

WARWICK DISTRICT COUNCIL

SMOKING etc POLICY

Policy

1. Purpose

The purpose of the smoking etc policy is to confirm the Council's commitment to being an exemplar in protecting and promoting health, in particular where tobacco and nicotine products are concerned. This policy refreshes the existing 'Smoke Free Policy' and has been developed to take into account the use of electronic cigarettes ('Vaping').

The Council accepts its responsibilities under WHO FCTC Article 5.3 about addressing tobacco industry interference in public health policies:

http://www.who.int/fctc/guidelines/article_5_3.pdf

2. Scope

This policy applies to all Members, staff, visitors, service users and patrons.

The term 'smoking' includes the use of e-cigarettes.

3. Key Principles

3.1

The aims of the policy are to:

- Promote and achieve a healthy working environment and protect the current and future health of employees, customers and visitors
- Enforce the right of nonsmokers to breathe in air free from tobacco smoke
- Enable compliance with occupational health legislation and employment law
- Raise awareness of the dangers associated with exposure to tobacco smoke
- Take account of the needs of those who smoke and to support those who wish to stop.

3.2

- all premises where a service is provided by Warwick District Council employees are non-smoking environments. During break times smoking must take place away from Council premises, buildings and outside the grounds.
- smoking must not take place near to the entrance, the exit, or near to an opening of any Council building, at a position which might allow smoke to drift into the building or expose users of the building to second hand smoke.
- there is no provision for separate smoking areas or smoking breaks. Anyone wanting to smoke must do so in their own time.
- tobacco products and electronic cigarettes will not be sold on Council premises.
- No smoking is allowed in Council-owned vehicles nor privately owned vehicles when used on Council business. Vehicles must not be used as smoking shelters at any time during the employee's working day or on Council premises.
- Some Council employees are required to visit other premises, both commercial and domestic, as part of their duties. Employees should request the occupier to refrain from smoking in the same room during their visit. If the person receiving this request does not comply, this does not mean that the service will not be provided. For example, it may be possible to make use of an alternative room or arrange an appointment on Council premises. Where an occupant's behaviour becomes unreasonable towards an employee, the employee should politely withdraw.

4. Roles and Responsibilities

- This Policy applies to all elected members, Council employees, contractors and all visitors to and users of Council premises.

- Managers, through their normal managerial arrangements will be responsible for overseeing the implementation and management of the policy for all areas of their responsibility.
- Human Resources will provide support and guidance, publicise the Policy and ensure that all job applicants are aware of the policy before offers of appointment are made or accepted.
- The Policy has the full support of the Council's recognised Trade Unions.

5. Enforcement

5.1 Whilst it is not the intention of the smoking policy to force employees to give up smoking, employees who fail to comply with the provisions of this revised policy will be liable to face disciplinary action through the corporate disciplinary procedures.

5.2 A requirement will be built into all Council contracts requiring contractors to ensure that their employees comply with the Council's smoking policy.

5.3 This Policy will be reviewed from time to time to ensure that it remains current.

Guidance Notes

6.1

The use of e-cigarettes. 'These devices directly undermine the effects and intentions of existing legislation including the ban on smoking in enclosed public spaces' (British Medical Association). **There will be no prohibition, however, on the use of medically prescribed devices of which only one has been approved to date by the UK Medicines and Healthcare Products Regulatory Agency (MHRA).**

With just under 20% of the population smoking, every opportunity will be made to support those wanting to quit. Currently 1 in 2 cigarette smokers die from a smoking-related disease. Within this context, it is known that there is an increasing use of electronic cigarettes (e-cigarettes). While there are no comprehensive, long-term safety data for most e-cigarettes, it is recognised that they are likely to be much safer than smoking, and are likely to significantly reduce the harm from secondary smoking.

6.2

- In the case of Very Sheltered Housing Schemes, no smoking is permitted in communal areas. Residents are permitted to smoke in their living accommodation. Staff must not smoke in any part of these premises at any time. In Council housing reference should be made to tenancy agreements.
- smoking by members of the public in the Council's parks and nature reserves is not prohibited, unless there is a notice to the contrary. Members of staff are not permitted to smoke in these places whilst on duty.
- Smoking is prohibited in all Council premises to which the public resort. Reference should be made to the Terms and Conditions of Use of these premises.

6.3

The Council will enable counselling, support and assistance to employees who request help to give up smoking. Individuals should initially discuss this with their line manager who, in conjunction with Human Resources, will help with a referral to the Warwickshire Stop Smoking Service.

Contacts:

Warwickshire Stop Smoking Service 0800 085 2917

NHS Smoking Helpline 0800 169 0 169

- www.smokefreewarwickshire.org
- www.gosmokefree.co.uk
- www.nosmokingday.org.uk
- www.ash.org.uk