**Smoking at Work Policy**

**1.** **Background**

Smoking is known to be the principal avoidable cause of premature deaths in the UK. 19% of all deaths are estimated to be attributable to smoking in the UK (Peto *et al*). The dangers of passive smoking are well recognised and second hand smoke is classified as a workplace carcinogen.

Smoke free legislation is defined in the Health Act passed in 2006. This Act sets out the provisions for smoke free legislation in all enclosed public places and workplaces in England, and became law on July 1st 2007.

RBK (The Council) is committed to providing services, which are safe and healthy for customers, the public and all those who work for the Council, including employees, volunteers, and contractors. We are committed therefore to take all reasonable action to prevent smoking and passive smoking.

### **2.** **Scope**

This policy refers to smoking tobacco, or anything that contains tobacco, or smoking any other substance. Smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which could be smoked.

Buildings and land refer to buildings and land that the Council either owns or occupies. Buildings also refer to any structure, which is enclosed or substantially enclosed.

All sections of the policy apply to staff (temporary and permanent), contractors, students, and clients who are residents within our homeless persons hostels and long-term residential care settings.

### **3.** **No smoking policy details**

* It is the policy of the Council to prohibit smoking in all its buildings.
* Smoking is allowed in the grassed areas away from the Guildhall Complex.

It is also the policy of the Council to:

* Not allow smoking within vehicles owned by the Council at any time.
* Not allow smoking within private vehicles whilst they are being used for the business of the Council.
* Not allow smoking in any area where smoking could, or is causing a nuisance to others, such as near entrances to buildings, open windows, ventilation system intakes or by blocking pedestrian routes.
* Not provide covered smoking spaces in external areas, as we believe this would be to condone smoking and its harmful effects.
* This policy applies to casual and agency staff.
* This policy applies to contractors whilst working on Council premises and lands. Contractors should be made aware of the requirements of this policy as part of the site induction process.

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| **Further Guidance** ·  ***Entrances to buildings***Staff are not permitted to smoke close to the entrances including main thoroughfare of buildings where signs are displayed as it can force non-smokers and customers to pass through smoke filled areas. Smokers congregating outside buildings gives visitors a poor first impression of the Council. Such areas often become littered with cigarette filter ends causing environmental pollution and litter. Staff must dispose of cigarette ends appropriately. |

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### **4.** **Staff visiting environments where smoking is permitted**

This could include residential addresses e.g. planners or housing staff or staff visiting residential addresses to provide personal care or to assist with domestic work to maintain the structure or install or maintain services.

We would encourage managers to manage this risk locally through the risk assessment process, within the following guidelines.

* Meetings should be arranged in smoke free places wherever reasonably possible.
* It is reasonable and acceptable for staff to ask clients to not smoke during meetings/visits.

### **5.** **Smoking breaks**

Staff may take a maximum of two smoking breaks in a day during work hours *only in agreement with their line manager* and provided any time taken is made up during the day. Staff should note the restrictions within this policy.

### **6.** **Exceptions - Hostels, Residential Care Homes**

To respect the personal home life of certain clients, the Council consents to smoking in its buildings in the following limited circumstances.

To allow smoking in designated bedrooms within homeless persons hostels and long-term residential care settings where the building can be reasonably considered to be the person’s home. This does not apply to staff that use bedrooms to sleep in such situations.

### **6.1** **Legal conditions as identified in the Smoke-free (Exemptions and Vehicles) Regulations.**

*The designated smoking room should:*

Have a ceiling and, except for door and windows be completely enclosed on all sides by solid, floor-to-ceiling walls.

Not have a ventilation system that ventilates into any other part of the premises (except any other designated rooms).

Not have any doors that open onto smoke-free premises, which are not mechanically closed immediately after use.

Be clearly marked as a room in which smoking is permitted.

### **7.** **Signage**

No smoking signs will need to be displayed in a prominent position at every entrance to smokefree premises. Signs must meet the following minimum requirements:

* Be a minimum of A5 in area (210mm x 148mm).
* Display the international no-smoking symbol, which consists solely of a graphic representation of a single burning cigarette enclosed in a red circle of at least 70mm in diameter with a red bar across it.
* Carry the following words in characters that can be easily read:*"No smoking. It is against the law to smoke in these premises".*

On the sign, the words "these premises" may be changed to refer to the particular premises where the sign is displayed, for example "this gym", "this salon" or "this restaurant".

A smaller sign consisting of the international no-smoking symbol at least 70mm in diameter may instead be displayed at entrances to smokefree premises that:

* Are only used by members of staff (providing the premises displays at least one A5 area sign with words, as set out above), or
* Are located within larger smokefree premises (for example, a shop within an indoor shopping centre).

### **8.** **Stop smoking advice in the workplace**

Smoking is London’s leading cause of preventable illness and mortality and a major reason for employee sickness. Helping staff stop smoking is the single most effective intervention employers can make in improving staff health and increasing productivity. The Council is committed to supporting our employees who wish to stop smoking.

**The Council will work with Kick It** (see [Find your Local Stop Smoking Service | kick it](https://www.kick-it.org.uk/index.php/find-your-local-stop-smoking-service/))

 If you require more information on this stopping smoking please go to <https://www.kick-it.org.uk/>

 **9.** **E-cigarettes**

E-cigarettes are a cigarette-replacement product widely available across the UK. They consist of an electronic inhaler that vaporises a liquid solution, which contains nicotine, into an aerosol mist simulating the act of tobacco smoking. The popularity and use of e-cigarettes has increased significantly over the last year, with around 1.3 million current users or 11% of current smokers are using them.

Subject to the particular product’s nicotine delivery method, early evidence suggests that e-cigarettes are likely to be an effective aid in quitting smoking, due to the continued delivery of nicotine and continued satisfaction of the hand-to-mouth behavioural component of smoking. Users of e-cigarettes exhale a smoke-like vapour that consists mainly of water. Studies looking at the effects of e-cigarette vapour on non-users have not found there to be any detrimental effects.

E-cigarettes are not currently regulated, therefore there is significant variability across the products on the market in terms of quality control and effectiveness of nicotine delivery. The Medicines and Healthcare Products Regulatory Agency (MHRA) has announced that e-cigarettes, along with any other product containing nicotine, will be subject to regulation as medicines. This means that by 2016 all e-cigarettes on sale in the UK will be assured of their safety and effectiveness. They are likely to be “over-the-counter” medicines, and therefore readily available from pharmacies, supermarkets etc. However, until the regulation of e-cigarettes is implemented, they remain un-regulated and as such not a product that can be recommended or vouched for as safe to use.

Whilst there is no evidence to date to suggest that e-cigarettes pose a risk to health, particularly to others around them, there is equally no firm evidence to suggest that they categorically do not pose a risk to health. Simply put more research is needed. In addition as with any other electronic device, particularly where they may not have met the relevant safety standards, there may be an increased risk of causing a fire.

With the above in mind the Council is treating e-cigarettes in the same manner as real cigarettes. Therefore staff wishing to use e-cigarettes must only use them outside with the same conditions stated in this policy for real cigarettes. As more research and information becomes available on the potential benefits and risks this decision will be reviewed.

**10. Non compliance**

Any breach of this policy could result in disciplinary action and may lead to dismissal.

**11. Further information**

* <https://www.kick-it.org.uk/>
* <http://smokefree.nhs.uk/>
* <http://www.smokefreeengland.co.uk/>