

Document Name:	Workplace Smoking Policy
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Date for Review:	Following changes in legislation, organisational structure and/or other NSDC policies, procedures or agreements
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Approved by:	JCC
Responsible Business Manager:	Ben Adams, Business Manager Community Safety

# Newark & Sherwood District Council

## Workplace Smoking Policy

### 1.0 Policy

#### 1.1 Policy Aim

The aim of this policy is to ensure compliance with the Health Act 2006 for the prohibition of smoking within workplace premises and work vehicles.

#### 1.2 Policy Objective

To provide a clear policy to ensure compliance with the smoking prohibition within the workplace and work vehicles as defined within the Health Act 2006 and consolidate previous Newark and Sherwood District Council (NSDC) policy. It will also provide managers with a framework to ensure that the management of smoking is undertaken in a fair and consistent manner within the workplace.

#### 1.3 Policy Outcome

That smoking is in accordance with the Health Act 2006 and NSDC policy and that all employees are dealt with fairly and consistently in accordance with this policy and procedural framework.

#### 1.4 Policy Statement

1.4.1 This Council acknowledges the adverse impact on employee health, caused through direct and passive smoking at work.

1.4.2 Passive smoking has been medically proven to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions. In addition, as well as the serious effect smoking has on health it also increases fire risk and the discomfort of others using areas in which smoking has taken place.

1.4.3 This Council believes, because of the serious health effects, discomfort and fire risk associated with smoking, that all workplaces and other areas identified within section 2 of this policy should be no smoking areas. This is in accordance with the provisions of the Health Act 2006 for the prohibition of smoking within workplace premises and vehicles.

### 2.0 Smoking Ban

2.1 The smoking ban applies to **ALL** Council premises occupied by Newark & Sherwood District Council (NSDC) employees.

2.2 This policy bans the use of all defined smoking materials, as listed within the relevant legislation, and electronic cigarettes (E- cigarettes) or other devices used to replace defined smoking materials which emit vapour, smoke or other contaminants within the areas listed within 2.3 of this policy.

- 2.3 Smoking is **NOT** permitted in **ANY** work area or work access area within buildings or the immediate surrounds of those buildings. This applies to all offices and work areas, whether occupied by only one person, or shared by two or more. This will include all common areas such as:
- a) Lifts
  - b) Corridors
  - c) Stairways
  - d) Restaurant / Canteen
  - e) Restrooms
  - f) Meeting Rooms
  - g) Interview rooms
  - h) Toilets
  - i) Reception Areas
  - j) Entrances
- 2.4 This ban applies not only to all enclosed areas but also front access, doorways and areas immediately adjacent to the premises where they are in NSDC control. Where appropriate plans shall be produced for the more complex sites illustrating external no smoking areas.
- 2.5 This ban applies to all employees, Elected Members, temporary and agency workers, visitors, contractors and where applicable other organisations' employees who share commercial premises or communal areas with NSDC staff i.e. Newark and Sherwood Homes.
- 2.6 Employees participating in the flexi time scheme should make every effort to only take smoking breaks during their meal breaks, at the start of, or end of the day. However, such individuals are permitted to take reasonable smoking breaks as and when service provision allows during working hours.
- All time taken away during each smoking break shall be fully accounted for within the individual's flexi time log.
- Staff not on flexi time are not permitted to take a smoking break during their core working hours. Smoking shall only therefore be permitted during rest/meal breaks.
- 2.7 The Line Manager has the discretion to waive 2.6, in respect of a smoking break, in extreme cases of stress e.g. news of bereavement.

### **3.0 Vehicles**

- 3.1 The smoking ban applies to all council owned/fleet vehicles.
- 3.2 The ban on smoking will also apply to employees' own vehicles, when carrying passengers, whilst on Council business.

### **4.0 Enforcement of the Policy**

- 4.1 The relevant Director is responsible for implementing and monitoring of this policy. However, enforcing the smoking bans is delegated to line management.
- 4.2 Business Managers shall appropriately investigate claims of failure to adhere to this policy.

4.3 Existing disciplinary procedures will apply to all employees who breach the smoking policy.

#### **5.0 Designated smoking areas**

5.1 There are no internal designated smoking areas.

5.2 All employees shall be informed of designated external smoking areas.

#### **6.0 Facilities for Disposal of Smoking Refuse etc**

6.1 Where smoking is permitted in external designated areas, receptacles will be provided for the disposal of cigarette ends and other waste smoking materials.

#### **7.0 Recruitment Procedures**

7.1 The Human Resources unit will ensure that on appointment, all new staff members are given a copy of this policy.

#### **8.0 Visitors and Contractors**

8.1 Visitors and contractors' staff are expected to abide by the terms of this policy. The following arrangements have been made for informing them of its existence:-

Employees receiving visitors to council premises shall ensure that those visitors are aware of the smoking policy.

(i) Employees appointing contractors will ensure those contractors are informed of the smoking policy prior to commencement of work.

#### **9.0 Signage**

9.1 Officers responsible for premises shall ensure that "No smoking" signs are posted in all public areas.

#### **10.0 Monitoring and Review**

10.1 This policy will be reviewed following changes in:

- a) Relevant legislation,
- b) Organisational structures, and/or
- c) Other NSDC policies, procedures or agreements.

Safety and Risk Management Officer

July 2012

Revised June 2017 – titles & font