



# NO SMOKING POLICY

Review date: September 2027

## 1.0 Background

- 1.1 One of the key priorities of Telford & Wrekin Council includes improvement of the health and wellbeing of our communities, which includes our employees. Telford & Wrekin Council also takes its responsibility for the health and safety of its employees very seriously.
- 1.2 The Health Act 2006 bans smoking in enclosed public places, including workplace.

## 2.0 Policy Aims

This policy aims:

- 2.1 To promote good health and wellbeing to all employees, ultimately reducing the risk of (long term) illness and associated conditions.
- 2.2 To reduce sickness absence and associated costs to Telford & Wrekin Council as a result of the effects of smoking
- 2.3 To give all employees and visitors the right to work in air that is free of tobacco smoke.
- 2.4 To ensure that employees set a good example to children, young people and vulnerable adults.
- 2.5 To make the distinction between smoking and the use of electronic cigarettes (e-cigarettes, or 'vaping')
- 2.6 To promote a healthy and safe environment at Telford and Wrekin Council premises

- 3.0 **Application** This policy applies throughout to all employees. The policy will also apply to contractors, visitors and members of the public whilst in our school or in our vehicles. It also applies to the employees of partner organisations who share our premises.

- 4.0 **Smoke free buildings** Smoking is not allowed in Telford & Wrekin Council operational buildings or in any Telford & Wrekin places of work and schools.

- 4.1 Common areas in buildings used by children or vulnerable adults must be no smoking areas, so smoking is not permitted on all school grounds.

- 5.0 **Smoke free working hours** Employees are not allowed to smoke during working hours. 'Working hours' are defined as the individual's own working hours, this does not include official breaks.

- 6.0 **Smoking in the open air – some restrictions**

- 6.1** Telford & Wrekin Council is committed to providing a smoke-free environment for employees and the public and therefore smoking cigarettes is not permitted anywhere on or within school premises or grounds (except for where designated smoking areas have been identified). ***The designated area is at the corner of the school, near the Glendinning Way entrance side gate, where a receptacle has been provided. Smoking is not permitted at the front of the school, and smokers are requested not to block the pathway.***
- 6.2 Smoking cigarettes outside of the designated smoking areas is not permitted. This includes smoking inside personal vehicles whilst parked on Council grounds.
- 6.3 The designated smoking areas are clearly identifiable and signposted.
- 6.4 Cigarette bins are provided and you should ensure that any litter is cleared away.
- 6.5 Employees who smoke on Council grounds or elsewhere must ensure that they are not identifiable as Council staff whilst smoking.
- 6.6 Smoking waste, including cigarette ends must be disposed of correctly and not dropped as litter. Cigarette litter poses a fire hazard and also has a toxic effect on wildlife. A fixed penalty fine can be imposed on anyone who fails to observe this.

## **7.0 Use of e-cigarettes (vaping) in the open air**

- 7.1 The school smoking policy applies for Vaping or using e-cigarettes.
- 7.2 Anyone who works out of doors is only permitted to smoke during official breaks and should ensure that they are not identifiable as a Council employee whilst doing so, and smoke at the designated smoking area.

## **8.0 Protecting children and vulnerable adults**

- 8.1 Employees who work with or, through Council business, are in contact with young people who are aged under 18 or with vulnerable adults should present a healthy role model.
- 8.2 Employees therefore must not smoke or vape/use e-cigarettes in the presence of children, young people or vulnerable adults (including whilst transporting them in the employee's own vehicle), purchase cigarettes or

e-cigarettes on their behalf, or put anyone at risk as a result of bringing their smoking products and any associated goods to work.

## **9.0 Smoke free home visits**

- 9.1 Employees must not smoke or vape/use e-cigarettes when visiting people in their home on Council business. Employees on such home visits should request that no one smokes or vapes/uses e-cigarettes in the house whilst they are there. If the request is refused and causes concern then the decision remains with the service manager on how the service can be provided in future. Advice on negotiating smoke-free home visits is given in appendix 1. There will be a few exceptional occasions where the risks to health and safety posed by insisting on a smoke-free environment in someone's home will outweigh the health risks from second-hand smoke to the employee providing the service.

## **10.0 Smoke free vehicles**

- 10.1 Smoking and vaping/using e-cigarettes is not allowed in Telford & Wrekin Council vehicles. This also applies to lease cars.
- 10.2 Staff must not smoke or vape in any vehicle carrying children (anyone under 18 years of age) in a private vehicle. It is illegal to smoke in a private vehicle with someone under 18 present.

## **11.0 Protection from cigarette smoke and e-cigarettes in other workplaces**

- 11.1 The needs of employees to be protected from cigarette smoke whilst working in premises not controlled by the Telford & Wrekin Council are recognised. The person in control of any work place must comply with the Health Act 2006 and prevent cigarette (or cigars, pipes etc) in the building. If council employees find that cigarette smoking is being permitted in the building then they should report this to the Council's Environmental Health section 01952 381818.
- 11.2 If a Council employee is exposed to e-cigarettes inside buildings whilst working in these premises on behalf of Telford & Wrekin Council, this should be raised with their line manager.
- 11.3 Telford & Wrekin Council will not tolerate the trading of illicit tobacco involving employees.

## **12.0 Smoke free commercial premises**

- 12.1 Tenants of commercial premises owned by Telford & Wrekin Council are required to comply with the Health Act 2006 and prevent smoking in the buildings.

### 13.0 Employee Support

- 13.1 Whilst being keen to promote a healthy working environment, Telford & Wrekin Council recognises that smoking cigarettes can be highly addictive. Therefore the Council endeavours to support and assist employees in giving up cigarettes. It is recognised that stopping smoking is difficult, often takes several attempts and that some people do not wish to give up smoking (which is matter of personal choice).
- 13.2 The Council recognises that e-cigarettes are increasing in popularity. A growing body of evidence suggests that e-cigarettes carry 95% less risk than cigarette smoking, and that there is no evidence that vapour released from e-cigarettes in the open air presents any risk to others. However it is not advised to start vaping or using e-cigarettes if you do not currently smoke.
- 13.3 Telford and Wrekin's Healthy Lifestyles service (01952 382582) provides holistic lifestyle change and smoking cessation support. Employees who smoke and wish to stop, reduce, or switch to electronic cigarettes can obtain free support from the Healthy Lifestyles team. The Healthy Lifestyles service is available at community venues. GP's and pharmacies across the borough.
- 13.4 Stopping smoking with help from a smoking cessation service increases your chances of successfully quitting by 400%.
- 13.5 Employees who do not yet wish to give up smoking and would find compliance with this policy difficult, may find that the use of nicotine replacement therapy, particularly gum, useful in controlling cravings between official breaks and a help to cut down on smoking.
- 13.6 The use and recharging of e cigarettes is **not allowed** within Telford & Wrekin buildings although they may be used outside Council buildings as described in point 7.1 above, during the employee's own time.
- 13.7 Employees are discouraged from gathering to smoke in public areas as this creates a negative impression of the Council to many people.

- 13.8 Telford and Wrekin Council Annual Personal Performance and Development (APPD) includes discussion around employee health and wellbeing (Wellness Plan). Managers will be aware of the Healthy Lifestyles Service offer and signpost employees who request support to stop smoking (or other lifestyle behaviour change) to the service.
- 13.9 Telford & Wrekin Council will be proactive in promoting national and local campaigns which raise awareness of the benefits of quitting smoking i.e. Stoptober

#### **14.0 Non-compliance with this policy**

- 14.1 In the event of non-compliance with any condition of this policy appropriate disciplinary action may be taken where informal measures have failed
- 14.2 Contravening the Health Act 2006 (smoking in an enclosed public place or vehicle) renders the smoker liable to a fine of up to £200 and the person in control of the premises/vehicle to a fine of up to £2500. Failure to display minimum no smoking signs carries a penalty of up to £1000. This legislation is enforced by the Council's Environmental Health section.
- 14.3 If any visitors to our premises break the conditions of this policy they will be asked to stop smoking or to leave the premises.

#### **15.0 This policy**

- 15.1 Will be available on the schools shared drive and school website.
- 15.2 Will be communicated to all employees, governors, visitors and external clients
- 15.3 Will be referred to in job advertisements and job descriptions
- 15.4 Will be made available to all new employees during induction
- 15.5 Will be reviewed regularly at intervals of not more than three years and whenever the need arises.

## Appendix 1

### 1.0 Smoke free home visits

- 1.1 The Health Act 2006 prevents smoking in enclosed public places and work places but this law does not protect anyone working in a client's home. Employers and employees have to rely on the understanding and goodwill of the client.
- 1.2 When arranging the appointment employees should establish whether smokers are likely to be present. If so they should verbally request that no one smokes during the visit and that the area being used has been free of smoke for at least one hour before the scheduled appointment time.
- 1.3 Ensure that the request for a smoke free working environment is included in all written correspondence with the service user. Where appropriate an information leaflet could be included. A suggested wording is shown below:

#### **Important information for people receiving home visits.**

Please consider the need of our employees and provide them with a smoke free environment.

Second hand smoke harms people's health. It can cause heart disease, stroke and lung cancer. Being exposed to second hand smoke even for a short time can cause eye irritation, headache, cough, sore throat, dizziness and nausea.

#### **How you can help.**

- Don't smoke in the house for at least an hour before your appointment time.
- Open windows and doors to ventilate the area.
- Try to keep one room smoke free at all times.

#### **During the visit**

- Do not smoke and do not let anyone else in the house smoke in the area being used by the Council's employee.
- Wherever possible while our employee is in the house ask smokers to go outside to smoke.

#### **Our undertaking to you.**

All routine visits will be pre - booked and you will be given a time for the visit. If the employee is delayed you will be contacted as soon as possible.

#### **Our policy**

We ask our employees to assess whether any environment they enter is safe for them to work in. If a smoke -free environment cannot be provided we will need to look at ways of reducing the risk as far as is reasonably practicable. In some cases this may include staff leaving a situation that they deem to be unsafe and alternative ways of providing a service to you arranged.

- 1.4 When the nature of the service requires regular visits to work in a client's home then a written contract that outlines the responsibilities of the service provider and the service user can be useful to make this clear.
- 1.5 In order to protect staff who visit clients in their own homes, when clients refuse reasonable requests for no smoking during the visit, line managers will provide a letter to the client, requesting that the client and their family do not smoke during the visit. If the client or occupants do not respect this, the manager will ask for an alternative venue for the appointment where reasonably practicable.
- 1.6 Employees who are pregnant, suffer from asthma or other chronic respiratory condition may be at increased risk from exposure to second-hand smoke, the employee should make their line manager aware of their condition. Alternative arrangements will need to be made to avoid them having to work in smoky homes.
- 1.7 Employees who smoke are not allowed to smoke during working hours regardless of where they are and this includes the homes of smokers.
- 1.8 There will be a few exceptional circumstances where the dynamic assessment of the risk of attempting to insist on a smoke-free environment or withdrawing from the situation will be outweighed by the risk from the resulting failure to provide the service. Examples of such home visits include:
  - 1.8.1 Visits in connection with some child and vulnerable adult protection cases.
  - 1.8.2 Situations where the service user is likely to be acutely distressed.
  - 1.8.3 Situations where the service user's or other person's immediate health or safety would be compromised if the service was not provided at that time.
  - 1.8.4 Where the service user is known to be terminally ill.

