

**Title:** **STAFF SMOKE FREE POLICY AND PROCEDURE**

**Type:** Employment Policy  
**Distribution:** All managers and staff via SBCinsite  
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## 1. Introduction

Smoking is the greatest factor in causing preventable illness and early death. In England alone it costs the NHS £2 billion a year to treat diseases caused by smoking. Research commissioned by Action on Smoking and Health (ASH) shows that the total cost to society is closer to £12.9 billion.

Slough Borough Council (SBC) is committed to providing a safe and comfortable working environment for employees and visitors and has operated a no smoking policy for a number of years. Providing smoke free environments and the proactive reduction of tobacco smoking is a high priority.

It is recognised that smoking can become a habit and an automatic response in certain situations, as well as a dependency and a physiological addiction. The aim of this policy is not to isolate or discriminate against people who smoke, however the authority has to comply with the relevant legislation and regulations to provide a healthy working environment for employees, clients and visitors.

The policy seeks to comply with the Health and Safety at Work Act 1974 and the Smoke Free Regulations (Premises and Enforcement) 2006 which came into force on the 1<sup>st</sup> July 2007 and:

- Provide a healthy working environment and protect the current and future health of employees, service users and visitors
- Protect the right of everyone to breathe in air free from tobacco smoke
- Comply with Health and Safety Legislation and Employment Law
- Raise awareness of the dangers associated with exposure to tobacco smoke
- Take account of the needs of those who choose to smoke and to support those who wish to stop

## 2. Aims of the Policy

The aim of this policy is to:

- Comply with the smoking legislation which makes it an offence to smoke inside public buildings.



- Comply with Health and Safety Legislation and Employment law.
- Protect the health of staff.
- Protect the health of service users, visitors and contractors.
- Be an exemplar to other employers and workforces, particularly in health-related locations by arranging for SBC buildings and vehicles to be smoke free and by requiring staff not to smoke whilst on duty.
- Inform staff and managers of their responsibilities in respect of the policy.
- Support smokers to help them cope to manage this change or to stop smoking.
- Promote the culture of a smoke free environment in all our services.
- Ensure a professional image is displayed at all times by staff by eliminating the amount of smoke smelt by service users and colleagues.

## 2.1 Scope

This policy applies to all staff and casual workers (including agency and temporary staff) working within or on behalf of the Council.

In addition it applies to:

- All staff and casual workers (including agency and temporary staff) travelling in vehicles (including privately owned vehicles) whilst on official business;
- Privately owned vehicles belonging to staff and casual workers (including agency and temporary staff) parked on Council grounds or when transporting service users or visitors on official Council business.

## 3. Responsibilities

### 3.1 All Managers must:

- comply fully with the policy and provide a suitable role model for staff and service users;
- ensure that all staff reporting to them understand this policy and are aware of the consequences of breaching this policy;
- ensure that any employees wishing to quit smoking are supported to do so;
- ensure that staff are fully supported in promoting the smoke free policy;



- be aware of any signs of smoking or nicotine withdrawal at work and the possible effects on attendance and health of employees. These may include:
  - changes in mood and behaviour
  - a smell of tobacco smoke
  - complaints or comments from other team members
- ensure staff are aware of the support available to them and offer assistance where appropriate;
- ensure staff who work in care homes are aware that if smoking is allowed for clients it is only permitted in a specifically designated smoking room
- intervene at an early stage where changes in behaviour, sickness levels and attendance patterns are identified to establish if there is any smoking related cause;
- to monitor compliance and where breaches of the policy continue and other support mechanisms have failed, disciplinary measures should be instigated with support from human resources in a fair and equitable way.

### 3.2 All Employees must:

- familiarise themselves with and comply fully with the policy
- have responsibility for adopting and promoting a smoke free culture at work
- present a professional, courteous and efficient image to those with whom they come into contact with at all times
- not smoke at any time whilst at work unless on a recognised designated unpaid break
- adhere to the dress code which states that all employees and workers must present a professional image during their working day / shift including personal hygiene (e.g. not smell of smoke).
- seek help if they have concerns regarding their smoking habits if they feel that their work is being affected by their inability to comply with the policy requirements
- not 'cover up' or collude with a colleague who breaches this policy and encourage the individual to seek help and ensure compliance with the smoke free policy

### 3.3 Facilities are responsible for:

- ensuring the display of appropriate signs at all entrances and throughout all SBC buildings;
- through their room booking facility, ensuring all people booking rooms are aware of the aims in this policy;
- regularly check areas to ensure that illicit smoking is not taking place;

### 3.4 Human Resources are responsible for:

- providing advice and information on this policy to all employees of SBC.
- ensuring that this document is reviewed as and when required or sooner if legislation, approved codes of practice or incident forms highlight deficiencies in the policy;



## 4. Application of the Smoke Free Policy

The Council is committed to the following principles in relation to its staff:

- The Council will support any staff member who wishes to stop smoking
- The Council will protect the health of staff from the effects of second hand smoke
- All staff should set a good example around tobacco use
- Staff should portray a professional image at all times

Smoking will not be permitted on any Council premises or within the grounds of the premises.

Staff will not be supported to take additional breaks away from the workplace to smoke off site. Such breaks do not form part of the working day. Staff are expected to use their normal unpaid rest break, e.g. their lunch time, should they wish to smoke during the working day. Staff should not take short breaks to facilitate smoking.

### 4.1 Staff providing care in Non Council settings

This section relates to staff who are required to visit premises away from the main Council buildings, whilst undertaking their duties and responsibilities, including working within people's homes.

A risk assessment undertaken by all staff before / on entering a home should have consideration to the effect of second hand smoke on the staff member.

When entering a home or any other premises exempt from smoke free legislation and where they are exposed to second hand smoke, staff will be expected to make reasonable attempts to reduce their risk to exposure while they undertake duties by adoption of one or more of the following strategies where it is reasonable and practicable to do so:

- Where possible, inform in advance the intended person(s) to be visited of the request to refrain from smoking 1 hour before the intended visit and whilst staff are in attendance.
- Request that the premises be ventilated before/during the visit; usually as part of the appointment arrangements.
- Ask the person(s) to refrain from smoking whilst staff are present.
- Consider whether or not the work could be undertaken in an alternative location away from where second hand smoke may be present.
- If practical, to arrange any visit to a home/premises which staff are aware smells of smoke at the end of their working day to minimize the impact of their uniform/clothes smelling of smoke.



If staff have a concern that the environment they are working in poses a risk to their health, they should discuss it with their manager.

## **4.2 Recruitment and Induction**

Information about the Council's Smoke Free Status will be available:

- In all recruitment literature, including job adverts.
- At interview and all post appointment paperwork
- Terms and Conditions of Employment
- At Corporate and Departmental Induction
- In Departmental Safety Policies
- The Councils SBC Insite and website

## **4.3 Nicotine Replacement / E-Cigarettes**

E-cigarettes are not regulated like tobacco products and there is currently no bespoke regulatory system for e-cigarettes in the UK, but they are captured by general product safety regulatory requirements. The Council requires staff to apply the same principles as if they were smoking a tobacco cigarette and does not allow smoking of E-cigarettes.

Staff are permitted to use licenced NRT (nicotine replacement therapy) products as an alternative to smoking.

## **5. Enforcing the Policy**

No Smoking signage is displayed throughout SBC buildings, premises and in Council vehicles.

Staff who are found to be in breach of this policy will be required to attend a meeting with their line manager to address the issue and look for supportive actions that can be taken to ensure compliance.

Staff are expected to comply with the policy. If breaches continue the staff member should be informed that formal action will be instigated and will be treated as misconduct under the Disciplinary Procedure.

Any reports received by managers that their staff have breached the policy in any way should be addressed promptly.

### **5.1 Sources of Help and Support**

The Council are keen to support those staff that wish to give up smoking and the following sources of help and support are available to all staff:



- Discussions with their manager to assess how the difficulties may be overcome
- Staff may access Smoking Cessation Clinics provided by Solutions4Health who offer free one-to-one confidential support and expert advice. Details of these clinics is available on SBC Insite.
- Visit the [Smokefreelife website](http://www.smokefreelifeberkshire.com) or for more information call 0800 622 6360, text QUIT to 66777 or email [info@smokefreelifeberkshire.com](mailto:info@smokefreelifeberkshire.com).
- Occupational Health advice and guidance
- Employee Assistance Programme (Optum):  
**telephone** 0800 282 193  
<http://www.livewell.optum.com/> using the access code **slough** to logon.

## 6. Complaints

Any complaint relating to this policy from or on behalf of a member of the community should be dealt with under the Councils Complaints Procedure.

<http://www.slough.gov.uk/council/complaints-and-feedback/customer-feedback-and-complaints.aspx>

## 7. Review

The policy will be reviewed as and when appropriate to ensure that it conforms to current legislation and best practice.

## 8. Legislation & References

- Health and Safety at Work Act 1974
- The Management of Health and Safety at Work Regulations 1999
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Health Act 2006 – Smoke Free England
- Smoke Free Regulations (Premises and Enforcement) 2006
- HSE: Advice on Smoking at Work
- Public Health England
- Action on Smoking and Health (ASH)
- Slough Borough Council Health and Safety Policy
- Slough Borough Council Whistle-blowing Policy and Procedure
- Disciplinary Policy and Procedure
- Grievance Policy and Procedure
- Sickness Policy and Procedure
- Dress Code of Practice

