking in Certain Premises (Scotland) 2006' ⁽⁴⁾ led to the development of NHS Lanarkshire's No Smoking Policy in 2006. The regulations prohibit smoking in public premises which are wholly or substantially enclosed including vehicles used for business purposes.

Following local consultation and national direction NHS Lanarkshire's No Smoking Policy was extended from NHS Lanarkshire buildings and vehicles to cover all NHS Lanarkshire grounds in 2008. Furthermore, The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 ⁽⁵⁾ and The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022 ⁽⁶⁾, which came into effect on 5th September 2022, makes it an offence to smoke in a 15 meter no smoking perimeter around hospital buildings.

National and local publications providing direction and recommendations include:

- The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 ⁽⁵⁾
- The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022⁽⁶⁾
- Tobacco Control Strategy for Scotland, *Creating a Tobacco-Free Generation* (2018) ⁽⁷⁾
- The CMO letter *Health Promoting Health Service* (2018) ⁽⁸⁾
- NHS Lanarkshire *Care Assurance Accreditation Standards for Acute and GP hospitals* (2017) ⁽⁹⁾
- Lanarkshire Tobacco Control Strategy (2018-2023) *Smoke-Free Lanarkshire - For you, for children, forever.*⁽¹⁰⁾

Collectively these publications recognise the need for NHS Boards to:

- Provide smoke-free environments
- Support culture change
- Promote health and person centred care

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Recommendations to achieve this include:

- Strong and consistent leadership and management of no smoking policies.
- Staff training in awareness raising, including advice and support on managing nicotine addiction.
- Support and treatment for inpatients to manage nicotine addiction.
- Access to specialist Quit Your Way Services for staff, patients and visitors.

2.0 Aim, Purpose and Outcomes

2.1 Protect and Improve Health

The aim and purpose of this policy is to protect patients, staff and visitors from exposure to second-hand smoke and ensure all NHS Lanarkshire buildings and grounds are smoke-free (this includes hospitals, offices, health centres, car parks, gardens and walkways). The policy also includes all Private Finance Initiative (PFI) premises located on NHS Lanarkshire grounds.

It aims to:

- Promote no smoking as the norm
- Prevent children and adults from seeing smoking within a health promoting organisation
- Raise awareness of specialist Quit Your Way Services to help people who want to stop smoking
- Raise awareness of management of nicotine addiction for inpatients.
- Promote person centred care
- Clarify roles and responsibilities
- Increase staff awareness and provide guidance on issues surrounding compliance
- Raise awareness of support and training available for staff
- Improve compliance with the policy

2.2 Legislation

NHS Lanarkshire is required to comply with the smoking provisions of the 'Smoking, Health and Social Care (Scotland) Act 2005⁽¹⁰⁾ and 'The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006'⁽⁴⁾ which prohibits smoking in public premises which are wholly or substantially enclosed and in vehicles used for business purposes. In addition, NHS Lanarkshire is also required to comply with the smoking provisions of The Health (Tobacco, Nicotine etc. and Care (Scotland) Act 2016⁽⁵⁾ and The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022 which makes it an offence to smoke in a 15 metre no smoking perimeter around hospital buildings. This new regulation came into force on 5th September 2022⁽⁶⁾.

It is an offence to smoke in no smoking premises or to knowingly permit smoking in no smoking premises.

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2.3 Quality Healthcare Services

NHS Lanarkshire aims to provide the highest quality healthcare services. Complaints have been received about people smoking outside NHS Lanarkshire premises and consultation has highlighted the extent of these concerns.

This policy aims to improve the environment offered to staff and the public by ensuring all NHS Lanarkshire premises and grounds are smoke-free.

3. Scope

3.1 Who is the Policy intended to affect

This policy is intended for:

- All directly employed staff of NHS Lanarkshire, irrespective of age, sex, disability, ethnicity/race, marital or civil partnership status, sexual orientation, religion or belief, pregnancy, maternity or gender reassignment
- Patients; including out-patients, day cases, in-patients and long-stay patients;
- Visitors; and
- The wider NHS family (i.e. contractors, students, voluntary staff, other healthcare partners and anyone whose work, study or personal circumstances brings them into contact with NHS Lanarkshire)

3.2 Who are the Stakeholders

- All NHS Lanarkshire staff, regardless of staff group or designation
- Patients; including out-patients, day cases, in-patients and long-stay patients
- Visitors; and
- The wider NHS family (i.e. contractors, students, voluntary staff, other healthcare partners and anyone whose work, study or personal circumstances brings them into contact with NHS Lanarkshire)

3.3 GDPR Notice

“NHS Lanarkshire take care to ensure your personal information is only accessible to authorised people. Our staff have a legal and contractual duty to keep personal health information secure, and confidential. In order to find out more about current data protection legislation and how we process your information, please visit the Data Protection Notice on our website at www.nhslanarkshire.scot or ask a member of staff for a copy of our Data Protection Notice.”

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4. Principal Content

4.1 The Policy

NHS Lanarkshire defines smoking as the inhalation of smoke from lit tobacco products such as cigarettes, pipes, and cigars.

NHS Lanarkshire defines the use of Electronic Nicotine Devices (ENDS) (more commonly known as an e-cigarette) as the inhalation of vapour from a battery operated nicotine device.

Smoking and vaping is not permitted by any persons including staff, patients, visitors and healthcare partners within any premises or on the grounds from which NHS Lanarkshire services are delivered. With effect from 5th September 2022 new regulations were implemented making it an offence to smoke in a 15 metre no smoking perimeter around hospital buildings. If an individual is found smoking within the 15 metre area they will be asked to stop. They may also face:

- a fixed penalty notice of £50
- a £1,000 fine if taken to court

Smoking and vaping is also not permitted within:

- Vehicles on the grounds
- NHS Lanarkshire vehicles and pool cars at any time
- Leased cars and personal vehicles when transporting other staff or patients within working hours and/or when on authorised business

Any person smoking or vaping in uniform or wearing an NHS ID badge may be subject to disciplinary action being taken against them.

In line with NHS Lanarkshire's aim to actively discourage tobacco use, tobacco products will not be sold, advertised or otherwise promoted on the premises. NHS Lanarkshire will not hold tobacco-related investments or accept sponsorship or donations from tobacco companies.

4.2 Staff and Healthcare Partners

Staff and healthcare partners are not permitted to smoke or vape whilst at work. Staff breaching the policy may be subject to procedures within the NHS Scotland Conduct Policy ⁽¹¹⁾.

Staff on authorised breaks are not considered to be at work. If staff wish to smoke or vape at this time they:

- Must leave the premises and grounds
- Must comply with NHS Lanarkshire's 'Dress Code and Appearance at Work Policy' ⁽¹³⁾; and change out of uniform where changing facilities exist
- Where changing facilities don't exist ensure their uniforms and name badge are

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fully covered

- Will not be allowed longer or more frequent breaks than members of staff who do not smoke

4.3 Exposure of staff to second hand smoke at work - Duty of Care

Corporately NHS Lanarkshire has a duty of care for every staff member and patient with regard to second-hand smoke. Staff members have a professional duty of care to their patients and to themselves. This policy reflects these duties of care.

4.3.1 Patients' own homes

In order to protect staff who visit patients in their own homes, patients and their families will be requested not to smoke before and during the visit. Where patients and their families ignore such requests, staff will be entitled to discuss alternative care arrangements with their line managers including, when feasible, to visit them at another agreed and smoke-free location.

An information leaflet for patients 'Home visits by NHS staff; information about tobacco smoke.' is available to order from the Health Improvement Library at: <http://hpac.nhsl.lanarkshire.scot.nhs.uk>.

This leaflet should be given to the patient prior to the first visit. If this is not practical this information should be communicated to the patient via another method before the first visit.

4.4 Support for people who smoke

The *Quit Your Way Service* provides a free NHS stop smoking service in Lanarkshire. Individuals are twice as likely to stop smoking successfully if they receive specialist support from the NHS.

A range of options are available that can be tailored to clients' specific needs.

Call 0800 84 84 84 for details.

Information on local services is available at: www.QuitYourWay.Scot

4.4.1 Inpatients

Written information on this policy will be provided to all planned care patients before they are admitted to hospital.

All inpatients will be asked as part of the admission procedure about their smoking status. The *Management of Nicotine Addiction Assessment Tool* (Appendix 1), and *Standard Operating Procedure (SOP) – Management of Nicotine Addiction Assessment Tool (MNAAT)* (Appendix 2), should be used as part of the admission procedure. The following points from the SOP outline what is expected of clinical staff:

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Clinical staff must:

- Ask all patients if they smoke on admission
- Inform patients of the organisation's No Smoking Policy and new Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022 ⁽⁶⁾.
- Follow the Management of Nicotine Addiction Assessment Tool (Inpatients)
- Protect patients' health and safety, by encouraging them not to leave the clinical area to smoke
- Escalate any concerns to their line manager, medical staff, consultants or senior management
- Should a patient ignore all advice and leave the clinical area to smoke, the patients should not be escorted by any member of staff
- Ensure incidents are recorded in the patient's notes and Datix

Patients who attempt to smoke or vape within the hospital building pose a fire risk.

- Patients who smoke or vape should be encouraged to give their smoking or vaping related products to their visitors or to staff in order that these can be stored in a safe place and returned upon discharge.

Inpatients that have declined treatment to manage their nicotine addiction, or referral to the Quit Your Way Service should be reassessed regularly during their stay in case they change their mind.

4.4.2 Outpatients and members of the public

Outpatients and members of the public can be directed to Quit Your Way.

The Quit Your Way Service provides a free NHS stop smoking service in Lanarkshire. Individuals are twice as likely to stop smoking successfully if they receive specialist support from the NHS.

A range of options are available that can be tailored to clients' specific needs.

Call 0800 84 84 84 for details.

Information on local services is available at: www.QuitYourWay.Scot

4.4.3 Staff

NHS Lanarkshire is committed to supporting staff who want to stop smoking. Staff who do not wish to stop smoking are encouraged to use NRT products to help them abstain while at work.

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Staff can access *Quit Your Way Services* as detailed in section 4.4.2. For staff working in any of the three acute sites, an alternative is to contact the local Quit Your Way service using the following number:

NHS Lanarkshire Quit Your Way Helpline – 07813 569289

4.5 Electronic Nicotine Devices (ENDS)

Electronic Nicotine Devices more commonly known as e-cigarettes is a battery operated nicotine vapour inhaler device. Due to insufficient evidence on both the safety and efficacy of ENDS as cessation/nicotine maintenance NHS Lanarkshire have prohibited use of ENDS within all NHS Lanarkshire premises and grounds. This position will be reviewed as evidence and national guidance becomes available.⁽¹⁴⁾

4.6 Sanctions

4.6.1 Smoking in breach of legislation

Any person smoking in an area or space as defined by the *Smoking, Health and Social Care (Scotland) Act 2005*⁽¹⁰⁾, The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016⁽⁵⁾ and The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022⁽⁶⁾ and its associated Regulations are breaking the law and may be liable to a fixed penalty of £50 imposed by the external agencies legally responsible for its implementation.

The *Smoking, Health and Social Care (Scotland) Act 2005*⁽¹⁰⁾ and The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016⁽⁵⁾ and The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022⁽⁶⁾ allows the agencies charged with enforcing the Act to impose fines on the manager, or any other person in control of any no smoking premises, for allowing others to smoke within them.

This applies whether or not the person is aware that smoking has occurred.

It should be **noted** that the Director of Acute Services or other senior management staff could face prosecution by the courts because of the actions of others.

Any person smoking within a building or in a 15 metre no smoking perimeter around hospital buildings should be:

1. Asked to stop smoking immediately.
2. Made aware that they are committing an offence.
3. Made aware that they are breaching the No Smoking Policy.
4. Made aware that they are adding to the risk of fire occurring on-site.

If the person is a member of staff in addition to points 1-4 above:

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- The line manager of the staff member should be informed and the incident investigated

If the person is a patient, in addition to points 1- 4 above:

- The incident should be relayed to the ward/department (if an inpatient) or clinic (if outpatient) so that they can reassess the patient using the Management of Nicotine Addiction Assessment tool
- Advise them that the police will be called if they continue to smoke
- If patient remains a potential fire risk remove smoking paraphernalia from them

Patients should be made aware that repeated breaches of the legislation could affect the ability of NHS Lanarkshire to continue providing them care on healthcare premises. In some cases, this may require an exploration of how the needs of the patient may be met in light of the legal requirements and will require written confirmation to the patient.

If the patient is, at the time of inappropriately smoking, unable to recognise their actions as being unlawful or in breach of NHS policy then other means of compliance must be explored at the first opportunity.

If the person is a visitor/relative:

They should be advised that it is illegal and reminded of the NHS Lanarkshire No Smoking Policy; if the person carries on smoking or vaping they should be asked to leave the premises and advised that the police will be called.

4.6.2 Smoking in breach of NHSL policy outside on NHS Lanarkshire grounds

Any member of staff found smoking or vaping during paid working time or in uniform or wearing an NHS ID badge may be subject to disciplinary action being taken against them. Staff breaching policy may be subject to procedures within the NHS Scotland Conduct Policy⁽¹²⁾. Managers are reminded that support for employees to comply with the policy is available and should form part of any agreed action plan.

Where this breach involves a patient, their ward should be informed, where possible, and they should be offered support and advice as outlined in 4.4.1.

4.6.3 Use of Electronic Nicotine Devices (ENDS) in breach of NHSL policy

All users of ENDS in breach of the policy will be advised they are contravening NHSL Policy and advised to cease or asked to leave the premises or grounds.

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4.6.4 Prevention and Management of Violence and Aggression Policy 2019⁽¹⁵⁾

'NHS Lanarkshire takes extremely seriously the health, safety and welfare of all staff and recognises that violence towards staff is unacceptable and that staff have the right to be able to perform their duties without fear of abuse or violent acts' ^(11. p.4).

Staff and managers should follow the guidance in the above policy to prevent and minimize any risk of violence or aggression before approaching anyone who is breaching the No Smoking Policy, including the use of ENDS.

All incidents resulting in exposure to violence or aggression should be reported to the appropriate line manager and a Datix incident form completed.

Staff should not hesitate to call police if they feel under threat.

4.7 Signage

NHS Lanarkshire displays no smoking signs both internally and externally on all premises, within its grounds and vehicles. Signs at the entrances to premises will be visible to pedestrians and drivers as they approach the premises. Signage at the entrance and within buildings will comply with the *Smoking, Health and Social Care (Scotland) Act 2005⁽¹⁰⁾*, *The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016⁽⁵⁾* and *The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022⁽⁶⁾*.

5. Roles and Responsibilities

5.1 NHS Lanarkshire Chief Executive

The Chief Executive is responsible for ensuring that this policy is fully supported by all staff and that there are sufficient resources available to enable its full implementation.

5.2 Site Directors

On each site the Site Directors are required to:

- Implement this policy and ensure their staff are aware of and follow the policy
- Ensure that no-smoking signs are prominently displayed
- Ensure the area for which they are responsible is monitored for evidence of smoking, and taking appropriate action when evidence is found
- Fully support staff that bring this policy to the attention of any person in breach of it, by reinforcing the no smoking message and by intervening in situations that become difficult for the staff member to manage
- Investigate any policy breaches, taking remedial actions as appropriate
- Receive and investigate incidents of staff breaches in accordance with *NHS Scotland Conduct Policy⁽¹²⁾*

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5.3 Managers

Managers are responsible for ensuring that:

- Their staff know about, understand and comply with this policy
- Contractors or non-NHS staff know about, understand and comply with this policy
- Contraventions are identified and are managed in accordance with NHS Lanarkshire's policies and
- The policy is monitored in their own area

5.4 All staff

All staff, whether directly employed or working on a contract or locum basis must ensure they:

- Are familiar with the policy and comply with its provisions
- Support the policy and follow the guidance in Appendix 3 and 4 if they observe anyone smoking or vaping in breach of policy or legislation on NHS Lanarkshire premises

5.5 Human Resources

- Provide support and advice to managers to help them to apply the staffing elements of the policy effectively
- To ensure that the No Smoking Policy is featured during staff induction

5.6 Lanarkshire Tobacco Control Team

The tobacco control team provides support and leadership to the governance structures responsible for delivering the actions contained within *Smoke-free Lanarkshire – For you, for children, forever: Lanarkshire Tobacco Control Strategy 2018 – 2023*⁽¹⁰⁾. The team works to deliver on actions relating to the four themes of the strategy:

- Prevention: supporting environments where children and young people choose not to smoke, and don't see adults smoking.
- Protection: protecting children, adults, and pets from second-hand smoke
- Cessation: helping people to stop smoking
- Support and leadership: demonstrating the importance of anti-tobacco actions at an individual, team, organisational, and societal level.

6. Resource Implications

There will be financial implications in terms of implementation and enforcement of the policy.

Resources will be required to communicate the no smoking policy and to maximise health improvement messages.

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7. Communication Plan

This policy will be included as part of the tobacco control communication plan that will be developed as per action 93 of *Smoke-free Lanarkshire – For you, for children, forever: Lanarkshire Tobacco Control Strategy 2018 – 2023*⁽¹⁰⁾.

8. Quality Improvement – Monitoring and Review

The Smoke-free Lanarkshire Implementation Group will oversee implementation of the policy.

The following indicators will be used to monitor how the policy is being implemented:

- Number of Datix incidents regarding smoking
- Number of complaints regarding smoking on NHSL sites
- Staff use of Quit Your Way services
- Patient use of Quit Your Way services
- Number of challenges at Hospital sites
- Number or % of staff trained in tobacco training
- Staff completion of stop smoking online module
- Number of people who smoke supported with NRT while in hospital
- Number of NRT products dispensed within acute sites

The policy will be subject to review in November 2024

9. Equality Impact Assessment

This policy meets NHS Lanarkshire's EQIA (tick box)



10. Summary of Policy

NHS Lanarkshire No Smoking Policy – Key Points

NHS Lanarkshire is committed to promoting healthy living and non-smoking as the cultural norm, and being an exemplar in providing smoke-free environments. Smoking, including the use of electronic nicotine devices (ENDS), more commonly known as e-cigarettes, is not permitted by staff, patients, visitors and healthcare partners in NHS buildings, or anywhere on the grounds including in vehicles.

Smoking or vaping is not permitted when transporting other staff or patients within working hours and/or when on authorised business, this includes NHS vehicles, pool or leased cars, and also personal vehicles.

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Smoking, Health and Social Care (Scotland) Act (2005)

Staff, patients, visitors and healthcare partners smoking in **non smoking premises** are breaking the Law and can be prosecuted.

The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016⁽⁵⁾ and The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022 makes it an offence to smoke in a 15 metre no smoking perimeter around hospital buildings. This new regulation came into force on 5th September 2022⁽⁶⁾.

Staff members have a responsibility to:

- Uphold the organisation's reputation and lead by example by complying with the policy
- Support other staff members to comply
- Communicate to staff, patients, and others the increased fire risk from breaching the No Smoking Policy.

Staff are not permitted to smoke whilst at work or during a paid break.

Staff, who wish to smoke, must:

- Do so on an **unpaid** break
- Do so out with NHS Lanarkshire premises and off the grounds
- Change out of uniform where changing facilities exist
- Where changing facilities don't exist staff must ensure their uniforms and name badges are fully **covered**

Staff who do not comply with the policy shall:

- Be subject to disciplinary proceedings
- Be subject to prosecution if found smoking or vaping inside NHS Lanarkshire buildings.

Managers must:

- Ensure they communicate with staff about the policy, any future updates, and the need to comply with its terms
- Consistently implement the policy at their local level
- Manage and report breaches of the policy

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Care of inpatients

Clinical staff must:

- Ask all patients if they smoke on admission
- Inform patients of the organisation's No Smoking Policy and new Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022
- Follow the Management of Nicotine Addiction Assessment Tool (Inpatients) (Appendix 1)
- Protect patients' health and safety, by encouraging them not to leave the clinical area to smoke
- Escalate any concerns to their line manager, medical staff, consultants or senior management
- Should a patient ignore all advice and leave the clinical area to smoke, the patients should not be escorted by any member of staff
- Ensure incidents are recorded in the patient's notes and Datix

Patients who attempt to smoke within the hospital building pose a fire risk.

- Patients who smoke should be encouraged to give their smoking or vaping related products to their visitors or to staff in order that these can be stored in a safe place and returned upon discharge.

Support for staff

If you smoke you can receive support and guidance on:

- How to manage nicotine withdrawal symptoms temporarily whilst working
- Personalised, flexible support and treatments available to you

NHS Lanarkshire Quit Your Way Helpline – 07813 569289

Alternatively, contact Quit Your Way by calling 0800 84 84 84. Information on local services is available at: www.QuitYourWay.Scot.

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11. References

1. SSCQ 2019 Supplementary Tables) (Accessed 06.08.21)
<https://www.gov.scot/publications/scottish-surveys-core-questions-2019/documents/>
2. Briefing paper on smoking prevalence by Kevin Ward, Information Analyst, Tobacco Control on 29th October 2020. Appendix 3 - Ad hoc request for prevalence rates. 40% MDD, SSCQ – Morag Shepherd, Population Health Team, Health and Social Care Analysis) (Dated: 16/12/19)
3. Data Source: SMR01 Public Health. Definition: Total number of hospital admissions for diseases wholly or partially attributable to smoking in persons aged 35 and over. Calendar years 2017 to 2018, 2 year aggregates)
https://scotland.shinyapps.io/ScotPHO_profiles_tool/ (Accessed 11.08.21)
4. The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006, (SSI01029) r.3(2). [online] Available at:
<https://www.legislation.gov.uk/ssi/2006/90/contents/made> [Accessed on 18th August 2021]
5. The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016. [online] Available at:
<https://www.legislation.gov.uk/asp/2016/14/contents/enacted> [Accessed on 18th August 2021]
6. The Prohibition of Smoking Outside Hospital Buildings (Scotland) Regulations 2022
<https://www.legislation.gov.uk/sdsi/2022/9780111053843> [accessed 02/11/22]
7. Scottish Government. Raising Scotland's tobacco-free generation: our tobacco control action plan (2018) [online] Available at:
<https://www.gov.scot/publications/raising-scotlands-tobacco-free-generation-tobacco-control-action-plan-2018/pages/3/> [Accessed on 18th August 2021]
8. Chief Medical Officer, (2018), Scottish Government. *Health Promoting Health Service*. Available at [http://www.knowledge.scot.nhs.uk/media/13192831/cmo%20letter%20-%20hphs%20april%202018%20sghd_cmo\(2018\)3.pdf](http://www.knowledge.scot.nhs.uk/media/13192831/cmo%20letter%20-%20hphs%20april%202018%20sghd_cmo(2018)3.pdf) [Accessed on 18th August 2021]
9. NHS Lanarkshire. *Care Assurance Accreditation Standards for Acute and GP hospitals* (2017) Version 2.
10. Lanarkshire Tobacco Control Strategy, (2018 – 2023). *Smoke-free Lanarkshire – For you, for children, forever*. Available at: <https://www.nhslanarkshire.scot.nhs.uk/download/lanarkshire-tobacco-control-strategy-2018-2023/> [Accessed on 18th August 2021]
11. Smoking, Health and Social Care (Scotland) Act 2005. [online] Available at:
<https://www.legislation.gov.uk/asp/2005/13/contents> [Accessed 18th August 2021]]
12. NHS Scotland Conduct Policy
<https://workforce.nhs.scot/policies/conduct-policy-overview/> [accessed 18 Aug 2021]

NO SMOKING POLICY

13. NHS Lanarkshire. *Dress Code and Appearance at Work; including National Uniform Policy*, (2015)
14. Health Scotland's position on e-cigarette use in NHS Scotland, (Nov 2015)
15. NHS Lanarkshire. *Prevention and Management of Violence and Aggression Policy (PaMoVA)*, (2019) p.4.

Uncontrolled when printed

Appendix 1 – Management of Nicotine Addiction (Inpatient) Tool

CHI no
 First name DOB / /
 Last name Sex: M F
 Address

or attach addressograph label here

Hospital:
 Ward:

Management of Nicotine Addiction (Inpatient)

Patient advised that smoking is not permitted in the hospital or grounds (No Smoking Policy)
 Patient advised that they may experience nicotine withdrawal while in hospital
**Nicotine withdrawal symptoms can occur within 1 - 2 hours and can include agitation, aggression, confusion, sleep disturbance, anxiety and cravings*
 Patient advised that nicotine replacement therapy (NRT) will make them feel more comfortable
 How many cigarettes smoked daily on average? ≥10 daily <10 daily
**If stopped in the past 4 weeks, may require NRT*
 Patient agrees to nicotine replacement therapy? Yes No

Treatment for Withdrawal (tick as appropriate)

Option	Medicine	Dose	Method of Admin	Frequency
1	<input type="checkbox"/> Nicotinell 24 hour patch (≥10 cigarettes daily) <i>*24 hour patch not suitable during pregnancy</i>	21mg	Topical	Daily
	<input type="checkbox"/> Nicotinell 24 hour patch (<10 cigarettes daily) <i>*24 hour patch not suitable during pregnancy</i>	14mg	Topical	Daily
2	<input type="checkbox"/> Nicotinell Lozenges (≥20 cigarettes daily)	2mg	Oral	1-2 hourly Max 12 per day
	<input type="checkbox"/> Nicotinell Lozenges (<20 cigarettes daily)	1mg	Oral	1-2 hourly Max 12 per day

Nicotine replacement therapy prescribed on Medicine Prescription Form

Referral to Stop Smoking Nurse Specialist
 Patient wants to stop smoking? Yes No
 Patient agrees to referral to Stop Smoking Nurse Specialist? Yes No
 Note: If patient declines Nicotine Replacement Therapy but wants to stop smoking, refer to the Stop Smoking Nurse Specialist.

Contact Details for Stop Smoking Nurse Specialists
 Hairmyres: 01355 585502 Monklands: 01236 712779 Wishaw: 01698 366466

Additional Comments/Notes



Completed by: (PRINT NAME)	Signature:
Designation:	Date: / / Time: :

NO SMOKING POLICY

Appendix 2 – Standard Operating Procedure – Management of inpatients nicotine addiction



NHS Lanarkshire Acute Services

Standard Operating Procedure ~ Clinical Processes No: 1

Procedure: Management of inpatients nicotine addiction

Procedure Aim: Provision of safe and effective person centred care

Background :

Milligram for milligram **nicotine is ten times more potent** than heroin. Inpatients addicted to nicotine will quickly experience uncomfortable withdrawal symptoms (**1-2 hrs** from the last cigarette smoked). These symptoms have the potential to cause disruptive behaviour which can include agitation, aggression, confusion, sleep disturbance, anxiety, and cravings. The Management of Nicotine Addiction Assessment Tool should be used to ensure patients who smoke are supported to manage withdrawal from nicotine whilst in hospital and referred to the stop smoking service if they wish to stop. Patients who decline the offer of support with their addiction may try to leave the safety of the clinical area to self manage their withdrawal symptoms through continuing to smoke.

Procedure :

Clinical staff must:

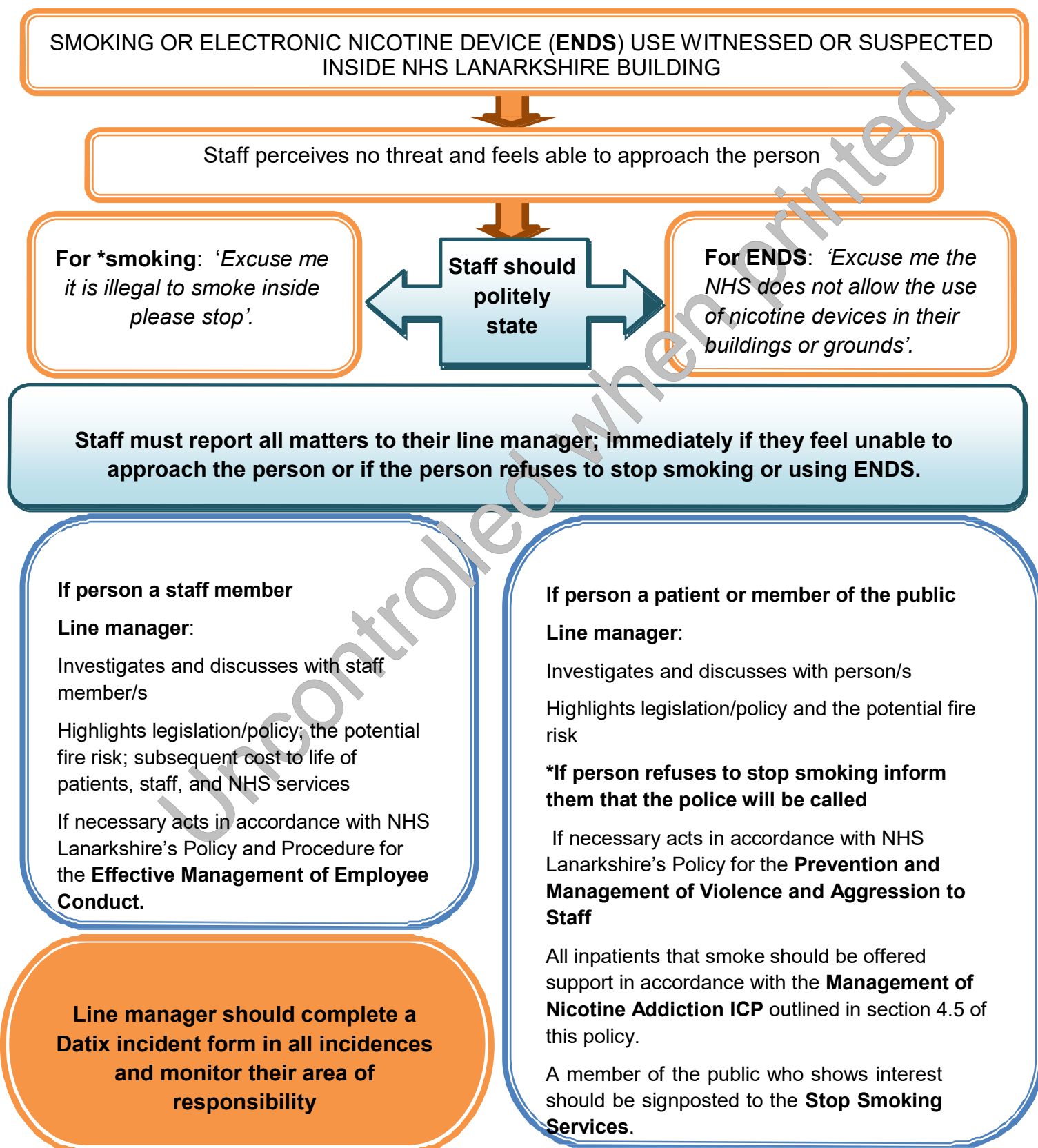
- Ask all patients if they smoke on admission
- Inform patients of the organisation's No Smoking Policy
- Follow the Management of Nicotine Addiction Assessment Tool (Inpatients)
- Protect patients health and safety, by encouraging them not to leave the clinical area to smoke
- Escalate any concerns to their line manager, medical staff, consultants or senior management
- Should a patient ignore all advice and leave the clinical area to smoke, the patients should not be escorted by any member of staff
- Ensure incidents are recorded in the patients notes and Datix (when relevant)

Patients who attempt to smoke within the hospital building pose a fire risk.

- Patients who smoke should be encouraged to give their smoking related products to their visitors or to staff in order that these can be stored in a safe place and returned upon discharge.

Author	Lynne O'Hare, Stop Smoking Nurse Specialist	Issue No	1
Reviewer	Elsbeth Russell, Assistant Health Promotion Manager	Date of issue	08/02/2018
Authoriser	Frances Dodd, Nurse Director of Acute Services	Review Date	08/02/2019

NO SMOKING POLICY
Appendix 3 - Non compliance of NHS No Smoking Policy in the buildings



NO SMOKING POLICY

Appendix 4 - Non compliance of NHS No Smoking Policy on the grounds

SMOKING OR ELECTRONIC NICOTINE DEVICE (**ENDS**) USE WITNESSED OR SUSPECTED ON NHS LANARKSHIRE GROUNDS

Staff perceives no threat and feels able to approach the person

Staff should politely state

'Excuse me the NHS does not allow smoking or use of nicotine devices in their buildings or grounds'.

Any staff member who experiences any form of **violence or aggression** should ensure they **inform** their line manager and **complete a Datix** incident form

Frequently Asked Questions

Where can I smoke? 'When you are completely off NHS grounds'

Why can't I smoke outside? NHS is a health promoting service and shall not condone smoking; it is the single most preventable cause of ill health, early death and disability in Lanarkshire and Scotland

NHS Lanarkshire has a tobacco control strategy to:

- Protect all people from second hand smoke, which is dangerous. (Children and those of poor health are more susceptible)
- Prevent uptake of smoking amongst future generations; the majority of adults who smoke started young and found it difficult to stop due to the addictive nature of nicotine. If children see people smoking it can appear normal and acceptable behavior and sets a bad example. (Children whose parents smoke are 3 times more likely to start smoking)
- Help and encourage people to stop smoking by providing specialist services

NHS Lanarkshire consulted staff, patients, visitors and the general public via a survey in 2012 to assess levels of support for smoke free hospital grounds. Of the 3621 responses 94% agreed entrances should be smoke free.

Why can't I use ENDS? Nicotine devices which omit vapour can easily be mistaken for smoking; there is no evidence of their safety or how effective they are in helping someone stop smoking; they are also a fire hazard.

If the person breaching the policy is a staff member on paid duty or identifiable as NHS staff the Line Manager shall act in accordance with **NHS Lanarkshire's Policy and Procedure for the Effective Management of Employee Conduct.**