

## **NO SMOKING AT WORK**

### **1. INTRODUCTION**

- 1.1 From 1<sup>st</sup> July 2007 virtually all workplaces will be smoke free in the United Kingdom. The legislation recognises that second-hand smoke is both a public and workplace health hazard and seeks to guarantee the right of all to breathe air free of tobacco. The operation of the Council and its buildings fall within the legislation and this policy will inform the workforce of its scope and implications.
- 1.2 The Council will ensure there is adequate signage for those that are smoke free and bins for the disposal of cigarette ends and other waste smoking materials. It is the responsibility of the users to ensure that these areas are kept clear.
- 1.3 This policy endeavours
- To ensure a safe and healthy working environment for employees, Councillors and visitors
  - To reduce exposure of non-smokers to passive smoking in the workplace.
  - To assist smokers who wish to stop smoking.

### **2. SCOPE**

- 2.1 This policy applies to
- All people present on Council premises, including contractors, bank and agency staff, patients and visitors
  - All people travelling in Council supplied vehicles.

### **3. THE POLICY**

- 3.1 Smoking is not permitted in any part of the premises at any time, by any person regardless of their status or business with the Council,. Such spaces include for example lifts, corridors, stairways, toilets, rest rooms, reception areas or entrances.
- 3.2 The ban on smoking is to include those areas directly outside Council buildings which are visible to the public. Smoking shelters will not be provided.

### **4. SMOKE BREAKS**

- 4.1 Staff will be required to take smoke breaks in their own time.

### **5. SUPPORT TO STOP SMOKING**

- 5.1 Staff who wish to stop smoking will be provided with support to enable them to do so. Staff are therefore strongly encouraged to speak to the occupational health unit to be advised of the options available to them.

## **6. VEHICLES**

- 6.1 To comply with the legislation, smoking is not permitted in company vehicles or private vehicles used for work purposes.

## **7. HOME VISITS**

- 7.1 All staff visiting or treating service users in their own homes are entitled to the same level of protection as those working in Council premises. Prior to the initial visit, service users will be made aware of our policy on 'no smoking' arrangements and requested to ensure that the service users and/or other occupants do not smoke during the visit.

## **8. MANAGEMENT RESPONSIBILITIES**

- 8.1 Managers and supervisors have the responsibility for ensuring that their staff and any contractors working in their area are aware of and fully comply with the Council's policy. This includes:
- Providing encouragement to Council staff to seek advice and support from the occupational health unit.
  - Ensuring that this policy is discussed with any new employee and/or contractor.
  - Agreeing any arrangements for staff and contractors to smoke in their own time without interfering with the needs of the service.
  - Making staff and contractors aware of the consequences of a breach of the rules.
  - Where home visits are undertaken the service user is made aware of the arrangements prior to the visit and complies with the arrangements.

## **9. STAFF RESPONSIBILITIES**

- 9.1 All staff have a personal responsibility in ensuring their personal compliance and in ensuring that all those who enter the premises are made aware of the policy. Breaches of the policy will be investigated in the same way as any other complaint of misconduct and appropriate action, including counselling in the first instance, or in the case of a persistent breach, formal disciplinary action will be taken.

## **SMOKING POLICY – MANAGEMENT GUIDELINES**

### **1. PURPOSE**

- 1.1 Smoke breaks can hinder service delivery as well causing ill feeling among fellow work colleagues. The purpose therefore of these guidelines is to provide guidance and clarification to managers in dealing with the implementation of the policy and the effects this may have on staff and service users. Employees should also be made aware of these guidelines.

### **2. SCOPE**

- 2.1 This policy applies to all Council staff employed by the London Borough of Hammersmith and Fulham excluding school based staff.

### **3. ADVICE**

- 3.1 From 1<sup>st</sup> July 2007 as part of the Health Act, smoking will be banned in the vast majority of businesses in England in order to protect both staff and visitors from tobacco smoke. This will mean that:
  - Adequate signage will be displayed to inform staff, customers, clients and visitors of the smoke free status of the Council. Staff and contractors are expected to comply with this and are advised to inform any visitors of the Council policy.
  - Smoking will also not be permitted in any company vehicles or private vehicles used for work purposes. Staff are also not permitted to smoke in their personal car when they are carrying passengers related to work.
  - The ban on smoking is to include those areas directly outside Council buildings which are visible to the public. Smoking will be allowed in designated areas if local arrangements can be established in order to do so. Smoking will not be permitted in any premises which are considered to be “enclosed” which apply where buildings have a ceiling or roof excluding of course doors, windows and passage ways; or “substantially enclosed” i.e. where there are permanent openings in the walls which are less than half of the total areas of walls – known as the 50% rule. Therefore smoking rooms will no longer be allowed. Bins may be provided where feasible to extinguish cigarettes and staff are reminded of the Council’s zero tolerance approach on litter.
- 3.2 Staff will be permitted to take smoking breaks, but these are to be taken in their own time. Managers should take a common sense approach in dealing with this whilst recognizing the needs of the service. Therefore managers should speak to their staff as to how this will impact on them and how their hours will be recorded. For example, staff may be able to clock out and in during their working day which will automatically update their hours. However in some instances staff will have to adjust the time taken for scheduled breaks such as the time taken for lunch to account for these breaks.
- 3.3 Smoking damages an individual’s health and general well-being. In recognition of the fact that smoking can be seen as an addiction managers should encourage those who wish to stop smoking to get professional advice from the occupational health unit on the options available to them. One possibility which the Council supports is a Stop Smoking group

where staff attend lunch time sessions facilitated by the local P.C.T. trust which will assist them through this process. Staff will be required to attend these sessions in their own time.

- 3.4 The thrust of the legislation is to protect individuals from inhaling second hand smoke. The manager is therefore advised to liaise with their staff members who undertake work duties in the community. Specifically in situations where it is known that the client or service user smokes. Managers should therefore liaise with the client or service user to ensure that the member of staff is not exposed to smoke during their visits.
- 3.5 All staff are expected to comply with the above guidelines. Where staff fail to comply with the policy, staff will receive counselling in the first instance. Where there are either serious or continuous breaches of the policy, staff will be subject to the disciplinary procedure.

#### **4. FURTHER ADVICE**

- 4.1 Further advice can be sought from your HR representative. Information relating to stop smoking initiatives can be provided from our occupational health unit.

## **IMPACT ON STAFF WORKING IN THE COMMUNITY**

### **1. PURPOSE**

- 1.1 These guidelines should be read in conjunction with the Council's policy on Smoking and subsequent management guidelines.

### **2. SCOPE**

- 2.1 This policy applies to all Council staff employed by the London Borough of Hammersmith and Fulham excluding school based staff.

### **3. ADVICE**

- 3.1 To ensure you achieve a smoke free working environment you should where possible:
- Make sure the request for a smoke free working environment is in all written correspondence with service users.
  - Where applicable make sure that a clear verbal request for a smoke free working environment is made when the visits are booked.
  - Record the smoking status of each service user in the care plan and offer them advice and support on how to stop smoking.
- 3.2 Where no one smokes in the house, our staff will not be exposed to risk. Where the service user smokes ask for them to provide a smoke free room for the duration of the visit. Explain that smoke free means a well ventilated room or area where no one has smoked in the previous hour. This will become routine as asking for example for the television to be turned down or off. Service users should be encouraged to comply with these regulations.
- 3.3 If a member of staff enters a smoke filled room in a private home they should assess whether it is a safe environment for them to provide services. They have the discretion to make alternative arrangements for the provision of services ensuring at all times that the safety and welfare of the service user is not compromised, the manager must be notified of any change to the planned care. Each case should be judged on the individual circumstances and staff should discuss these issues with their manager.
- 3.4 Should a service user fail to comply with the requests and guidance, it is the responsibility of the manager who is on duty to resolve the situation informally in the first instance. The service user should be offered the opportunity to access any advice and support. Should a subsequent breach occur the manager may have to assess whether the visit can be conducted in a smoke free building or if it will affect the wider care plan. The service user should be advised that failure to comply may mean that their care may be withdrawn.

## Appendix 1 **Information leaflet for Service Users**

### **Important information for people receiving home visits**

Please consider the needs of our staff and provide them with a smoke free environment.

Second-hand smoke, or passive smoking as it's sometimes called, has been found by the Government Scientific Committee on Tobacco and Health to be detrimental to people's health. It can cause heart disease, stroke and lung cancer in adults. Being exposed to second-hand smoke even for a short time can cause eye irritation, headache, cough, sore throat, dizziness and nausea.

Employers have a mandatory duty in law to take reasonable care to protect the health of employees. Your Council is required by the Health and Safety at Work etc Act 1974 to ensure that employees and others are not put at risk.

We therefore ask if you would do everything possible to provide a smoke free environment when our staff visit you in your home.

#### **How to protect staff from exposure to second hand smoke:**

- Refrain from smoking inside the house for at least an hour before they arrive
- Open windows and doors to fully ventilate the area.
- Try to keep one room smoke free at all times.

#### **During the visit**

- Do not smoke or let anyone else in the house smoke in the area.
- Wherever possible, when the member of staff is in the house, ask other smokers to go outside to smoke.

#### **Council policy**

We ask our staff to assess whether an environment they enter is safe for them to provide their services. If a smoke free environment can not be provided, a risk assessment will be required in order to reduce risk to a level that is as low as is reasonably practicable. We will support staff to leave an environment they deem to be unsafe. If necessary, you will be offered alternative service options.