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Gateshead Council Smoke-free Policy

1 Introduction

Smoking damages health and causes discomfort and potential damage to the health of non-smokers. Smoking may also present a safety hazard in terms of fire or explosion.

Whereas it is the right of any individual **whether** they wish to smoke or not, the issue of **where** an individual smokes is something the Council can determine, particularly in relation to its own employees, whilst at work.

The Council can also, through its own example, have a significant influence on thinking and attitudes towards smoking in the wider community.

In light of its obligations on health for its employees and residents and in accordance with the 2006 smoke-free legislation; the Council has revised its smoking policy.

This new policy replaces the Council's earlier smoking policies introduced in 1990, 2000 and 2004. These policies have been very successful in reducing the incidence of smoking at work by employees and in Council buildings and facilities by service users.

Elected Members have agreed that they will comply with the requirements of this policy in the same way as employees.

2 Policy statement

With effect from 1st May 2004, it is a condition of employment that employees are not allowed to smoke in Council vehicles and in Council facilities and buildings and within the perimeters of those sites.

3 Definitions/Explanations

Council facilities, buildings and sites includes:

- Bar, catering and canteen facilities
- Car parks
- Corridors
- Council chamber
- Day centres
- Depots
- Leisure facilities
- Libraries
- Meeting rooms
- Offices
- Reception areas
- Residential care homes
- Rest rooms
- Schools
- Sheltered housing community lounges

- Site cabins
- Sleep-in rooms
- Stairwells
- Stores and storage rooms
- Toilets
- Training rooms
- Waiting and interview rooms
- Walkways
- Youth and community premises

Service Users' Homes

Whilst the 2006 legislation exempted private dwellings from being smoke-free, employees visiting or working in service users' homes are not allowed to smoke.

Residential Accommodation

The 2006 legislation also exempts residential care homes. Residents aged over 18 can smoke in a designated communal room, which is used solely for smoking. Employees are not allowed to smoke in residential accommodation.

Smoking at Work

As with any other request for time off, an employee wishing to take a break from work to smoke must agree the break with their line manager. Managers will decide what is reasonable and operationally viable and may request that employees make up the time. Employees subject to the flexitime scheme must clock out when leaving the workplace to smoke and clock back in on their return.

Vehicles

Smoking is not allowed inside Council vehicles. Employees are not allowed to smoke inside their own cars parked on Council premises or when driving within site perimeters. Employees travelling in their own cars with other employees on Council business should not smoke unless they have agreed it with their colleagues.

Manager Responsibilities

Further guidance on manager responsibilities can be found in LCS-HS-69 'Smoke-free Policy Implementation Guidance' in section 4 of the Managers Health and Safety Handbook.

4 Second Hand Smoke

There may be circumstances where non-smokers are adversely affected by working in environments created by other people smoking, such as in service users' homes or designated smoking rooms in residential accommodation.

These adverse effects could range from the employee considering the environment unpleasant to experiencing identified health problems as a result of second hand smoke.

In these circumstances, management will take appropriate action. This could include:

- Encouraging the smokers to stop or not to smoke whilst the affected employee is present;
- Improving ventilation;
- Reallocating clients to other employees;
- Relocating or redeploying the affected employee.

5 **Support and enforcement**

Employees who wish to stop or reduce smoking can access support from the Stop Smoking Service. The Council is working with the service to offer weekly support sessions. The Council's Occupational Health Unit will be able to help employees to access other sources of support and advice.

Employees, who smoke at work in contravention of the smoking policy, will be referred through the Council's Alcohol and Drug Abuse Policy and Procedure.

Ultimately, disciplinary proceedings may be invoked against employees who continue to smoke at work in contravention of the policy.

6 **Legislation**

Health Act 2006

7 **Useful Contacts**

Human Resources	0191 4332215
Human Resources – Occupational Health	0191 4333273
Human Resources – Health and Safety	0191 4332272
Gateshead and South Tyneside NHS Stop Smoking Service	0191 2831145
NHS Smoking Helpline	0800 1690169

See other Council Policies

- Health and Safety Policy
- Alcohol & Drug Abuse Policy and Procedure
- Grievance Procedure
- Disciplinary Procedure