

Developing an organisational approach to the use of electronic cigarettes on your premises

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Action on Smoking and Health and the Chartered Institute of Environmental Health have been working with seven local authorities to support them to develop an evidence based approach for their organisation for the use of electronic cigarettes in the workplace.

At the time of writing this process is ongoing but, in order to support other organisations which are currently thinking about the approach they will be taking, we have gathered together what we believe we have learnt so far. This document covers:

1. Suggested policy structure
2. Process considerations
3. Content considerations
4. Summary of the current evidence

The councils taking part in this work so far have included county councils, district councils and unitary authorities. This is a summary of their policy intentions:

Council	Planned approach
Bristol City Council	Carry out a staff survey to inform development of an education campaign. Consideration being given to a pilot where electronic cigarette use permissible at desks in two offices (TBC)
Hertfordshire County Council	Final policy agreed (see appendix 1): Electronic cigarette use allowed outdoors combined with communications on nicotine containing products (policy)
Leicestershire County Council	Agree designated areas for use of electronic cigarettes away from smokers (guidance)
Luton Borough Council	Develop separate guidance with restrictions based on smokefree policy for council staff and visitors. Combine with education campaign about nicotine containing products (guidance)
Swindon Borough Council	Considering guidance versus policy change. Currently consulting staff to inform changes which will maximise harm reduction (TBC)
Teignbridge District Council	Allow use of electronic cigarettes on campus but outside. Smoking tobacco only allowed off campus (policy)
Thurrock Council	Include in smokefree policy and treat the same as smoking tobacco (policy)

Suggested policy structure

The content of your policy will be determined in response to the situation of your organisation, its workforce and customers. However, there are some common components which all policies would want to cover:

- An explanation of why your organisation has a policy or guidance on electronic cigarettes – this could take the form of a short position statement on electronic cigarettes
- A short summary of the current evidence and links to further information – there is an evidence section on page 8 of this document
- Where electronic cigarette use will be allowed and why this decision has been taken
- Who the policy will apply to – staff, public, customers, service users etc
- When the policy will apply and in what circumstances
- Which products it will apply to and a clear definition that covers all appropriate products and is clearly understood by all those the policy will apply to
- In what ways recharging of devices will be permitted or prohibited
- Any exemptions to the rules and why these have been put in place
- Explanation of any penalties for non-compliance
- Date of when the policy or guidance will be reviewed
- Sign-posting for those looking to quit smoking

There is an example of a current policy in appendix 1 from Hertfordshire County Council.

Process considerations

From the councils we have worked with there are a range of considerations that have emerged as important to the process of developing a policy.

1. Who to involve
2. Information needed to inform the process
3. Different approaches for different environments
4. Policy or guidance?
5. Who the policy/ guidance will apply to
6. How you communicate your policy/ guidance
7. Reviewing your policy/ guidance
8. Fit with other policies, guidance and practice?

1. Who to involve

It is important for every organisation to think through the different roles that could have an interest in the content of your electronic cigarettes policy.

This document is informed by work with seven local authorities in England. Below we highlight some of the key roles and areas of responsibility of local authorities, many of which will also apply to other organisations in the public and private sector and some which will not.

We have found that it useful to engage not only with those persons with formal roles in their organisations, but also with smokers and vapers (e-cigarette users) to hear about their views and needs as well as the workforce as a whole.

Although none of the organisations we are working with have yet formally consulted the public or service users this could be something for public facing organisations to consider.

Relevant local authority roles

Stop smoking services
Public Health
Human resources
Occupational health
Trade union
Facilities

Leisure services
Adult social care
Children's services
Elected Members
Trading standards
Environmental health
Workforces based off site and outdoors

2. Information needed to inform the process

- **Up-to-date evidence:** ASH and CIEH have delivered a half-day workshop for the councils involved in this project to provide them with an opportunity to review the most up-to-date evidence. Most people found that these workshops exposed them to evidence they had not previously been aware of. Some people found that their previously held views needed to be reconsidered in the light of the evidence. With the evidence base growing and changing almost daily it is essential that organisations ensure they can identify the best sources of information. Public Health England have published reviews of the current evidence¹ which provide a good overview. ASH has also produced a number of briefing documents² on the issue.
- **Understanding the current needs of your workforce:** Many organisations have a limited knowledge of the numbers of smokers in their workforce or of those who might already be using an electronic cigarette and why. Gaining a better understanding of the needs of your workforce and, whether smoking and 'vaping' (using an electronic cigarette) are concentrated in particular work areas, can help to inform the shape of your policy.
- **Understanding of current knowledge of your workforce:** Public opinion surveys conducted by ASH have found that knowledge and opinions about electronic cigarettes are highly variable across the population. People who use electronic cigarettes tend to be better informed than non-smokers, but in general there is a low level of knowledge. For example many people simply do not know whether electronic cigarettes are as harmful as tobacco or not. Having a clear picture of what your workforce currently knows and understands about electronic cigarettes can help to inform how you develop and implement your policy.
- **Fit with the overall objectives of your organisation:** Many local authorities already have a well-developed programme of work on tobacco control both internally and externally. Councils have therefore found it important to reflect on how their policy on electronic cigarettes will fit with these on-going activities. For example, one council has already developed a harm reduction strategy in relation to tobacco use and this has heavily informed their approach to electronic cigarette use in their organisation.

3. Different approaches for different environments

Some organisations have opted to vary their approach to electronic cigarettes according to the environments people are working in. For example having a specific policy for schools or places where children are present, or among those members of the workforce with public facing roles.

Organisations have also explored ways of allowing 'vaping' in designated areas both inside

and outside particular buildings. Other organisations are exploring policies which will allow use at the manager's discretion, taking into account the needs and preferences of other members of staff. One organisation plans to allow those staff working mostly outdoors to use electronic cigarettes while they are working, while those who have desk-based jobs will be required to take a break from work and go outside.

4. Policy or guidance?

Some organisations have decided to develop a formal policy that is signed-off by their elected members. Others have opted for the more pragmatic approach of creating guidance to form part of their staff management procedures. There are advantages and disadvantages to both approaches. The more formal policies often carry greater weight and have the benefit of being scrutinised through the democratic process. However, they tend to take longer to be agreed upon and can be harder to change if circumstances alter. Guidance, on the other hand, has the advantage of being more flexible and easy to change but may not carry the same weight as a formal policy.

One council has taken the view that a formal policy would be disproportionate at this stage given the current lack of evidence of possible harm. However, others have been concerned that without a formal policy they will not be able to send a clear message to staff or that their approach would be open to challenge.

In developing an approach it is worth considering the pros and cons of more or less formality and what would best fit your organisation.

5. Who the policy/ guidance will apply to

Councils not only have to consider their own staff in their buildings but also a vast array of other people e.g. representatives of other organisations, contractors, the public and elected members. Organisations have had to think through whether their policy will apply to all people who access their buildings and services or if, in some cases, different policies will apply to staff and clients.

For example people housed in council care homes, adults accessing day centre facilities, tenants in communal spaces in council owned housing, might all benefit from being able to use electronic cigarettes in indoor areas where the council's own staff may not be allowed to use them.

6. Communicating your policy/ guidance

Given the likelihood that many parts of the workforce and members of the public will have limited knowledge about electronic cigarettes, but may still hold strong personal views, it will be important to communicate any policy carefully to minimise the likelihood of misunderstanding and conflict and maximise the likelihood of compliance.

One council which plans to include electronic cigarettes in their smokefree policy will also run a communications campaign at the same time to inform people about the relative safety of nicotine containing products. They aim to ensure that smokers and others understand that 'vaping' is different from 'smoking'.

Our tips for good communication of any policy are:

- Provide clear information to all members of the workforce about the relative safety of electronic cigarettes compared to smoking. This includes being honest about what we do not yet know.

- Provide the rationale for whatever approach is adopted so that it is clear why the organisation is taking action.
- Use clear appropriate signage to indicate any places where people can and cannot use electronic cigarettes.
- Consider holding events at sites that will be particularly affected by any changes, for example where there are high numbers of ‘vapers’ or smokers, to give all members of staff a chance to ask questions.
- Consider how you can maximise the benefit of any policy by combining it with messages about stopping smoking or reducing harm from tobacco use.
- Encourage members of staff to feedback on the impact of any policy to support future reviews or extensions of the policy.

7. Reviewing your policy/ guidance

Some discussion has been had as to whether having electronic cigarettes licensed as medicines would change an organisation’s approach. The conclusion for many has been that in practice it would be hard to distinguish between licensed and un-licensed products.

However, many of the organisations we are working with have decided that they would want to review their policy at the point where electronic cigarettes are starting to be licensed by the government’s agency (MHRA), so as to ensure that it is fair to those using products which have been prescribed for them.

There is a general feeling among councils involved in the project that policy and guidance will need to be reviewed at regular intervals to reflect the changing regulatory environment and the changing evidence base as well as the attitudes of their workforce.

8. Fit with other policies, guidance and practice

Many councils we are working with have existing policies which are relevant to managing the use of electronic cigarettes in the workplace. For example policies about staff using and re-charging personal electrical equipment on site, or professional conduct for those in public facing roles. Where there is an existing policy that is relevant to electronic cigarettes some organisations have found it useful to reference these associated policies as part of their approach.

Considerations for policy content

These have emerged from the work with councils to date as important areas for consideration which organisations might want to reflect in the content of their policy.

Using an electronic cigarette is not the same as smoking: Electronic cigarettes are not covered by smokefree legislation because no burning takes place and no smoke is produced. While tobacco smoke represents a known and serious risk to bystanders, we have none of the same evidence for electronic cigarette vapour and current evidence indicates that the risk from using an electronic cigarette is significantly lower. The approach your organisation takes should take this distinction into account. This is something which has been made clear in the policy in appendix 1 and also by the BBC who have said their policy is: “*based solely on appearance and etiquette, not health and safety*”.³

There are benefits to having separate spaces for smoking and ‘vaping’: Most people using electronic cigarettes have either stopped smoking or are trying to do so. As such they are unlikely to be keen to share the same space as smokers. In addition, if vaping areas are more conveniently located than smoking areas, this could encourage people to cut down their tobacco use, or use an electronic cigarette where they cannot smoke - nudging people towards making a healthier choice.

Guidance and policies can improve knowledge about smoking and electronic cigarettes among the workforce: A good, well communicated policy with a clear rationale could play an important role in improving smokers and non-smokers understanding about the relative risks of ‘vaping’ and smoking. There is real anxiety among the public health community that electronic cigarettes could ‘renormalise’ smoking because people may confuse them with tobacco products. Providing good information about the differences can reduce that risk and help people to understand that electronic cigarettes are an alternative to smoking.

Keeping this as an objective as you formulate your approach can improve the chances that your policy will have a positive impact on the health of the workforce.

Guidance and policies have the potential to improve the health of the workforce: It is possible to adopt an approach which provides the workforce with accurate information, encourages smokers to think about the relative harms of their habit and supports ‘vaping’ as a safer and more convenient option to smoking.

Recharging of electronic cigarettes should be in line with other policies on the use of electrical equipment: Risks arise from allowing electrical devices of unknown provenance to be recharged on your premises. Many organisations have existing policies on charging and any policy for electronic cigarettes should be in line with this.

Not all electronic cigarettes look the same: There are a wide range of different types of electronic cigarettes: some resemble real cigarettes; some produce a lot of visible vapour and some do not produce any at all. There are also a wide range of flavours on the market which can cause different strength odours. Your policy needs to acknowledge that there are a wide range of products available and you may want to place restrictions in respect of some aspects e.g. production of visible vapours and perfumed odours.

All policies need to balance the needs of users and non-users: In most workforces the majority of people are not electronic cigarette users or smokers. While it is important to understand the needs and motivations of electronic cigarette users and where possible respect them these also need to be balanced with the needs and preferences of non-users.

What the evidence says

Who is using electronic cigarettes?

Data from March 2014 indicates that there are now over 2 million regular users of electronic cigarettes in Great Britain: of these 99% are current or ex-smokers; one third have stopped smoking and half of the rest are actively trying to quit.⁴

Is there harm from secondhand electronic cigarette vapour?

The current evidence suggests that there is no reason to be concerned about any harm to bystanders from secondhand vapour. A review of the evidence for Public Health England concluded: “*The health risks of passive exposure to electronic cigarette vapour are... likely to be extremely low*”.⁵

Will allowing their use undermine smokefree legislation?

There are concerns that the appearance and use of electronic cigarettes could undermine our high levels of compliance with smoke-free requirements. However, burning tobacco produces a distinctive and pervasive smell as well as deposits of ash. The Chartered Institute of Environmental Health advises that attempts to pass off smoking as using an electronic cigarette should be able to be detected by a diligent investigator.

Can electronic cigarettes help smokers quit?

The evidence is still emerging regarding whether electronic cigarettes are a useful aid to stopping smoking. Findings from early randomised control trials have suggested that electronic cigarettes are about as effective as nicotine replacement therapies (nicotine containing gums, patches and sprays etc) at improving a smoker's chance of success. However, more recent real world studies have suggested that they might be 60% more likely to help smokers quit than the nicotine replacement medicines which can also be purchased over-the-counter without a prescription. Certainly a very large number of people have used, and are using them, as part of their quit attempt.⁶

Will the use of electronic cigarettes in public encourage children to smoke?

Currently, there is no evidence to suggest that use of electronic cigarettes in public places encourages tobacco use among children. While there has been an increase in children experimenting with electronic cigarettes, regular use remains very low and is almost exclusively among children who already smoke.⁴ There are concerns that the marketing of electronic cigarettes could impact on children's behaviour and steps are being taken to control this.⁸

For more information on the issues, see our briefing: [Will you permit or prohibit electronic cigarette use on your premises?](#)

Smoke Free Workplace E-Cigarette Policy Toolkit

Version 1
Review Date: October 2014

Contents:

1. Background to e-cigarettes
 2. What are e-cigarettes
 3. Use of e-cigarettes at HCC
 4. Hertfordshire Stop Smoking Service
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1. Background to e-cigarettes

With just under 20% of the population smoking, every opportunity should be made to support those wanting to quit. Currently 1 in 2 cigarette smokers die from a smoking-related disease. Within this context, it is recognised that there is an increasing use of electronic cigarettes (e-cigarettes). While there are no comprehensive, long-term safety data for e-cigarettes, it is recognised that they are likely to be much safer than smoking, and are likely to significantly reduce the harm from smoking.

In view of this, HCC wants to develop a policy which supports staff who are attempting to stop/reduce smoking, whilst respecting the views of other staff.

This is an interim policy, and we recognise that the provisions in here may not be welcomed by everyone. We will keep this policy under review as we learn more about e-cigarettes.

2. What are e-cigarettes

Electronic cigarettes are devices that deliver nicotine to the user by heating and vapourising a solution that typically contains nicotine, propylene glycol and/or glycerol, plus flavours. E-cigarettes provide nicotine, which is also present in other evidence based treatments found in licensed products such as patches and gums. As there is no combustion involved with the operation of electronic cigarettes, there is no smoke and no other harmful products of combustion, such as tar and carbon monoxide. Further information is available on e-cigarettes [here](#).

3. Use of e-cigarettes at HCC

HCC acknowledges that some employees may wish to make use of electronic cigarettes, particularly as an aid to giving up or reducing smoking or indeed moving away from tobacco completely. We also recognise that e cigarettes are different from tobacco cigarettes and consequently we should seek to treat e cigarettes in relation to the workplace issues they create, not simply apply the same principles for tobacco cigarettes

The County Council undertook a staff survey about the acceptability of vaping and smoking in the workplace, and the bulk of staff felt they would not be happy with people vaping at desks, corridors, meeting rooms etc.

To support employees the following guidance outlines HCC's policy on the use of e-cigarettes:

- At the discretion of their manager, staff may take breaks to use e-cigarettes. In line with existing policies on productivity and breaks from work which are not statutory breaks (e.g. personal phone calls) staff are expected to do so in their own time and as agreed by their manager.
- The use of e-cigarettes is not permitted in any enclosed or substantially enclosed workplace
- The use of e-cigarettes is only permitted outside HCC premises, and may be away from designated smoking areas.
- The use of e-cigarettes is not permitted while in any vehicle that is used for either paid or voluntary work including HCC's own fleet vehicle because the county council both a) treats these as enclosed spaces and b) county council policy does not allow eating, drinking, driving, smoking or any other activity while driving for health and safety reasons.
- Due to potential health and safety implications employees are not permitted to charge e-cigarettes at work or in vehicles. (This policy applies to all electrical devices including mobile phone chargers which have not been tested and approved.)

4. Hertfordshire Stop Smoking Service

Hertfordshire Stop Smoking Service supports anyone who lives or works in Hertfordshire. You are up to four times more likely to quit compared to attempting to stop smoking alone without treatment. The service will happily work with anyone who wants to move from tobacco to e-cigarette use or move away from smoking of any kind.

For further details on Hertfordshire Stop Smoking Service:

- Call: 0800 389 3 99
- Email: stopsmokingservice@hertscgcsx.gov.uk
- Visit the website: smokefreehertfordshire.nhs.uk
- Text the word 'Quit' to: 07800 001337

References

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2. [Harm reduction and electronic cigarettes](#), ASH website
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