

# Smoke Free Policy

## 1.0 Aims and Objectives

The policy seeks to:

- 1.1 Guarantee a healthy working environment and protect the current and future health of employees, customers and visitors to all Bournemouth Borough Council/School premises.
- 1.2 Prohibit smoking in all owned and operated buildings and grounds by Bournemouth Borough Council/Schools.
- 1.3 Ensure that Bournemouth Borough Council/School complies with Section 2(2)(e) of the Health & Safety Work 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”*.
- 1.4 Ensure the Council/School complies with the Government Health Act (2006).
- 1.5 Raise awareness of the dangers associated with exposure to tobacco smoke and to guarantee the right of non-smokers to breathe in air free from tobacco smoke.
- 1.6 Take account of the needs of those who smoke and to support those who wish to stop
- 1.7 Provide a model of good practice for other organisations within the Borough of Bournemouth to follow.

## 2.0 Scope

- 2.1 This is an internal policy that applies to all employees, volunteers, agency worker, supply staff, contractors, and sub-contractors, Governors, Elected and co-opted Members. It also applies to people visiting the School and employees or the Council owned and operated buildings, grounds and premises in which they work.
- 2.2 Vehicles. It refers to any vehicle owned or leased by the Council or School and to privately owned vehicles when they are being used on official Council/School business.
- 2.3 Premises. Smoking is not permitted on Council/School grounds and premises, including land up to the curtilage of the Council/School premises.
  - 2.3.1 Car Parks. The policy extends to all staff, school or permit holder car parks.
- 2.4 Home Visits. All those named in paragraph 2.1 visiting or treating members of the public in their own homes are entitled to the same level of health protection as those working in any other Bournemouth Borough Council property.
  - 2.4.1 Prior to the home visit members of the public will be made aware of the Council's/School's Smoke Free policy and requested to ensure that they and/or other occupants do not smoke during the visit.

Appendix A – Model letter to be sent to members of the public receiving home visits from Council/School staff (as defined in 2.1) - see foot of the page.



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2.4.2 If the occupants do not comply then a letter will be sent from the employee's manager explaining that should they not comply during subsequent visits where reasonably practicable an alternative smoke-free venue will be found for the appointment. Responsibility for arranging an alternative venue will lie with the member of staff/manager. Where staff may be exposed to passive smoking, managers/Headteachers will undertake annual risk assessments and the offer of health checks will be supplied by the Council's/School's occupational health provider.

### 2.5 Smoking Breaks

2.5.1 There is no provision for paid smoking breaks for any member of staff, volunteer, supply, agency workers, contractors and sub-contractors, Elected and co-opted members during working hours.

2.5.2 Staff as defined in 2.1 may only smoke during unpaid time if it is not on Council/School owned or operated premises and grounds.

2.5.3 Given the diversity of the workforce and the teams across the Council, it is not possible to legislate for every situation. Managers/Headteachers will apply the policy positively and seek guidance from HR Operations where necessary. Employees will not be given any extra paid time to facilitate smoking breaks.

2.6 Home Working. Employees who work from home are actively encouraged to comply with the Council's/School's smoke free policy.

### 3.3 Exceptions

3.3.1 Only in exceptional circumstances and where the nature of the business makes it impossible to implement this policy in its entirety, local arrangements may be agreed with the Head of Business Unit/School, in consultation with HR Operations. Such arrangements will not permit smoking in enclosed spaces.

## 4.0 Responsibilities and Enforcement

4.1 All employees have:

- a role to make Bournemouth Borough Council/Schools a smoke-free organisation
- a duty to adhere to the policy to ensure the safety and wellbeing of others

4.2 All managers/Headteachers must ensure that;

- staff defined in 2.1 are aware of and comply with the policy
- staff who do smoke are made aware of and given access to the support available.

## 5.0 Non-Compliance

5.1 Breaches of the policy will in the first instance be dealt with through support, management advice and guidance and referral services available through the local NHS Smoke Stop service. Should a member of staff continue to fail to observe and comply with the policy, s/he will be subject to the School's normal disciplinary procedure for misconduct. Repeated failure to comply may eventually lead to dismissal.

5.2 Appropriate support will be provided in all cases of non-compliance to those who need assistance in adjusting to the policy.

5.3 The Council's/School's policy is only concerned with where people smoke, not whether they smoke. Smoke Stop sessions, cessation therapies or other initiatives will not be imposed on someone who does not wish it.



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### **6.0 Support for staff who smoke**

6.1 The Council/School will actively support staff who wish to stop smoking. Information on external sources of health support are available on document "Support for Staff who want to Quit". Staff may also wish to contact the Council's Health and Wellbeing Team on 454753.

6.2 The Council/School will also support those members of staff who do not wish to stop smoking. Advice and support is available from the Council's Staff Care service.

### **7.0 Communication of the policy**

7.1 All recruitment documentation and the mandatory induction programme will refer to the smoke free policy.

7.2 Smoke Free signs will be clearly displayed.

### **8.0 Monitoring and Review**

8.1 Responsibility for implementing and monitoring the policy rests with all managers/Headteachers. Managers/Headteachers will carry out continual monitoring of the policy with a formal annual review to ensure that it continues to meet its key aims and addresses any changes in legislation, regulations and best practice.

8.2 The Trade Unions and other key stakeholders will be consulted and their comments included within any review process. Any amendments will be subject to the formal consultation procedures.



**EXAMPLE ONLY (TO BE AMENDED TO SUIT BUSINESS UNIT/ SCHOOL)**

Dear [Name]

**Protecting staff from the harmful effects of Environmental Tobacco Smoke (ETS)**

From 1<sup>st</sup> July 2007, Bournemouth Borough Council/the School implemented a total smoke-free workplace policy. Smoking is not permitted in any of the premises owned and operated by Bournemouth Borough Council/the School including buildings, grounds and car parks.

Similarly, employees of Bournemouth Borough Council/the School visiting members of the public in their own homes are entitled to the same level of protection as those working in any other Bournemouth Borough Council/the School property. We therefore request that during the time our member of staff is in your home you and other occupants of the house should refrain from smoking. Should you feel unable to meet this request we may require you, where reasonably practicable, to meet our employee at an alternative smoke free location. If you feel this would be necessary please contact [name] to discuss any difficulties you may have and to confirm the alternative arrangements that may need to be made.

Thank you in advance for your co-operation in protecting the health of our staff.

Yours sincerely

[Name]

[Job Title]

