



Smoke Free Policy



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1. POLICY AIM

- 1.1 The aim of this policy is to protect all workers and visitors from exposure to second hand smoke, offer support to staff to give up smoking and to comply with the Health Act 2006 and the Smoke-free Premises etc (Wales) Regulations 2007.

2.0 POLICY STATEMENT

- 2.1 Wrexham County Borough Council has a responsibility to promote health and well-being and is committed to ensuring all workplaces are smoke-free and all employees work in a smoke-free environment. The Council is committed to ensuring it's sites are smoke free.
- 2.2 It is well evidenced that smoking and passive smoking (breathing other people's tobacco smoke) are linked to a range of serious illnesses including cancers and heart disease.¹
- 2.3 Smoking (including the use of e cigarettes or vapes) is prohibited in any Council owned or managed buildings / premises/ sites and in all Council vehicles and those on hire to the Council. Staff will not smoke in areas where their smoke may cause a nuisance, for example, near windows or doors of any buildings. By not smoking in view of the public whilst wearing their ID card or uniform, employees can lead by example.
- 2.4 Smoking is an addiction and the Council wishes to provide support to staff who wish to stop. Staff will be allowed time off to attend smoking cessation clinics, subject to service delivery/manager approval. Further details will be posted on the intranet.
- 2.5 Employees wishing to give up smoking will be signposted to:
- Smoking Cessation support provided Help Me Quit Service – on **0800 085 2219**
 - An approved pharmacy-led smoking cessation service
 - The Council's Occupational Health Service
 - Their own GP
- 2.6 Failure by employees to abide by the Smoke-free Policy will be investigated by line managers and, where appropriate, dealt with in accordance with the Council's Disciplinary Policy and Procedures.

3. Scope

- 3.1 This policy applies to all of the Authority's premises, sites and vehicles and to all employees, the public, agency workers and contractors who visit the Authority's premises and sites and who use any of those vehicles.

¹ Public Health Wales Observatory, 2016. <http://www.wales.nhs.uk/sitesplus/922/page/50314>

4. Objectives

- 4.1 The policy seeks:
- To set an example to our community by making non-smoking the normal practice in the Council's buildings, sites and vehicles.
 - To promote health and wellbeing by encouraging and assisting employees, customers and service users to make a lifestyle choice to give up smoking to reap the health benefits.
 - To offer smoking cessation support to employees.
 - To fulfil the Council's legal duty of care to all its employees and customers to provide a safe working environment.
 - To promote and ensure compliance with the Smoke-free Premises etc. (Wales) Regulations 2007.

5. Procedures

Employees

- 5.1 Council employees who wish to smoke may only do so at lunchtimes and during official breaks.
- 5.2 Employees subject to flexible working hours must clock out if they wish to smoke and clock back in afterwards. Managers should ensure such breaks do not affect service delivery.

Vehicles used on Council business

- 5.3 Staff who use their own **private** vehicle for work purposes are not permitted to smoke **during working hours** when carrying passengers in their cars on Council business. They should also not allow passengers to smoke within their vehicle during working hours. Smoking is not permitted in spot hire vehicles.

Visitors and Contractors

- 5.4 This policy applies to all visitors, contractors and agency workers. Managers are expected to inform customers, contractors, or visitors of the smoke-free policy. However they are not expected to enter into any confrontation which may put their personal safety at risk.
- 5.5 Contractors/agency workers who contravene this Policy should be reported to the person responsible for monitoring their conduct on site.

Domiciliary Visits

- 5.6 Many Council employees visit domestic and other premises on a regular basis as part of their job. Domestic and some other premises are not covered by the Smoke-free Regulations, but Council employees must not smoke in service user's homes whilst on Council business.
- 5.7 A Council employee has the right to ask a service user, and others present in their workplace, not to smoke within the room(s) they need to go into to perform and complete their duties.

- 5.8 The importance of service delivery must be considered. For example, some of the Council's work activities involve performing statutory functions, while others impact directly and immediately on people's safety and welfare. A balance will need to be found between the needs of the service and precautions to avoid smoke. Individual services will be responsible for establishing and implementing precautions that are reasonable for their service. Reference should be made to the Smoke Free Procedure – Domiciliary Care/ Supported Living.

Sheltered Housing

- 5.9 Communal areas in sheltered housing must be smoke free.

Policy within Schools

- 5.10 For schools, it is directed that Governing Bodies in Community, Voluntary Aided, Foundation and Voluntary Controlled schools adopt a policy that prohibits smoking in school premises including school grounds / sites and vehicles. The Smoke-free Premises etc. (Wales) Regulations 2007 applies to all school premises and vehicles.

Smoke Free Signage

- 5.11 The Smoke-free Premises etc. (Wales) Regulations 2007 places a legal duty on persons who occupy or manage smoke-free premises to display no-smoking signs that meet certain requirements. The Regulations also define similar legal duties for the display of specific no-smoking signs in smoke-free vehicles. It is against the law not to display the specified no-smoking signs. The specifications for the signs for premises and vehicles can be found at www.smokingbanwales.co.uk

6. Responsibilities

Executive Directors and Heads of Department carry overall responsibility for making sure that all premises, sites and vehicles under their control are maintained in such a way as to comply with the law. They are also responsible for monitoring compliance with the smoke-free policy.

Managers are responsible for ensuring that this policy is consistently applied within their own areas of responsibility. This includes ensuring that employees, premises, site and vehicles comply with legal and policy requirements and providing and maintaining no-smoking signage.

Where services require employees to enter premises that are not covered by the regulations (such as private homes and exempted areas in certain workplaces) managers must ensure that a risk assessment is carried out and that staff are given guidance on reasonable measures to reduce the risk of exposure to smoke.

Employees are required to adhere to the terms and conditions of this policy and to seek clarification where necessary from their line manager, Health and Safety Officer in the first instance. This means that employees must not smoke whilst at work in areas, premises, vehicles and sites that are smoke free.

Facilities Managers/Nominated Persons/Managers are required to ensure the display of appropriate signs at all entrances throughout all corporate buildings and within Council

vehicles; ensure all people booking rooms are aware of the standards in this policy and monitor and enforce the relevant conditions in the policy. The signs can be ordered from the Welsh Government, see www.smokingbanwales.co.uk

Trade Unions: recognised Trade Union representatives will be consulted on the refinement of Health and Safety policy, providing feedback and checking for understanding and ease of use. They are available to support their members where appropriate.

Head of Environment and Planning: has overall responsibility for this policy and will determine the appropriate approval body.

Corporate Health and Safety will provide advice on the implementation of the policy.

7. Reference Materials

7.1 Legislation

- Health Act 2006
- Smoke-Free Premises etc. (Wales) Regulations 2007
- Health and Safety at Work etc. Act 1974

This policy has been written giving due regard to the above legislation and has considered the risk of unfair and /or disproportionate impacts on individuals or groups (actual or perceived) and had done so via an Equality Impact Assessment. (EIA).

7.2 Other

For help and support to quit smoking, employees can contact Help Me Quit on 0800 085 2219, leaflets and further information on this service are available from the Council's intranet or by calling 01978 297023 or emailing health@wrexham.gov.uk

8. Linked Procedure

8.1 Smoke Free Procedure – Domiciliary Care/ Supported Living.