



# **East Herts Council**

## **Smoke Free Workplace**

### **Policy Statement**

**Policy Statement No 32 (Issue No 2)**

**February 2015**

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## **1.0 Introduction**

- 1.1 East Herts Council recognises that the health, safety and welfare of its employees and those visiting the Council’s premises (eg members of the public, guests, visitors) are of prime importance. The Council has therefore developed and enforces a Smoke Free Workplace policy, conforming to the requirements of the smoke-free legislation (Health Act 2006).
- 1.2 This policy supports the East Herts Council *Health and Wellbeing Strategy 2013-2018* which states that ‘Smoking is still the single biggest killer with all the health problems it causes’.
- 1.3 One of the priorities in the Health and Wellbeing Strategy focuses on **Creating health and work together** and recognises that an environment in which health and work flourish is good for individual and corporate health. This can be achieved through promoting work places as healthy environments through increased physical activity, healthy eating, alcohol and smoking awareness and good mental health and wellbeing.

## **2.0 Aims and Scope of the Policy**

- 2.1 To provide a smoke free environment for people to work in, thus reducing risks to health associated with tobacco smoke inhalation and vapour from electronic cigarettes.
- 2.2 To ensure that all employees (eg managers, smokers, non-smokers and visitors to the Council) have a clear understanding of their responsibilities.
- 2.3 To ensure that the Council complies with any health and safety or other legislation.
- 2.4 To encourage employees to seek advice on giving up smoking.
- 2.5 This policy also applies to the smoking of electronic cigarettes (E-cigarettes) or similar synthetic smoking substitutes or devices.
- 2.6 This policy applies to all employees, agency workers, visitors, contractors and other persons who enter Council premises or use a Council owned work vehicle.

- 2.7 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.
- 2.8 Employees are reminded that it is a criminal offence to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine up to £200.

### **3.0 Working towards a totally smoke-free environment**

- 3.1 Smoking is not permitted on the Council's premises, except in certain designated outside areas. These are shown in Appendices A to D.
- 3.2 *From 1 January 2016, employees will not be able to smoke anywhere on the Council's premises.*
- 3.3 Smoking is not permitted in any Council owned work vehicle regardless of whether it is driven or used by a single employee.
- 3.4 Smoking is not permitted in personally owned vehicles when carrying other employees, elected members, service users etc.

### **4.0 Responsibility of Employees**

- 4.1 Employees must only smoke in the designated areas identified in Appendices A to D.
- 4.2 *From 1 January 2016, employees will not be able to smoke anywhere on the Council's premises. All existing Council owned smoking shelters will be removed through a gradual programme of change which will be completed by the end of 2015.*
- 4.3 Employees must dispose of smoking materials responsibly and with consideration for the environment and non-smokers.
- 4.4 Employees should take not more than one smoke break in the morning and one smoke break in the afternoon and should ensure that when they take a smoke break it does not affect the needs of the service.

- 4.5 Due to the nature that employees taking smoking breaks must leave the building and premises (from 1 January 2016), employees will be required to record the break taken on their flexi timesheets.
- 4.6 *From 1 January 2016, employees must ensure they do not smoke on Council premises.*
- 4.7 Employees who are required to wear a uniform in public whilst undertaking the business of the Council (e.g. in public open spaces, interacting with or highly visible to the public) are prohibited from smoking whilst they are working. They may however smoke in their official breaks as long as they do so inconspicuously and cover up their East Herts logos.
- 4.8 Employees of electronic cigarettes or similar synthetic smoking substitutes or devices must also comply with paragraphs 4.1 to 4.7.
- 4.9 Failure to comply with this policy may result in disciplinary action being taken under the Council’s Disciplinary Procedure.

## **5.0 Responsibility of Managers**

- 5.1 Managers must ensure they read and understand the requirements of this policy and ensure that their teams are fully briefed.
- 5.2 Managers must remind employees that any time spent away from the building or premises to take a ‘smoking break’ should be recorded on their flexi sheet. Managers should discuss excessive time away from the workplace with the employee.
- 5.3 Managers must take appropriate action where an employee does not comply with the policy. Should there be a persistent refusal to comply with the policy, disciplinary action in accordance with the Council’s disciplinary procedure may be invoked.

## **6.0 Responsibility of Human Resources**

- 6.1 The Human Resources team are available to provide support and advice to employees and managers and to ensure consistency of application of this policy across the Council.

## **7.0 Sources of Information and Advice**

7.1 The Council recognises the difficulty that employees may face when wishing to give up smoking.

7.2 The Council will provide a group Smoking Cessation programme subject to demand, which is run by the Hertfordshire Stop Smoking Service. It is a programme for groups of 10-15 employees and takes 1 hour per week over 7 weeks. For further information, please visit the Health and Wellbeing Benefits pages on the intranet:

<http://www.eastherts.gov.uk/intranet/index.jsp?articleid=14590>

If you are interested in attending one of these groups or to find out when the next programme commences, please contact a member of the HR team.

7.3 Details of other organisations and services offering information and advice on giving up smoking can be obtained from the following:

7.3.1 Environmental Health Promotion Officer, Environmental Health Service.

7.3.2 Hertfordshire Stop Smoking Services by telephoning 0800 389 3998 or visiting their website below. They provide employee or group support in your local area

[www.hertsdirect.org/services/healthsoc/healthherts/](http://www.hertsdirect.org/services/healthsoc/healthherts/);

7.3.3 Your GP who can talk to you about the NHS Stop Smoking Support available or your local Pharmacist to arrange a consultation session to see what products and advice are available to support you in your attempt to quit.

7.3.4 The employee assistance programme, PPC, who can be contacted on 0800 316 9337.

## **8.0 Policy Review and Amendment**

8.1 This Policy shall be reviewed in one year and will be updated to reflect the Council’s new approach of a totally smoke-free environment on its premises from 1 January 2016.

**Appendix A**

**Designated Smoking Areas (until 31 December 2015 when there will be no designated smoking areas on any of the Council's premises)**

**Charringtons House**

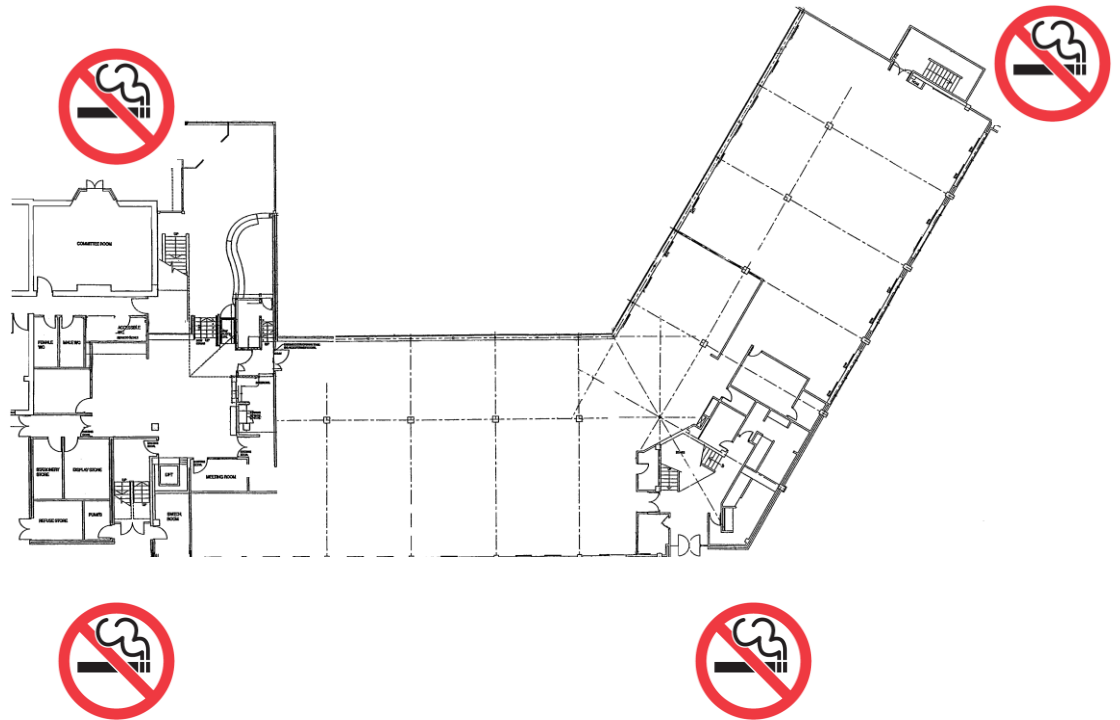


Smoking is not permitted in staff and public entrances and, from 1 January 2016, employees working for East Herts Council will not be permitted to smoke anywhere on the Council's premises.

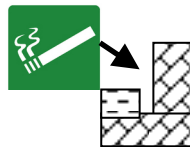
**Appendix B**

**Designated Smoking Areas (until 31 December 2015 when there will be no designated smoking areas on any of the Council's premises)**

**Wallfields**



**Smoking Area Canopy**



Smoking is not permitted in doorways or building recesses, staff and public entrances.

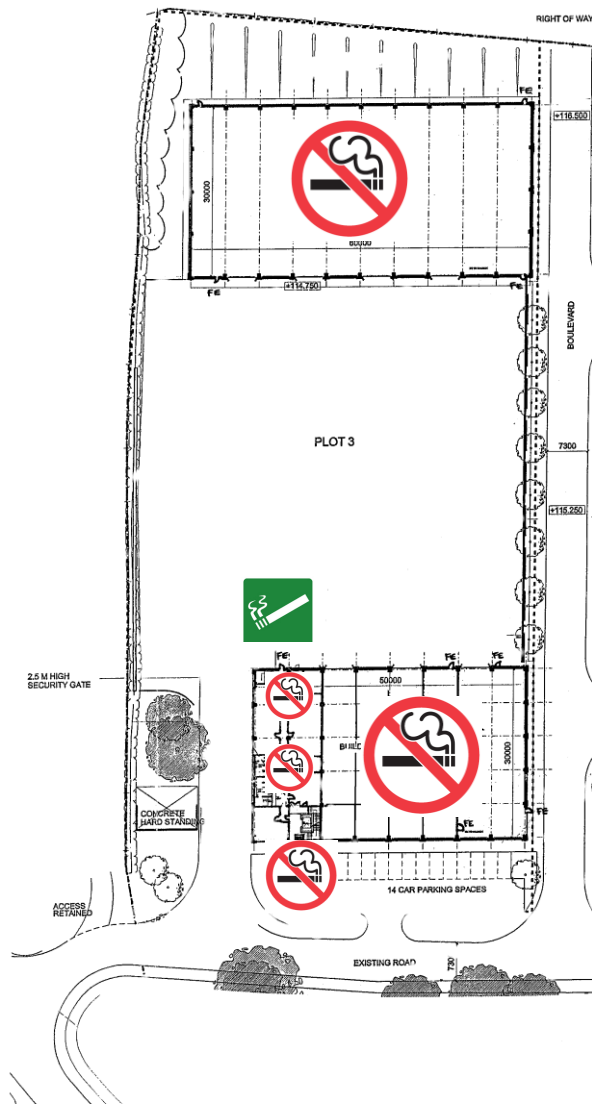


## Appendix C

### Designated Smoking Areas

The designated area is currently situated at the rear corner of the building. Smoking is not permitted at the front of the building, workshop or recycling shed and, from 1 January 2016, employees working for East Herts Council will not be permitted to smoke anywhere on the Council's premises.

### Buntingford Service Centre



## **Appendix D**

### **Hertford Theatre**

Smoking is permitted outside at the rear of the building (**until 31 December 2015 when there will be no designated smoking areas on any of the Council’s premises**)

#### **Note**

Artistic Integrity

### **The Smoke-free (Exemptions and Vehicles) Regulations 2007**

#### *PART 2*

#### *Exemptions*

#### **Performers**

**6.** Where the artistic integrity of a performance makes it appropriate for a person who is taking part in that performance to smoke, the part of the premises in which that person performs is not smoke-free in relation to that person during their performance.