

Glasgow Kelvin College

Equality Impact Assessment- 2021

No Smoking (Smoke Free) Policy



Contents

Step 1 – Identification and Scope.....	3
Step 2 – Research and Consultation.....	4
Step 3 – Assessing the Impact.....	5
Step 4 – Taking Action	5
Step 5 – Monitoring and Evaluation.....	6
Step 6 – Approval.....	6
Appendix	7

Practitioners conducting assessment		
Name	Designation	Date
Geoff Lawson	Health & Safety Manager	26.04.21
Doreen Shields	Director of HR	27.04.21

Step 1 – Identification and Scope

Brief description of the decision, policy or practice being assessed

This policy aims to protect staff, learners, Members of the Board of Management, Contractors, consultants, agency workers, partnership organisations and visitors to the College from exposure to second hand smoke.

Aims of the decision, policy or practice?

The Smoking, Health and Social Care (Scotland) Act 2005 and Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 require workplaces and vehicles for business purposes to be smoke free. Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

This Policy seeks to guarantee the right to work and learn in an environment free from tobacco smoke, whilst taking account of the needs of those who continue to wish to smoke. The College will consult further to establish if a smoke free estate should be introduced onto the two campuses where smoking has designated areas.

Who is affected by the decision, policy or practice?

- Learners
- Staff
- Members of the public/Stakeholders

Outline evidence / research

The Health and Safety at Work Act 1974 etc.
The Management of Health and Safety at Work Regulations 1999
The Smoking, Health and Social Care (Scotland) Act 2005
Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006
Workplace (Health, Safety and Welfare) Regulations 1992
Safety and Health of Pregnant Workers Directive (92/85/EEC)

What consultation has been undertaken on this policy or practices, including consultation with those affected?

Senior Management
Human Resources
Trades Unions
Safety Representatives
HSE
Healthy Working Lives
Focus Groups – staff and learners
Staff survey on a smoke free premises

Research Key Findings

The Policy meets the criteria for Healthy Working Lives and the guidelines laid down by legislation and HSE.

Feedback has resulted demonstrated that staff and students would prefer a smoke free estate the College will seek to consult further and transition to a smoke free environment by 01 August 2022 if possible.

The Policy considers the needs of both smokers and non-smokers. However a commitment to transition to a smoke free environment has been incorporated. Two of the College premises are smoke free and two have a designated smoking shelter on site. This reflects the consultation feedback from staff and students. It is recommended by the College's Health and Safety Manager that it becomes a smoke free environment. During the focus groups held with staff the concern with regards to social distancing was also raised should the use of smoking shelters continue. The College is aware that this is a sensitive issue and that the introduction of smoke free premises will not be without its challenges. The College will consult with stakeholders during session 2021/22 how it might transition to become a smoke free premises by 01 August 2022. The document was update to remind staff that smoking and vaping should be undertaken within reasonable breaks to be agreed with the line manager and that smoking in smoke-free areas is a criminal offence; and the provision of further advice for those who wish to cease smoking was added.

Is there any evidence that different groups have, or may have, different needs, experiences and priorities in relation to this policy or practice?

Protected Characteristic	Yes (+ or -)	Potentially (+ or -)	Neutral (no impact)	Not known
Age			X	
Disability			X	
Gender			X	
Gender reassignment			X	
Marriage and Civil partnership			X	
Pregnancy and Maternity			X	
Racial group			X	
Religion or belief			X	
Sexual orientation			X	

Step 3 – Assessing the Impact

What impact could the proposal have on people who share protected characteristics (positive, negative and/or neutral?) Please provide details below.

Protected Characteristic	Likely Impact – state why impact is positive, negative and/or neutral
Age	No impact
Disability	No impact
Gender	No impact
Gender reassignment	No impact
Marriage and Civil partnership	No impact
Pregnancy and Maternity	No impact
Racial group	No impact
Religion or belief	No impact
Sexual orientation	No impact

Step 4 – Taking Action

Detail the actions you would take to remove or minimise any actual or potential negative impacts identified, and to build positive impacts.

Policy issued to all existing staff to raise awareness;
 Policy issued to all new staff as part of induction process;
 Policy available on the intranet and internet;
 Consultation on smoke free premises
 Health and Wellbeing Workgroup;
 Appropriate signage; and
 Designated smoking areas in place.

Step 5 – Monitoring and Evaluation

Identify how this policy will be monitored and any areas of concern reported.

Routine staff surveys in line with Healthy Working Lives which informs number of staff who smoke and who would like to give up smoking.

Estates staff monitor to ensure use of designated smoking areas
Feedback from Trades Unions through JNCC

Further consultation on smoke free premises to be undertaken

Please present your EIA with recommendations for endorsement. All EIAs will be published on the Portal and added to the current record of EIAs.

Step 6 – Approval

Identify outcome

A. Proceed – <ul style="list-style-type: none">no potential identified for discrimination or adverse impact, and:all opportunities to advance equality have been taken.	
B. Proceed with adjustments to: <ul style="list-style-type: none">remove barriers identified orbetter advance equality.	
C. Stop and rethink as actual <i>or</i> potential unlawful discrimination has been identified.	

Approved	Yes/No
*Not Approved and Requires Further Information	

**Please add Comments*

Person(s) responsible

Name	Designation	Date
Patricia Currie	EDI Manager	29.04.21
Monica McKerlie	Head of Learner Support Services	29.04.21

Signed Date

Signed Date

Central Monitoring

Once your EIA is complete:

1. add it to the EIA monitor on the Equalities Section of the Intranet
2. In Col A. Insert Title **and** Hyperlink Doc

NB: Finalisation of central monitoring & identification of compound impact will be undertaken within Equalities Management.

Appendix

Equality Act General Duty requires colleges to have **due regard** to the need to:

1. Eliminate

- a) discrimination,
- b) harassment,
- c) victimization; or
- d) any other prohibited conduct

2. Advance equality of opportunity by

- a) removing or minimising disadvantage
- b) meeting the needs of particular groups that are different from the needs of others
- c) encouraging participation in public life

3. Foster good relations – tackle prejudice, promote understanding

Protected Characteristics:

- 1. Age
- 2. Disability
- 3. Gender Reassignment
- 4. Marriage And Civil Partnership (applies only in relation to (1a) discrimination in employment, not to students)
- 5. Pregnancy And Maternity
- 6. Race
- 7. Religion Or Belief
- 8. Sex/ Gender
- 9. Sexual Orientation.