

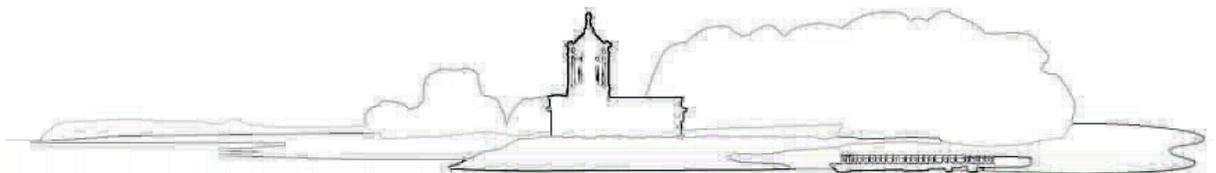


# Rutland County Council

## NO SMOKING POLICY

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Guardian	Human Resources
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## **Summary of document**

This No Smoking Policy sets out the restrictions applicable to all Rutland County Council employees, Members, visitors and service users.

The Health Act 2006 introduced regulations that prohibit smoking in enclosed and substantially enclosed premises in England from 1 July 2007, where they are open to the public or if they are used as a place of work by more than one person. The Smoke-free (Premises and Enforcement) Regulations 2006 provide that premises are "enclosed" if they have a ceiling or roof and, except for doors, windows and passageways, are wholly enclosed, either permanently or temporarily. Premises are "substantially enclosed" if they have a ceiling or roof but there is an opening or aggregate area of openings in the walls that is less than half of the area of the walls.

All of Rutland County Council's premises are considered to be smokefree.

# Contents

		<i>Page</i>
1.0	Introduction	4
2.0	Scope	4
3.0	Principles	5
3.1	Support for staff wanting to stop smoking	5
3.2	Smokefree working environment	6
3.3	Electronic nicotine delivery systems (Electronic cigarettes)	6
3.4	Smoking in Vehicles	7
3.5	Signage	7
3.6	Homeworking	7
3.7	Non-compliance	7
3.8	Policy review	7

## **1.0 INTRODUCTION**

1.1 It is recognised that the health, safety and welfare of employees, sub-contractors, Members and anyone else directly affected by the Council's operations are of prime importance. As such, the Council aims to provide and maintain a safe working environment for its employees and to empower them to maintain good health through the provision of health information and support to quit smoking.

1.2 Smoking remains the leading behavioural cause of premature death and health inequalities in the UK. Smoking is a major contributor to many serious illnesses, including respiratory problems, vascular disease and various forms of cancer. Reducing smoking is a key public health outcome for which Rutland County Council has responsibility for.

1.3 Second-hand tobacco smoke (also known as 'passive smoking') is a mixture of side stream tobacco smoke from the burning tip of a cigarette, cigar, pipe etc. and smoke exhaled by a smoker. Exposure to second-hand tobacco smoke has been shown to increase the risk of lung cancer, heart disease and other diseases. It also has an acute irritant effect on the eyes, throat and respiratory tract and can aggravate asthma.

1.4 Electronic nicotine delivery systems such as e-cigarettes can also produce vapour emissions that can be seen and smelt, and may contain nicotine. The design of these products are often similar in appearance to the traditional cigarette, and therefore may lead employees and visitors to believe it is acceptable to smoke in the workplace if used on the premises.

1.5 The cost of smoking to Rutland society is estimated at £5.8 million per year. Across the County, smoking breaks cost businesses £1.5 million and £564,000 in lost productivity due to smoking-related sick days. Rutland's current rate of smoking is estimated to be 23% (higher than the national average of 19.5%), representing a significant issue for the County. (Figures from [www.ash.org.uk/localtoolkit](http://www.ash.org.uk/localtoolkit), 2014)

1.6 Therefore, the Council has developed and enforces a dedicated no smoking policy, which goes beyond the requirements of the relevant legislation to designate all Council premises and grounds smokefree.

## **2.0 SCOPE**

2.1 This policy is applicable to all employees of the Council, including sub-contractors who undertake activities on behalf of the Council, Members, any visitors to and customers on Council premises. It covers the use of tobacco, tobacco related products, nicotine containing products (NCP), including cigarettes, patches, smokeless tobacco products and e-cigarettes whilst at work or on Rutland County Council property. Where smoking is referred to, the same principles will apply equally to vaping. This policy and its mandatory application will be communicated to all employees, Members, sub-contractors, visitors/customers and interested parties. It should be read in conjunction with the Rutland County Council (RCC) Code of Conduct.

2.2 As part of the organisation's induction process, new starters should be told about this policy and shown where it is located on the intranet.

2.3 Employees are responsible for informing their visitors to the premises/customers of this policy.

2.4 Advice on the application of this policy is available from Human Resources.

### 3.0 PRINCIPLES

#### 3.1 Support for staff wanting to stop smoking

For those smokers who are considering giving up, Rutland County Council will provide support and assistance through initiatives led by the Staff Health and Wellbeing Group, which will be widely publicised.

You can also access support from:

- **Care First website** – part of our employee assistance programme, there is plenty of advice on how to start and then maintain going smoke free. <http://www.care-first.co.uk/extranet/health/smoking-drinking/giving-up-smoking/> (Username: rcc001; Password: ncil1234)
- **Leicestershire Partnership NHS Trust** – the local stop smoking service in Leicester, Leicestershire and Rutland, with over 40 advisors able to offer support and guidance. When you meet your advisor, he or she will help you decide if you're really ready to quit, or whether you just want some information at this stage. Your advisor will explain how this programme gives you the best chance of success; your individually-tailored plan, which lasts up to 12 weeks, is a combination of support, medication to help stay quit, and skills to stay smokefree. It's a free, friendly service run by people who understand what you're going through. Contact them by telephone on: 0116 295 4141 for both our City and County Services or text to 07717 420 560, or via the website: [http://www.leicspart.nhs.uk/\\_OurServices-STOPSmokingService.aspx](http://www.leicspart.nhs.uk/_OurServices-STOPSmokingService.aspx)  
This service will be replaced by Quit 51 from 1 April 2015.
- **Other local NHS Stop Smoking Services** – to find your local service, call the NHS Smoking Helpline free on 0800 022 4 332, visit [gosomefree.co.uk](http://gosomefree.co.uk) text 'GIVE UP' and your full postcode to 88088 or ask at your local GP practice, pharmacy or hospital.
- **NHS Smoking Helpline** – individuals can speak to a specialist adviser by calling 0800 022 4 332 (lines are open daily from 7am to 11pm)
- **gosomefree.co.uk** – an online resource for advice, information and support needed to stop and stay stopped.

- **Together** – this support programme is free to join, and is designed to help individuals stop smoking using both medical research as well as insights from ex-smokers. You can choose to receive emails, text messages, mailing packs and phone calls. Call the NHS Smoking Helpline 0800 022 4 332 or visit [gosmokefree.co.uk](http://gosmokefree.co.uk) for details.
- **Quit Kit** – The kit is packed with practical tools and advice to help you stop smoking, including a 'tangle' to keep hands busy, a wallchart to keep track of your progress, stress-busting MP3 downloads, information on medicines that can help you stop smoking and exercises to improve your willpower. Order your Quit Kit online at <https://quitnow.smokefree.nhs.uk/>

### 3.2 Smokefree working environment

In order to achieve the aim of a smokefree working environment, smoking is not permitted in any of Rutland County Council's premises, including perimeter grounds such as car parks, and as such, all existing smoking areas will be withdrawn from use.

This also applies to service users premises/residential homes, Adult Learning premises, Youth and Housing service locations, Day Opportunity Centres and Support Living bungalows.

For those wishing to smoke, in order to avoid smoke re-entering buildings through windows and doors, a reasonable distance of 5 metres from the perimeter should be observed. In addition, employees must not smoke anywhere in public view wearing Council identity badges. This is to ensure that the public perception of the behaviours of Council staff is in line with the stated aim of reducing the prevalence of smoking locally.

No smoking breaks will be allowed during the working day, and so those wishing to smoke will need to do this during lunch periods only.

Employees required to visit other premises not covered by smoke free legislation as part of their duties (ie, domestic premises) should advise the visitee when arranging a visit of RCC's smoking policy. Although the Council has a duty of care to protect its employees it cannot control the smoking policy on these premises. Employees should seek to agree that the visitee arrange for a non-smoking area to be provided for the duration of the visit. Where this is not possible, employees should ask the visitee to refrain from smoking inside the premises or in the meeting area for one hour before the visit and that the visitee not smoke during the duration of the visit. Where an individual employee is experiencing particular health problems, e.g., asthma, or is pregnant, advice will be sought from the Council's medical advisors.

### 3.3 Electronic nicotine delivery systems (e-cigarettes, etc)

Electronic nicotine delivery systems, such as E-cigarettes, are not currently regulated as a tobacco product or as a medicine in the UK and, as such are not promoted as a nicotine replacement therapy. The British Medical Association (BMA)

believes the existing smoke-free legislation in place in the UK should be extended to include vapour from e-cigarettes.

Staff who use an electronic nicotine delivery system in an attempt to quit smoking may not use these whilst on any Council premises and grounds. Alternative nicotine containing products are available for use whilst at work. Smoking e-cigarettes will be treated as smoking tobacco and those using these products should respect the boundaries applied to those using traditional cigarettes.

Employees must not re-charge e-cigarettes at a work location.

### **3.4 Smoking in Vehicles**

Smoking is strictly prohibited in any Council vehicle. This includes service vehicles, rental cars, pool cars and WeCars. Whilst privately owned vehicles used on occasion for work purposes are not required to be permanently smokefree, these should be whilst carrying passengers when travelling and carrying out authorised duties. During this time the vehicle is regarded as a work environment, and is therefore covered by the Smoke-free Regulations, 2007.

### **3.5 Signage**

The Council displays signs that make it clear that smoking is prohibited on its premises and within its vehicles.

### **3.6 Homeworkers**

Homeworkers are not required to refrain from smoking during the course of work that is carried out for the Council in their home, unless they invite others into an area of their home for work purposes.

### **3.7 Non-compliance**

Any infringement of these rules by an employee will be fully investigated and may result in disciplinary action being taken. Advice should be sought from Human Resources in all cases. Employees are reminded that it is a criminal offence for employees to smoke in a smoke-free area; this attracts a fixed penalty of £50 for prosecution and a fine of up to £200.

Customers and / or visitors who are smoking in smoke-free areas should be reminded of the no-smoking signs and asked to stop. Any person refusing to stop smoking in smoke-free areas should be reminded that it is a criminal offence to do so. If they still refuse to stop they should be asked to leave the premises completely.

Managers will be responsible for the promotion of the policy and for ensuring that their teams comply. They will receive guidance regarding their responsibilities in relation to the policy and enforcement of it. Staff should inform their line manager of anyone who fails to comply with the policy.

### **3.8 Policy review**

This policy will be kept up to date and amended accordingly to reflect any changes in response to revised legislation, applicable standards and guidelines and in the light of its use and application.

**A large print version of this document is available on request**



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