

SMOKING POLICY FOR (ORGANISATION NAME)

Effective from (date)

1 Principles

This policy is intended to:

- Protect everyone against the effects of secondhand smoke
- Promote health in the workforce
- Consider both the needs of the smokers and non-smokers in the organisation

The policy is concerned with **where** people smoke at work, not about **whether** they smoke.

2 Background

Breathing in secondhand smoke leads to increased risk of contracting lung cancer and heart disease in non smokers, as well as many other illnesses and minor conditions.

3 Legislation

This policy ensures that (organisation name) satisfies the Section 2(2)(e) of the Health and Safety at Work etc Act 1974:

“To provide and maintain a safe working environment which is, so far as is reasonably practicable, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work”

The Health Act 2006 requires virtually all enclosed workplaces to be smokefree, this will be enforced from 6am 1st July 2007.

4 Policy

*Smoking is not allowed in any part of the indoor premises.

*Smoking will be not allowed in any part of the (organisation name's) premises or grounds including:

- Offices
- Restaurants or canteens
- Rest rooms
- Toilets
- Corridors
- *Doorways and entrances
- *Car parks
- *Vehicles
- *Any shelters, garden sheds or other enclosed outdoor areas that may have previously been used as designated smoking areas.

- *Gardens

(*delete as applicable)

This policy covers employees, volunteers, visitors and service users. A smoke free policy for service users does not contravene a service user's right to respect for a private life under Article 8 of the European Convention on Human Rights, unless a service user could show that being denied of his/her smoking habit would lead to a deterioration in his/her mental health.

(organisation name) employees who are based in premises owned or managed by another organisation are entitled to the same protection as those working in (organisation name) premises.

When attending meetings or other events at venues where smoking is permitted, employees are expected not to smoke both because they are representing (organisation name) and because it is important to not expose others to secondhand smoke.

5 Home visits

All employees visiting service users in their own homes are entitled to the same level of protection as those working in (organisation name) premises.

Before the visit takes place, Service Users will be sent a letter (see Appendix 1) to make them aware of the following before the (organisation name) employee is due to visit their home:

- Refraining from smoking inside the part of the home in which the visit is due to take place, at least an hour before the employee arrives
- To ensure any other people do not smoke in the area during the visit, preferably by going outside to smoke
- Opening windows and doors before the visit to clear the smoke

6 Guidelines

Management will inform employees 90 days in advance and will provide copies of this policy upon their request.

This policy is intended to benefit all employees and visitors and all employees are responsible for its continued implementation. Overall responsibility for ensuring the policy is implemented and monitored rests with management. Information on the policy will be:

- circulated to all staff;
- provided to all new employees and
- included in the Health & Safety Policy

Signs will be put up to inform visitors. There will be no ashtrays or cigarette litter inside the building. Outdoor ashtrays/buckets of sand will be provided to ensure there isn't a litter problem outside the building.

7 *Help for those who smoke

(organisation name) is committed to providing opportunities and support for staff that wish to give up smoking.

Staff interested in stopping smoking can get help by contacting Support to Stop Bristol on: Tel: 0117 959 5465, email **Supporttostop.Bristol@nhs.net**.

Requests for flexible working and/or time off to enable staff to attend smoking cessation services will be received sympathetically. Help to manage smoking during working hours is available through the same channels.

8 Enforcement of the policy

In the unlikely event of a member of staff not respecting the policy, their manager will attempt to resolve the situation informally in the first instance. Ultimately, repeated breaches of the policy will result in disciplinary procedures.

Should a service user receiving a visit in their own home not respect the policy, the employee visiting the service user will enquire if the service user had received the letter (Appendix 1). If they have not, the employee will give them a copy and verbally request that they and/or other occupants stop smoking.

There may be extenuating circumstances if the service user or a member of the service users family has for example, learning difficulties or a mental health problem that means they could not reasonably understand a request for them not to smoke. There will also be exceptions in the case of the service user being severely disabled and therefore unable to get outside to smoke. Staff should also bear in mind (e.g. before they request a letter be written by their line manager) any extenuating circumstances e.g. if the patient has just suffered a bereavement/ is under considerable stress.

Signed.....

Date.....

Appendix 1

(Your Address)

(Their Address)

Date

Dear Sir/Madam

**Re: Important information for people receiving home visits –
(organisation name) smoking policy**

I am writing with regards to a home visit due to take place on (date) with (health professional's name).

In line with the Health and Safety Act 1974 (Organisation name) has a duty in common law to take reasonable care to protect the health of employees. 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.

We therefore ask if you would do everything possible to provide a smoke free environment when our employees visit you in your home. Taking the following actions will help protect our employees from exposure to second-hand smoke:

- Refraining from smoking inside the part of the home in which the visit is due to take place, at least an hour before the employee arrives
- To ensure any other people do not smoke in the area during the visit, preferably by going outside to smoke
- Opening windows and doors before the visit to clear the smoke

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

To assist you in this, all routine visits will be pre-booked and you will be given a time for the visit. If the staff member is delayed, you will be contacted as soon as possible.

Thanking you in advance for your co-operation,

Yours sincerely

(signed)