

SMOKEFREE POLICY:

Guidance for Staff Breaching the Smokefree Policy

1. Introduction

NHS Greater Glasgow and Clyde has an active Smokefree Policy, in line with the Scottish legislation on smoking in public places in order to meet our commitment to providing a safe and healthy environment for all staff, patients and visitors.

All employees are required to comply with Board policies. This guidance relates to staff compliance with the NHS GGC Smokefree Policy. .

The Smokefree Policy states that staff are not permitted to smoke within the buildings or grounds owned or controlled by NHS GGC and staff are not permitted to smoke whilst on duty.

2. Support for Staff

Where an employee is unable or unwilling to meet the requirements within the Smokefree Policy every effort will be made to assist employees and encourage their attempts to stop smoking or manage their smoking in a manner that does not contravene the policy.

Staff may refer themselves or be referred by their manager to Smokefree Staff Stop Smoking Service by emailing smokefree.staff@ggc.scot.nhs.uk

A distinction must be drawn between behaviour related to an addiction and behaviour which is attributable to a wilful refusal to comply with the Policy. The latter is a matter of conduct and will be dealt with under the Disciplinary Policy and Procedure.

3. Appropriate levels of action

- Under the Disciplinary Policy and Procedure, the Board operates a system of escalating formal warnings, in addition to counselling in the early stages where appropriate, i.e.

Counselling	- Informal
Verbal Warning	- 3 months
First Written Warning	- 6 months
Final Written Warning	- 12 months
First and Final Written Warning	- 12 months
- Thus in the first instance managers should deal with issues informally
- Formal action is appropriate where the initial approach has not led to the necessary improvement in compliance, or where the smoking issue is of a serious nature and is causing a potential fire risk to the organisation or contravenes smokefree legislation.

- In order to determine whether there is an issue related to smoking, and that the matter should be dealt with under this protocol, the following question should be considered: *“What is the evidence that the employee is unable to comply with the requirements of the Smokefree Policy.”*

Informal Discussion

- The initial approach should be to support improvement through an informal, private, one to one discussion, offering advice and guidance on expected behaviours.
- This should be a supportive intervention which may lead to a management referral to the Smokefree Staff Service, Smokefree.Staff@ggc.scot.nhs.uk or Occupational Health Services, who will then contact the member of staff to discuss stopping smoking if they wish or provide information about how best to manage their smoking at work.
- After discussion with the staff member Smokefree Staff Services will, in a letter to the manager, record the date, time, reason for and outcome of the meeting. This letter should be retained in the employee’s personal file.

Formal Stage(s)

- If, following the agreed review of the employee’s behaviour, there has been further incidences related to non-compliance, a more formal approach should be adopted.
- Prior to entering the formal stage, the relevant manager will ensure that **the employee has been offered support related to stopping smoking or if the individual has no desire to stop smoking then to managing their smoking habit in line with NHS GGC Policy**. Referral could be made to Smokefree.Staff@ggc.scot.nhs.uk
- A formal meeting will take place with the manager, employee, and employee representative, if requested. The manager will discuss the reasons why the manager has reason to suspect the employee has breached the Smokefree Policy.
- If the manager is satisfied that the employee has breached the Policy, they will issue a written warning in the form of a letter, in accordance with the Disciplinary Policy and Procedure.
- The outcome of this meeting should be retained in the employee’s personal file.

4. Communication

The terms of this protocol will be communicated at general induction, via St@ffNet, Team Brief and through induction of new-starts and job changers. The protocol will be hosted on the HR Homepage and within the Staff Governance pages.