



Smoke Free Environment Policy and Procedure

Contents

1. Objectives	2
2. Scope	2
3. Definitions	2
4. Principles	2
5. Responsibilities	3
6. E-Cigarettes and Vaping	5
7. Stop Smoking Support	5
8. Smoking Breaks	5
9. Uniform	6
10. Non-compliance	6
11. Competence	6
12. Monitoring	6
13. Audit and Review	7
14. References	7
15. Financial Checkpoint.....	7
16. Appendix A: Occupational health advice on stopping smoking.....	8
17. References	9

1. Objectives

2. Scope

- 2.1. This policy applies to all staff, volunteers, agency staff, bank workers, service users, visitors and contractors or other persons entering our premises or grounds.
- 2.2. Smoking is not permitted in any part of the Trust's buildings, grounds (except in approved designated areas), vehicles (used, owned, leased or hired by the Trust), or car parks at any time by any person regardless of their status or business with the organisation.

3. Definitions

- 3.1. "Smoking" in this policy refers to Smoking of a lit substance such as tobacco or any other substance that may be smoked This includes the use of electronic E-cigarettes or other "smokeless" alternatives.

4. Principles

- 4.1. The Trust seeks to eliminate unlawful discrimination against colleagues, potential employees, patients or clients on the grounds of sex, marital status, disability, sexual orientation, gender identity, age, race, ethnic or national origin, religion, pregnancy/ maternity, political opinion, or trade union membership and to promote equality of opportunity and good relations between employees and clients.
- 4.2. Employees must at all times indicate an acceptance of these principles and fulfil their responsibilities with regard to equality legislation and the Trust's Equality Diversity and Inclusion Policy and protocols.
- 4.3. Staff may not smoke or use E-cigarettes in any part of the Trust premises, including grounds or car parks except where designated smoking areas have been approved.
- 4.4. Smoking or the use of E-cigarettes is not permitted in cars used, owned, leased or hired by the Trust at any time.
- 4.5. Staff are required to cover their uniform and not display a Trust ID badge or be otherwise identified as a Trust employee whilst smoking.

- 4.6. To help staff that smoke to comply with this policy, advice is available for those who would like help to stop smoking. For staff that smoke and who do not presently want to quit, support from local stop smoking services is also available to help them manage their smoking during working hours.
- 4.7. The selling and dealing in any way of cigarettes and/ or tobacco on Trust premises will not be tolerated.
- 4.8. Newly appointed staff will be advised of this policy during the induction process.
- 4.9. A breach of this policy by a member of the Trust's staff will be reported to the staff member's line manager. An investigation will be initiated in line with the Trust's Disciplinary Policy and Procedure which may lead to formal disciplinary action.
- 4.10. In the event of a breach of the policy by a visitor, contractor/ agency worker or other persons entering the grounds or buildings, they should be asked to extinguish all smoking material and be informed of any designated smoking areas. Where a contractor/ agency worker breaches the policy their employer/ agency will be asked to address this, if necessary.

5. Responsibilities

5.1. Trust Board

- 5.1.1. The Trust Board is responsible for ensuring, so far as is reasonably practical, the health, safety and welfare of its staff.

5.2. Chief Executive Officer

- 5.2.1. The Chief Executive Officer has overall responsibility for the management of health and safety and is, therefore, responsible for ensuring the implementation of this policy in all premises and vehicles owned or occupied by the Trust.

5.3. Managers

- 5.3.1. Will ensure that staff in their areas of responsibility and are aware of and adhere to this policy.

- 5.3.2. To support staff who wish to stop smoking and signpost them to the Trust's Wellbeing Hub for further advice.
- 5.3.3. To monitor time taken by staff taking smoking breaks.
- 5.3.4. Check that no smoking notices are displayed in the premises they use.
- 5.3.5. To manage breaches of the policy in line with Trust's Disciplinary Policy.

5.4. **Staff**

- 5.4.1. To maintain a professional image when carrying out their duties and responsibilities for the Trust.
- 5.4.2. Staff that choose to smoke outside of work and during break periods responsible for ensuring that they take steps to protect their clothing / uniform from the odour of smoke whilst at work and should not be seen smoking whilst in Trust uniform or ID badge.
- 5.4.3. Staff should ensure cigarette products are disposed of appropriately and do not cause littering.
- 5.4.4. Staff also have a responsibility to comply with the smoke free policies of other NHS trusts, which they visit during the course of their duties.

5.5. **Wellbeing Team**

- 5.5.1. To provide education about smoking and health.

5.6. **Human Resources**

- 5.6.1. Human Resources has a responsibility to ensure that the policy is followed, fairly and consistently.
- 5.6.2. Providing advice and support in the application of this policy to managers and staff.

- 5.6.3. Ensuring that the policy is maintained and updated accordingly in line with any organisational or legislative changes.

6. E-Cigarettes and Vaping

- 6.1. This policy recognises that smoking e-cigarettes and vaping is not the same as smoking tobacco and that these currently fall outside the scope of the Smoke-free Legislation. However, e-cigarettes and vaping are unregulated nicotine products for which there is insufficient evidence of safety and until the smoking of e-cigarettes and vaping is classified as completely safe, the Trust does not support any alternative arrangements.
- 6.2. The Trust will also continue to monitor and review and, where necessary, will amend this policy.

7. Stop Smoking Support

- 7.1. The Trust's Wellbeing Team will actively support those staff who wish to stop smoking or help manage their smoking through advice and literature on smoking and health and can be contacted on 0300 123 9193 wellbeinghub@secamb.nhs.uk.
- 7.2. Referrals for stop smoking support and health advice can be made to the Trust's Occupational Health provider. Advice on stopping smoking can be found in Appendix A.
- 7.3. Counselling is available through the Trust's employee assistance provider, Care First, by contacting 0800 1116 387.
- 7.4. External support and advice can also be found at The NHS Smoke Free National Helpline, which can be contacted on 300 123 1044 or email: <http://quitnow.smokefree.nhs.uk>
- 7.5. You can also visit your GP or local pharmacy for advice.

8. Smoking Breaks

- 8.1. Smoking breaks for those members of staff who are smokers need to be agreed with individual departmental managers and be proportionate to the member of staff's needs, and in accordance with the operational requirements of the department concerned.

- 8.2. Any time taken by a member of staff for smoking breaks will be made up in an agreed way with the departmental manager.

9. Uniform

- 9.1. Smoking in uniform is not permitted. Members of staff who smoke whilst wearing the Trust Uniform will be required to cover the uniform with appropriate outer clothing that does not identify the Trust.

10. Non-compliance

- 10.1. Any organisations or persons who chose not to abide by the Health Act 2006 and the subsequent smoke free legislation may be liable to a fixed fine and possible criminal prosecution.
- 10.2. Individuals are liable for fines of £50 for smoking in a smoke free premises or a vehicle. This fine will be reduced to £30 if paid within 15 days.
- 10.3. If individuals are prosecuted in court, the fine could be £200.
- 10.4. A fixed penalty notice of £200 can be imposed on the Trust and/or a manager of a premises or a person in control of a premises (or a vehicle) for failing to display appropriate no smoking signage. This fine is reduced to £150 if paid within 15 days.
- 10.5. In cases of prosecution and conviction, the Trust and /or manager or a person in control of a premises (or a vehicle) can be fined up to £1,000.
- 10.6. The Trust and/or manager of a premises or a person in control of a premises (or a vehicle) can be fined up to £2,500 for failing to prevent others from smoking in their premises.

11. Competence

- 11.1. Advice on the application of this policy to both line managers and staff will be provided by the HR department.

12. Monitoring

- 12.1. Monitoring will take place by managers on a day to day basis.

- 12.2. Human Resources (HR) will monitor the application of the policy and policy through feedback from staff and managers. HR will use the information to monitor the implementation of the policy and management of cases. Feedback, legislature and changes to terms and conditions will be used to inform and improve policies, as well as provide recommendations for improving working practices. HR will provide relevant reports, based on this data, as required.

13. Audit and Review

- 13.1. All policies have their effectiveness audited by the responsible Management Group at regular intervals, and initially six months after a new policy is approved and disseminated.
- 13.2. Effectiveness will be reviewed using the tools set out in the Trust's Policy and Procedure for the Development and Management of Trust Policies and Procedures (also known as the Policy on Policies).
- 13.3. This document will be reviewed in its entirety every three years or sooner if new legislation, codes of practice or national standards are introduced, or if feedback from employees indicates that the policy is not working effectively.
- 13.4. All changes made to this policy will go through the governance route for development and approval as set out in the Policy on Policies.

14. References

- Health and Safety at Work Act 1974
- Health Act 2006
- Smoke Free (Penalties and Discounted Amounts) Regulations 2007

15. Financial Checkpoint

- 15.1. To ensure that any financial implications of changes in policy or procedure are considered in advance of document approval, document authors are required to seek approval from the Finance Team before submitting their document for final approval.
- 15.2. This document has been confirmed by Finance to have no unbudgeted financial implications.

16. Appendix A: Occupational health advice on stopping smoking

Evidence shows that if a smoker can quit for 28 days they are **five times more likely to stay smokefree**

Benefits of Quitting

- ⤴ You will reduce your risk of developing illness, disability or death caused by cancer, heart or lung disease.
- ⤴ You will reduce your risk of gangrene or amputation caused by circulatory problems.
- ⤴ You will protect the health of those around you by not exposing them to second-hand smoke.
- ⤴ You will reduce the chances of your children suffering from bronchitis, pneumonia, asthma attacks, meningitis and ear infections.
- ⤴ You will improve your fertility levels and your chance of a healthy pregnancy and baby.
- ⤴ You will improve your breathing and general fitness.
- ⤴ You will enjoy the taste of food more.

Lifestyle improvements

- ⤴ You will save money - as much as several hundred pounds a month, if you're a heavy smoker.
- ⤴ You will no longer smell of stale tobacco.
- ⤴ The appearance of your skin and teeth will improve.
- ⤴ You will reduce the risk of fire in your home and may pay lower insurance premiums.

24 hours after you quit, carbon monoxide will be eliminated from your body.

Many smokers want to quit but aren't sure about the best way to go about it. There's lots of free support on offer and by using the support that's right for you, you'll be boosting your chance of quitting.

<https://quitnow.smokefree.nhs.uk/> has free products to help you. Free mobile app. Free email support Free text support. Free quit kit.

Free local NHS stop smoking services. By phone

Call the free Smokefree National Helpline to speak to a trained, expert adviser. Call now: 0800 022 4 332. All lines are open Monday to Friday 9am to 8pm and Saturday and Sunday 11am to 5pm*.

NHS stop smoking advisors are free, friendly and flexible and can boost your chances of quitting for good. They will give you accurate information and advice and support you during the first few weeks. They can also make it affordable for you to get stop smoking treatment.

You can also visit your GP or local pharmacy for advice.

17. References

<http://www.nhs.uk/Livewell/smoking/Pages/stopsmokingnewhome.aspx>

<http://www.patient.co.uk/health/tips-to-help-you-stop-smoking>

<https://quitnow.smokefree.nhs.uk/>