

Smoke free policy

November 2018

Introduction

Smoking and second-hand smoke are proven health risks.

As a result, we want to put in place a strong smoke free policy and support more smokers to give up.

We recognise that smoking is an addiction and smokers wishing to reduce their consumption or to stop smoking altogether, may find it difficult so to do. We will therefore provide assistance to any employees wanting help to stop smoking.

The Health Act 2006 and accompanying regulations required all enclosed and “substantially enclosed” work and public places to be smoke free. The legislation also requires all vehicles that are used as a workplace by more than one person to be smoke free. In addition, all premises are required to display smoke free signage.

E-cigarettes are electrical devices that mimic real cigarettes but produce a vapour that is potentially less harmful than tobacco smoke. E-cigarette use is often known as ‘vaping’ and e-cigarette users are often known as ‘vapers.’

While we acknowledge Public Health England’s current position that e-cigarettes carry a fraction of the risk that cigarettes do and accept that current evidence indicates the risk to the health of bystanders from exposure to e-cigarette vapour is extremely low, this policy fully applies to the use of e-cigarettes and versions/variations of, both available now and in future.

Aim

This policy aims to de-normalise smoking across the town by creating a smoke free environment in and around our buildings, land and vehicles.

It is not about whether or not people smoke though. Instead it focuses on the protection of non-smokers from the effects of smoke and reducing the visibility of smoking and the use of e-cigarettes.

Through the implementation of this policy, we are seeking to improve the health of employees, elected members and other visitors by allowing them to work in a smoke free environment and by providing help to those smokers who wish to stop smoking.

Employees covered by this policy

This policy applies to members of the public, all Oldham Council employees as well as agency workers, external contractors and elected members. It is also applicable to community schools and voluntary controlled schools.

Procedure

Smoke free areas

The following areas will be designated and signposted as smoke free areas:

- on land we own
- in buildings we own, operate or use
- in vehicles we own, lease or contract
- at entranceways or in areas adjacent to buildings
- in parks, their buildings and immediate vicinities (employees who cannot easily leave the park during a break, should abstain from smoking and should be encouraged to quit or use nicotine replacement therapy in order to abstain temporarily from smoking)
- in residential and day care settings. (employees who cannot leave the premises and grounds for a break outside of working time because of their job must abstain from smoking and should be encouraged to quit or use nicotine replacement therapy in order to abstain temporarily from smoking)

Managers are expected to ensure staff are meeting the policy. Failure to adhere to these standards may result in disciplinary action and may result in dismissal.

In addition:

Employees are also strongly discouraged from smoking in their own vehicles while on business and are required not to smoke if there are passengers in the vehicle.

Smoking off site

Employees are encouraged to ensure that, as far as possible, any branding or items (e.g. lanyards, identity badges or uniform) that make them identifiable as an employee are not visible to others if they choose to smoke outside of our smoke free areas. All events organised by the Council and/or held in any of the above 'Smoke free areas' will be smoke free and therefore advertised as such.

Adult residential homes

The law does not prohibit smoking by residents in defined "care homes". Where we provide this accommodation, smoking by residents will be permitted within a designated smoking room. These rooms will be designed and managed to avoid risk to others. Under these circumstances, the unit manager must operate a single controlled area with adequate ventilation where service users can smoke, such as a lounge or a smoking room. This must be separate from other parts of the unit and completely enclosed. No smoking is allowed elsewhere in the building. Employees' exposure to the exempted area should be kept to a minimum. Employees should

seek advice from their line manager who should take all reasonable steps to protect them from exposure to second hand smoke. Under normal circumstances employees should only be required to enter the area to assist people in and out or if urgent or continuous care intervention is required. Managers will seek to ensure that rooms will be kept clear of smoke for an hour before necessary routine cleaning and maintenance.

Third party premises

Employees required to visit other premises as part of their duties should advise the people responsible for the premises of our smoke free policy when arranging a visit, however, we cannot compel these premises to follow the policy. It may be possible for the premises being visited to arrange for a non-smoking area to be provided for the duration of the visit. Where this is not possible, the visited person/organisation should be requested to refrain from smoking inside the premises or in the meeting area for one hour before the visit and be asked not to smoke for the duration of the visit.

In circumstances where it is not possible to arrange a visit beforehand, employees should seek advice from their line manager, who should take all reasonable steps to protect them from exposure to secondhand smoke.

It is recognised that there will be circumstances, particularly in visiting some domestic premises, where it will not prove possible to establish such arrangements. Therefore a brief assessment of risk should be undertaken. The risk of being exposed to smoking should be weighed against the risk of not undertaking the visit.

Recruitment and new employees

Potential employees will be reminded of the smoke free policy at interview. New employees will also be made aware through our induction process

Smoking breaks

There will be no provision for employees to smoke other than the normal contractual working arrangements i.e. using flexi-time or recognised breaks.

Supporting people to stop smoking

All employees wishing to stop smoking will be fully supported by our workplace health and wellbeing offer and encouraged to use the local Stop Smoking Service. Employees will be entitled to access one hour per month of stop smoking support during work time, balanced with the needs of the service, for a six-month period (maximum of six hours).

Our internal communications networks will contain links to sources of help and information about local smoking cessation services and the NHS smoking helpline.

For any employees who wish to quit, our current local Stop Smoking Service is available via Positive Steps on 0800 288 9008 or www.positive-steps.org.uk/