



# Brynllwarch Hall School



## SMOKE FREE WORKPLACE POLICY

### Policy Review

This policy will be reviewed as detailed in the school's policy review cycle. It may also be necessary to review and amend it sooner to reflect both local and national changes.

<b>Signed</b>		<b>Headteacher</b>
<b>Signed</b>		<b>Chair of Governors</b>
<b>Dated:</b>	19 <sup>th</sup> April 2016.	
<b>Date of Review:</b>	April 2019	

This policy is based on a model Smoke Free Workplace Policy that was developed by a Powys Working Group, comprising representatives of Teacher and Headteacher Associations and Officers of the Local Authority (LA). Cyngor Sir Powys County Council.

## Contents Page

1. Introduction and Background
2. General Aims and Principles
3. Scope of the policy
4. Smoking and the workplace
5. Enforcement of the Policy
6. Support for smokers wishing to stop

## Smoke Free Workplace Policy

### 1. Introduction and Background

#### 1.1

The Smoke-free Premises etc. (Wales) Regulations 2007 came into effect on 2nd April 2007. This law applies to all employers, managers and those in control of premises and vehicles. It has been introduced to save lives and prevent diseases caused by second-hand smoke. The smoke-free law does not place an obligation upon employers to provide smoking facilities for its employees.

#### 1.2

Powys County Council acknowledges that smoking is the single most preventable cause of ill-health in the UK. Tobacco smoke is classified as a Group A Carcinogen (a cancer causing substance) and smoking is associated with coronary heart disease, lung cancer and respiratory disease. These diseases are identified as the principal causes of ill-health and premature death within Powys (Powys Health and Well Being Strategy 20032008).

#### 1.3

Powys Health and Well-Being Strategy has highlighted the need to improve the health and well-being of Powys residents. Since Powys residents make up the vast majority of the Council's workforce, the Council therefore has a duty to promote healthy life choices which will benefit its employees and their families.

#### 1.4

Smoking is estimated to cost British employers about £5 billion per year. The Council recognises that reducing smoking can reduce sickness absence, increase productivity and improve employee health, all of which are key objectives supported by the Council's Healthy Lifestyle initiative. Whilst acknowledging the right of people to smoke a substance that is legally obtainable, this right should be exercised responsibly.

#### 1.5

The Council acknowledges its responsibilities under Section 2 of the Health and Safety at Work Act 1974 to ensure as far as is reasonably practicable, the health, safety and welfare at work of all its employees.

#### 1.6

There is no recognised safe level of exposure to tobacco smoke. People who do not smoke tobacco products have an enhanced risk of contracting lung cancer if they are

exposed to environmental tobacco smoke. Ventilation or separating smokers and non-smokers within the same airspace does not stop potentially dangerous exposure.

#### 1.7

This policy replaces a policy which was introduced in August 2008, which prohibited smoking from any buildings, vehicles owned or managed by the Council, with the aim of gradually eliminating smoking completely from within the boundary or perimeter of all Council premises. The provisions of that policy allowed for a transition to the provisions of this policy over a period of time. The original review date of that policy of February 2009 was extended to June 2009.

### **2. General Aims and Principles**

#### 2.1

This policy is designed to protect employees, elected members and the visiting public from the effects of second hand smoke.

#### 2.2

The Council intends to demonstrate good practice to the public and local business community through leading by example and becoming a smoke free Council and publicising the health benefits of not smoking.

#### 2.3

In reaching this aim, the Council will take very seriously any flouting of this policy by those to whom the policy applies (see 3.1) and disciplinary action will not be ruled out in cases of non-compliance.

#### 2.4

Active support and guidance as described in this policy will be provided to those employees and elected members who wish to give up smoking.

### **3. Scope of the Policy**

#### 3.1

The policy applies to all employees, elected members, visitors, contractors, service users and other members of the public whilst on/in Council premises. This policy will form part of the terms of business for contractors and any person responsible for the monitoring of contractors on site must ensure that this policy is adhered to.

### 3.2

The Council is committed to making its premises completely smoke free for the protection of all. Smoking is not permitted in or on Council premises including communal work areas, individual offices, stairwells, lifts, rest areas, toilets, Council office and staff/Members' car parks, depots and grounds. Smoking is also prohibited within vehicles owned or operated by the Council or vehicles hired or leased for Council business at all times.

### 3.3

Exceptions to the prohibition are public car parks, County Farms and Council premises which are not under direct Council management, such as community centres. However those responsible for the management of such premises are encouraged to develop their own smoking policies, giving due recognition to this policy.

### 3.4

Facilities will not be provided for smokers anywhere on Council premises.

### 3.5

School Governing Bodies are responsible for the buildings, facilities and land under their control. It is recommended that they adopt a policy that prohibits smoking in school buildings and grounds.

## 4. Smoking and the Workplace

### 4.1

Council employees who wish to smoke may do so only during designated breaks, i.e., an official agreed rest period such as a lunch break, away from Council premises. Employees must not leave their workplace during work time, or clock out within core hours, for the purposes of smoking.

### 4.2

Staff who are required to enter a person's home to provide a service are at risk of exposure to second-hand smoke if the service user is a smoker. Private dwellings are not generally covered by the smoke-free law, and therefore steps should be taken to

minimise this risk for staff. Guidance for such employees and service areas is attached at Appendix 1 of this policy.

#### 4.3

In accordance with home-enabled working guidance, staff who are home-workers are not encouraged to receive work-related visitors at their own home. However, where this is a necessity (e.g., in exceptional cases of ICT maintenance which cannot be conducted in a Council building or over the telephone), and the home-worker or members of their household are smokers, in order to protect other Council staff, the guidance in Appendix 1 should be heeded.

#### 4.4

Privately-owned vehicles (as separate from lease vehicles) are not covered by the smoke-free law. If an employee has planned to car-share with colleagues on a work-related journey, they are entitled to decline a lift in a vehicle in which other occupants have smoked or intend to smoke and make alternative, smoke-free, travel arrangements.

### **5. Enforcement of the Policy**

#### 5.1

It is the responsibility of all employees and line managers to uphold the standards of a healthy workplace and to ensure that the policy is complied with.

#### 5.2

Elected Members, Directors, Heads of Service and Senior Managers, all have a responsibility to ensure that the policy is applied consistently throughout the Council by taking necessary action whenever they witness, or receive reports of, this policy being contravened.

#### 5.3

Advice and guidance regarding the practical implementation of this policy and instances of non-compliance should be sought from Human Resources.

#### 5.4

Failure to adhere to this policy, despite support offered, and to keep Council premises smoke-free, will result in the Council's Disciplinary Procedure being applied.

#### 5.6

Anyone covered by this policy who is found smoking in or on Council premises as outlined in Section 3 above, should be asked to stop and advised that they are breaching Council policy. Should an employee challenge their manager on their right to smoke, the manager should refer to the following:

- This is a Council policy relating to health and safety at work and is based on the same principles as policies relating to dangerous machinery, toxic substances etc.;
- The Council wishes to convey positive health messages to its employees and the public;
- An employee cannot challenge the employer's right to introduce healthier and safer workplaces.

#### 5.7

A refusal to stop is unacceptable and should be reported to senior management. It is the responsibility of the employee's service area to take the necessary action, including disciplinary action if required, to discourage smoking in prohibited areas, taking advice from HR as necessary.

#### 5.8

Contractors breaching the policy should be requested to cease smoking on the premises. A contractor who refuses to stop smoking should be required to leave the premises.

### **6. Support for smokers who wish to stop**

#### 6.1

The Council recognises that smoking is an addiction and aims to provide a supportive environment for those wishing to give up smoking. Employees will be permitted paid time off work to attend recognised smoking cessation classes or other recognised cessation therapies. Advice and guidance is available from Occupational Health.

#### 6.2

The Council's Occupational Health Service may be able to facilitate further localised services where there is sufficient demand, such as arranging for extra group therapy sessions from the All Wales Smoking Cessation Service.

#### 6.3

Free help and advice is available from the following organisations;

Smokers Helpline Wales (0800 169 0169)

This free phone helpline offers the following services:

- One to one confidential advice from specially trained counsellors
- Guidance on stopping smoking and help with associated problems
- Information leaflets on how to get started, planning and preparing to quit smoking
- Guidance on accessing support from local smoking cessation services

## All Wales Smoking Cessation Service (0800 085 2219)

This is a national service available to smokers who would like help to give up smoking.

By contacting this number, staff can:

- Find out where their local stop smoking service is based
- Find out how to join a local support group
- Access specially trained staff who can offer guidance and advice on how to give up smoking, information on Nicotine Replacement Therapy
- Get free access to one-to-one counselling and group therapy.

NHS Direct-[www.nhsdirect.nhs.uk](http://www.nhsdirect.nhs.uk)

ASH (Action on Smoking and Health)

[www.ash.org.uk](http://www.ash.org.uk)

QUIT [www.quit.org.uk](http://www.quit.org.uk) Tel 0800 00 22 00

- Provides practical help, advice and support to all smokers who want to stop.

British Heart Foundation — Smoking Advice Line: 0800 169 1900

(Monday to Sunday 7am -11pm) [www.bhf.org.uk/Smoking](http://www.bhf.org.uk/Smoking)