

APPENDIX M1 - SMOKING POLICY

This policy aims to protect employees from second hand smoke exposure, to use workplace restrictions to encourage employees to stop smoking and demonstrate the City Council's commitment to its health leadership role.

1. THE POLICY

1.1. Smoking is banned in all the Council's operational buildings and associated outdoor areas, such as depots, yards and car parks. Smoking in Council vehicles is also prohibited.

1.2. Internal smoking rooms (except those in exempted settings) will no longer be provided.

1.3. Smoking in the vicinity of entrances and exits to Council buildings is prohibited. This restriction applies to all City Council employees, Members, agency and temporary staff, contractors, partner organisations, third parties hiring Council premises, visitors and customers.

1.4. City Council employees are not permitted to smoke in working time and therefore are not permitted to take smoking breaks (whether paid or unpaid). Council employees who wish to smoke may do so only in their own time (e.g. lunch breaks). This applies to Council staff wherever they are employed, regardless of whether the Council owns the premises or land where they are working.

This restriction applies to all Council employees, Members, agency and temporary staff, contractors, partner organisations, third parties hiring Council premises, visitors and customers. (Local policies may be introduced for employees who are required to work 'sleep-over' shifts, or who are prohibited for operational reasons from leaving their workplace during their formal breaks; subject to agreement with the Head of HR).

1.5. The sale of tobacco products from City Council operational sites is prohibited, including any tobacco advertising.

1.6. In workplaces shared with other organisations (e.g. partner organisations) the Council will seek to ensure that consistent and comparable smoking policies are introduced.

1.7. Where Council employees are present in another organisation's workplace, employees will adhere to any additional smoking policies or restrictions put in place by that organisation.

1.8. The smoking ban includes the use of electronic or E-cigarettes, this is following a briefing issued by the British Medical Council which summaries' the following points;

- E-cigarettes are not regulated as a tobacco product or as a medicine in the UK and there is no peer reviewed evidence that they are a safe and effective nicotine replacement therapy
- The use of e-cigarettes may undermine stopping smoking and smoking prevention by reinforcing the normalcy of cigarette use in public and workplaces
- Health professionals should encourage their patients to use regulated and licensed nicotine replacement therapy to help quit smoking

2. Support for Employees

2.1. The Council recognises that smoking is an addiction and wishes to support employees who want to stop. The Council will allow any employee who joins a recognised smoking cessation schemes (e.g. the PCT provided 'STOP' scheme) a finite period of up to five hours paid time-off (pro rata for part-time and job share workers) to attend smoking cessation schemes, if the sessions occur during or impact on work time.

3. THE POLICY FOR RESIDENTIAL SETTINGS

3.1. Residents and service-users in Council controlled residential settings (for example EPHs and Hostels) fall outside the remit of this policy. However, suitable arrangements should be put in place in these settings, to restrict and control smoking by residents and service users.

4. THE POLICY FOR THIRD PARTY PREMISES

4.1. Where Council employees are required to work or visit other premises (e.g. domestic settings) that are not smoke free, all reasonable arrangements will be made to minimise exposure to second hand smoke. Line managers will agree such arrangements with employees in advance and these may include, where practicable; informing customers, clients and partners of the Council's Policy in advance and requesting that the environment is kept smoke free whilst they are present.

4.2. It must be recognised that even with proposed new national legislation, for some years there will be environments that Council employees will have to attend as part of their duties that will not be entirely smoke free.

5. THE POLICY FOR SCHOOLS

5.1. Schools are also workplaces and the Council wishes to protect employees and the public from second hand smoke exposure. In addition, staff in schools act as role models for pupils. Therefore, we recommend that Governing Bodies and Head Teachers adopt smoking policies that are compatible with this smoking policy as soon as possible.

6. IMPLEMENTATION AND ENFORCEMENT OF THE POLICY

6.1. Line managers are responsible for the promotion and maintenance of the policy with their staff.

6.2. Any employee not complying with the policy will be asked to discuss this with their line manager. Managers should remind the employee of the new rules introduced by the policy and of support available. Managers should stress the need for compliance and discuss ways that the employee can comply. Managers should explain that further non-compliance could lead to disciplinary action.

6.3 If further breaches of the policy occur, managers should discuss the reasons with the employee, considering what action has been taken to gain compliance, and what other actions could be taken or what further support the manager could offer to the employee. Managers are encouraged to treat each case on an individual basis, to take advice from Human Resources and give the employee every reasonable chance to comply with the policy.

6.4 In cases of persistent breaches of the policy with a lack of intention to comply, managers will need to invoke the disciplinary procedure. In other workplaces where the same measures have been put in place there is a high level of compliance with no reported need to invoke disciplinary procedures.

6.5 Visitors, contractors, etc. not adhering to the policy will be asked to comply or leave the premises.

6.6 All job applicants will be made aware of the policy via application packs. In addition, new employees will be reminded of this policy during their induction.

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