



Smoke Free Environment Policy

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APPROVED:	MARCH 2017
SIGNED:	ROLE: CHAIR OF GOVERNORS
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A Smoke Free Environment

- 1.1 On 1st July 2007 a law was introduced to make virtually all enclosed public places, workplaces and public and work vehicles in England smoke free.
- 1.2 A workplace is defined as any Council building and its' boundaries including doorways and entrances, anywhere where work is carried out, or which is used as a rest area, this includes corridors, stairwells, toilets and other common areas. All council vehicles are classed as workplaces.
- 1.4 Second-hand smoke (passive smoking) – breathing other people's tobacco smoke – has now been shown to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.
- 1.5 Doncaster Council is committed to promoting the good health of its Employees and the provision of a safe working environment. The Council has a duty, under health and safety legislation, to ensure the health, safety and welfare of all employees, 'so far as is reasonable practicable' and is committed to fulfilling this duty by providing a smoke-free working environment for all staff.
- 1.6 Guidance and templates on signage can be obtained from www.smokefreeengland.co.uk/resources and also from the Environmental Health pages of the Council's Intranet site.
- 1.7 For the purpose of this Policy the term 'smoking' refers to the action of putting a cigarette, cigar, pipe or cigarette like item etc. to the mouth, whether the item contains tobacco or not (including the use of electronic cigarettes).

2. The Objectives

- 2.1 The specific objectives of the policy are as follows:
 - (a) to contribute to a healthy and safe environment for the Council's Employees
 - (b) to ensure that all staff, service users and visitors to Doncaster Council's premises benefit from a smoke-free environment
 - (c) to protect employees from the hazards of second-hand smoke inhalation whilst at work, including when visiting service users in a private residence (see Section 3)
 - (d) to heighten staff awareness of the health risks associated with

smoking

- (e) to provide opportunities, assistance and support to those employees who wish to give up or cut down smoking

3. Scope

- 3.1 The policy applies to all employees, except teachers and employees in schools where the Governing Body has delegated powers.
- 3.2 The policy applies to visitors, contractors and service users regardless of their status or business with the Council.
- 3.3 All visitors, contractors and deliverers are required to abide by the Smoke Free Environment Policy. Staff members are expected to inform service users or visitors of the Policy. However, they are not expected to enter into any confrontation that may put their personal safety at risk.

4. Policy Provisions

4.1 Vehicles

- 4.1.1 Smoking is not allowed in Council vehicles. Council vehicles must display the international no smoking symbol in each compartment of a vehicle in which people can be carried. The sign should be no smaller than 70mm in diameter. Failure to comply with this legislation is a criminal offence.
- 4.1.2 Smoking in private vehicles during work time is not encouraged so that the driver has full control of the car. If there are one or more passengers in a private vehicle being used for Council Business (including travelling between places of work) there must be no smoking unless all the passengers agree that smoking can occur.

4.2 Premises

- 4.2.1 Smoking is not allowed in any part of Doncaster Council's Premises (including offices, corridors and toilets), with the exception of the provision of smoking facilities for residents in care facilities. No internal rooms can be allocated as smoking areas for staff and staff are not allowed to use resident smoking rooms at all, including during rest breaks.
- 4.2.2 Smoking around entrances to Council premises is not permitted.
- 4.2.3 No smoking signs must be displayed in a prominent position at every entrance to enclosed smokefree premises. Failure to comply with this legislation is a criminal offence.

4.3 Grounds

- 4.3.1 Smoking will not be allowed in any part of Doncaster Council's grounds, including staff car parks, except for designated areas in care establishments for the use of residents and service users.
- 4.3.2 At the discretion of Directors, in collaboration with Centre Managers, a discrete smoking area may be established in the grounds of care establishments and other establishments but only where staff are required to remain on site during rest breaks or where non-residential care service users wish to smoke, i.e. Day Centres. This area should be outside, out of the public view and not near the entrance to the building. An appropriate risk assessment of the area should be carried out by the manager and a cigarette bin provided.
- 4.3.3 Any establishment wishing to use this discretion must register their request by emailing HRstrategy@doncaster.gov.uk prior to implementation.

4.4 Breaks

- 4.4.1 Smoking is not allowed whilst on duty. This includes employees who do not have a work base.
- 4.4.2 Formal regular smoking breaks are not permitted.
- 4.4.3 Any break from work is subject to agreement with the Manager on duty and on the basis that service delivery takes priority. There may be occasions that permission to leave the workplace may be refused due to the need to cover essential services.
- 4.4.4 Where staff are required to remain on site during rest breaks (i.e. those whose contract allows only for restricted paid breaks), a maximum of 2 unpaid breaks of no longer than 15 minutes may be taken during the employee's shift. These breaks from working time will not be deducted from pay; instead the working day will be extended to accommodate any time taken.
- 4.4.5 The Council's Flexitime Scheme will apply (for staff groups covered by the scheme) for other employees wishing to take a break from the workplace.

4.5 General Provisions

- 4.5.1 Provision of smoking facilities for residents in care facilities will be provided in accordance with current legislation.
- 4.5.2 In order to set a good example and lead the way in promoting healthy living initiatives the Council expects that staff will not smoke whilst in

uniform or wearing name badges/I.D. Badges when not on duty. Where this may cause difficulty, e.g. when off duty and walking to and from a workplace without changing facilities, employees should discuss with their Manager an acceptable compromise e.g. covering up the employees' uniform or logo and removing name badges/ID badges when taking a break or when not on duty.

- 4.5.3 Employees are to be reminded to make full use of changing facilities where these are available. Managers in service areas where uniforms are regularly worn should endeavour to make changing facilities available wherever possible.
- 4.5.4 When attending meetings or other events in the course of their work at venues where smoking is permitted, staff are expected not to smoke, both because they are representing Doncaster Council and therefore its strategy on tackling smoking, and because it is important not to expose others to second- hand smoke.
- 4.5.5 When care is offered to service users in their own home, it is essential that a request be made to provide a smoke free environment whilst the visit is taking place.

This request should, wherever possible, be part of the arrangement of care provision within the home environment. A verbal request can also be made at the time of the visit and the client should be respectfully asked not to smoke whilst the employee is working within that environment. A verbal request can also be made at the time of the visit and the client should be respectfully asked not to smoke whilst the employee is working within that environment. The reason for the request should be made clear at each stage and should be re-enforced with literature explaining the health risks of exposure to second-hand smoke.

The Council will endeavour to ensure that no employee has to work in an environment where they encounter second-hand smoke, however, there are clearly occasions where our duty of care to protect the safety of residents and service users may be such that staff would have to enter such an area to exercise their duty. For those staff groups where this is a possibility, managers must undertake a risk assessment in order to establish how best to protect staff at all times.

- 4.5.6 No sales of tobacco products will be allowed on any Doncaster Council Premises, including the provision of vending machines.
- 4.6 Electronic Cigarettes

Although they fall outside of the scope of smoke free legislation the Council prohibits the use of electronic cigarettes in workplaces for the following reasons:

- There are no guidelines surrounding the content of the vapour from the e-cigarettes which may or may not be a risk to the health of those nearby.
- There are no current standards in the manufacturing of e-cigarettes, or regulation of the amount of nicotine taken when used.
- The vapour produced could irritate other employees.
- Some e-cigarettes are easily mistaken for real cigarettes and could create a bad impression for visitors, customers and other employees.

5.	Support and Assistance for Smokers
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- 5.1 This policy is intended to benefit all staff, service users and visitors and all staff are responsible for its continued implementation
- 5.2 Managers in each work location must play their part in promoting the policy. If the manager identifies that an employee genuinely needs assistance in adhering to the policy they can draw their attention to the available support and assistance outlined in section 4 of the policy. The employee may also contact Health and Well Being for advice.
- 5.3 The Council is committed to helping smokers comply with the policy and a programme of support will be offered for employees who would like help to stop smoking. For those who do not wish to stop smoking, support will also be offered to help them manage not smoking during working hours.
- 5.4 The Council will, with support from the Health and Well Being Service:
 - (a) Develop and publicise Health at Work fact sheets on giving up smoking, the health risks associated with smoking and managing nicotine addiction during working hours
 - (b) Arrange 'Stop Smoking' health promotion classes in conjunction with NHS colleagues
 - (c) Provide tests for carbon monoxide levels in the blood, and counselling and support for employees with difficulties as requested.
- 5.5 Attendance of employees at health promotion classes will be subject to approval, the same as attendance at any training event. Directors shall not unreasonably refuse attendance, but must be allowed to exercise discretion as to the timing of any approvals, with due regard to the needs of the service.
- 5.6 Further advice and support on stopping smoking can be obtained from

The Health and Well Being Website on the Intranet and the NHS Smokefree Helpline on 0800 0224332 or www.smokefree.nhs.uk where you can also chat to an adviser online or by using your mobile phone simply text TXTHELP to 63818.

6. Recruitment

A statement referring to Doncaster being a Smoke Free Environment will be included in:

- Application Information Packs
- Recruitment Bulletins
- Doncaster Recruitment Website

7. Enforcement

- 7.1 Breaches of this policy may be considered as misconduct under the disciplinary procedure.

8. Monitoring

- 8.1 In order to ensure fair and effective management of this policy, arrangements have been put in place to ensure the process is monitored.

<p>Original Approved By: Employee Relations Committee 29th January 2007 First Edition: February 2007 Second Edition: October 2007</p>
