

Smoke Free Policy



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1.0 Introduction

1.1 Under the Smoke-Free (Exemptions and Vehicles) Regulations in England, smoking in all enclosed public spaces, workplaces and public and work vehicles is prohibited.

1.2 Chelmsford City Council recognises that smoking, including passive smoking, presents a health risk to employees and the public who use council owned buildings. The Council aims to:

- Provide a healthy working environment, free from smoke.
- To comply with health and safety legislation and employment law.
- Raise awareness of the dangers associated with exposure to tobacco smoke.
- Highlight sources of support for those who smoke and who want to stop.

In recognition of this approach the Council does not provide amenities to aid or help employees to smoke.

1.3 Chelmsford City Council has a corporate responsibility to promote the health and wellbeing of its employees, volunteers, service users, visitors and members. Although Chelmsford City Council respect that not all smokers are ready to quit, the council is committed to encouraging and supporting them to do so, should they wish to.

1.4 Smoking and the use of e-cigarettes is not permitted in any of Chelmsford City Council's enclosed public spaces and workplaces (including vehicles used in the course of paid or voluntary work by more than one person).

2.0 Scope

This Policy applies to all Chelmsford City Council staff, whether paid or unpaid, agency workers, visitors (including service users), contractors, elected members and other persons who enter Council premises.

Staff on secondment or temporary contract from partnership organisations or agencies, but based at a City Council workplace, should also adhere to this workplace policy.

3.0 General Restrictions on Smoking

3.1 Smoking is not permitted in Chelmsford City Council premises, or any part of any building controlled by Chelmsford City Council. This includes any previously designated internal smoking rooms or areas. For the purpose of clarity, this restriction therefore applies to:

- Lifts
- Stairwells
- Corridors
- Meeting rooms
- Rest rooms/staff rooms
- Kitchens
- Entrances and exits to buildings
- Any other internal area
- Covered walkways and car parking areas
- Porch areas
- Lobbies

3.2 Smoking is also prohibited close to entrances, open windows or ventilation units in any council premises, where non-smokers would have to go through the area, or where smoke could be drawn through the windows into the buildings. You are requested to dispose of cigarette litter responsibly to maintain the tidiness of areas surrounding Council property. Staff should use the designated smoking areas.

3.3 Staff must not smoke when out with or in the presence of service users.

4.0 Smoke Free Vehicles

4.1 Smoking is not permitted in vehicles belonging to or leased by the Council if they are used in the course of paid or voluntary work by more than one person, regardless of whether they are in the vehicle at the time.

- 4.2 Smoke free vehicles will need to display a no-smoking sign in each compartment of the vehicle in which people can be carried. This must show the international no-smoking symbol no smaller than 70mm in diameter.
- 4.3 It is the legal responsibility of anyone who drives, manages or is responsible for order and safety on a vehicle to prevent people from smoking.

5.0 Electronic or Vapour Cigarettes

- 5.1 An electronic cigarette (also known as an e-cigarette, vapour cigarette or e-cig) is an inhaler which simulates the act of tobacco smoking. They are often marketed as a smoking cessation aid or a tobacco replacement.
- 5.2 Even though some of these devices contain nicotine, the smoke free legislation does not currently apply to these devices. However, the Council prohibits the use of electronic cigarettes in the workplace and the rules set out in this policy apply equally to the use of electronic cigarettes.
- 5.3 The Council's rationale for prohibiting the use of electronic cigarettes is that, although they do not produce smoke, electronic cigarettes produce a vapour that could provide an annoyance or health risk to other employees. In addition to this, some electronic cigarette models can, particularly from a distance, look like real cigarettes, making the enforcement of a smoke free environment difficult to police, and creating an impression for visitors/customers/other employees that it is acceptable to smoke within the workplace.

6.0 Enforcement

- 6.1 Persistent or wilful refusal to comply with the Council's policy will be dealt with under the Disciplinary Procedure (available on the intranet). Staff wanting to report breaches of this policy should inform their line manager in the first instance.
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7.0 Visitors

- 7.1 All visitors, contractors and deliverers are required to abide by the no smoking policy. Staff members are expected to inform customers or visitors of the no smoking policy and ask them politely to leave the premises if they wish to continue smoking. If they do not, then staff should report the matter to their line manager who will decide what further action is necessary.
- 7.2 Employees threatened by aggressive behaviour or personal abuse at any time whilst asking someone to refrain from smoking should leave the situation and report the matter to the nearest manager.

8.0 Support for employees wishing to give up smoking

- 8.1 Chelmsford City Council is committed to encouraging and supporting employees and the general public in giving up smoking.
- 8.2 Managers are asked to support this policy by encouraging staff to follow a healthy lifestyle and make use of the health benefits and initiatives that are available to them.
- 8.3 The following free support is available for employees:
- For information on smoke free services in your local area call the national helpline on 0800 169 0 169 or visit <https://www.nhs.uk/better-health/quit-smoking/>
 - As a Chelmsford City Council employee, you have free 24/7 access to an Employee Assistance Programme. Details are available on the Council's intranet site or via iTrent ESS
- 8.4 All employees are expected to support colleagues where they can to give up smoking.

Version Number	Creation Date	Changes Made	Changes Made By:	Authorised/Checked?	Date of Changes
1.3	May 22	Reformatted and updated NHS link	HR Team		10/05/22
1.2	Feb 21	Removal of flexi scheme and update of EAP info	K Knowles		Feb 21
1.1	April 2016	Replaced two ticks with disability confident	HR Team	Y	18/10/16
1.0	April 2014	-	HR Team	Y	22/04/14

