

Smoke Free Policy

HWHR18

Document Reference Information

Version:	1 (Joint H&W)
Status:	Ratified
Author:	Maisie Reeves, Senior HR Advisor
Directorate Responsible:	Corporate Governance
Directorate Lead:	Hana Taylor
Ratified by:	Joint Commissioning Committee
Date Ratified:	25 th February 2020
Date Effective:	25 th February 2020
Date of next formal review:	3 years from effective date
Target audience:	All Staff

Version Control Record

Version	Description of change(s)	Reason for change	Author	Date
1	New policy template & CCG name	To reflect new merged organisation	HR	May 2020

Contents

Title	Page
1. Introduction	3
2. Purpose	3
3. Principles	3
4. Roles & Responsibilities	3
5. Policy Principles	4
6. Assistance for Employees to give up Smoking	5
7. Failure to Adhere to this Policy	5
8. Right to Appeal	5
9. Legal Considerations	5
10. Equal Opportunities	5
11. Monitoring and Review	6

1. Introduction

- 1.1 The policy is applicable to all Herefordshire and Worcestershire CCG property and premises, including inside and outside of buildings associated sites and where appropriate vehicles.
- 1.2 This policy applies to all staff including contract, agency and office holders and any persons representing the organisation.

2. Equality Statement

- 2.1. Herefordshire and Worcestershire CCG aim to design and implement policy documents that meet the diverse needs of our services, population, and workforce, ensuring that none are placed at a disadvantage over others. It takes into account current UK legislative requirements, including the Equality Act 2010 and the Human Rights Act 1998, and promotes equal opportunities for all. This document has been designed to ensure that no-one receives less favourable treatment due to their personal circumstances, i.e. the protected characteristics of their age, disability, sex, gender reassignment, sexual orientation, marriage and civil partnership, race, religion or belief, pregnancy, and maternity. Appropriate consideration has also been given to gender identity, socio-economic status, immigration status and the principles of the Human Rights Act.
- 2.2. In carrying out its functions, Herefordshire and Worcestershire CCG must have due regard to the Public Sector Equality Duty (PSED). This applies to all the activities for which Herefordshire and Worcestershire CCG is responsible, including policy development, review, and implementation.

3. Principles

- 3.1 As a healthcare organisation the CCG recognises the dangers to health from smoking and the CCG will ensure that all staff and visitors to CCG premises have a smoke-free environment, which will ensure staff are protected from the effects of passive smoking.
- 3.2 The CCG will also encourage and provide opportunities and support for staff who wish to stop smoking.

4. Roles & Responsibilities

4.1. Managers

It is the responsibility of the manager to:

- Take reasonable steps to ensure that adequate arrangements are in place to enable this policy to be fully implemented at all levels. This will include ensuring that all staff and visitors comply with the policy.
- Ensure employees are aware of this policy.
- Establish if the employee understands the policy and implications of any breach.

- Report all incidents where visitors/contractors have refused to refrain from smoking.
- Report all fire hazards as a result of smoking.
- Be familiar with the contents of the policy.

4.2. Employees

It is the responsibility of the employee to:

- Comply with the requirements of this policy by not smoking, vaping, or using e-cigarettes on any CCG premises, including the grounds of CCG premises. All employees will, in addition to adherence to this policy, be expected to adhere to the no smoking policies of any external premises at which they are working, based, or visiting.
- Be considerate of their colleagues, being mindful of the odour caused by smoking and ensuring this is concealed in the workplace.
- Ensure that they are only smoking within their unpaid lunch breaks, individuals found to be smoking during works time will be expected to work the time back.
- Smoking is not allowed in any vehicle owned, leased, or rented by the CCG.
- Report all incidents where visitors/contractors have refused to refrain from smoking.
- Report all fire hazards as a result of smoking.

5. Policy Principles

- Smoking is prohibited in all NHS buildings, and in vehicles owned or operated by the CCG.
- Smoking is not allowed in buildings, around entrances to buildings or within 15 metres around buildings owned or leased by the CCG.
- Staff who wish to smoke in their unpaid lunch breaks are not allowed to smoke in buildings, around entrances to buildings or within 15 metres around buildings owned or leased by the CCG.
- Staff who wish to smoke are asked to be mindful of where they choose to stand, it is important that staff are mindful of the neighbours surrounding CCG buildings.
- When not on duty or during an unpaid break staff wishing to smoke should not be identifiable as CCG/NHS employees e.g. any uniforms and identity badges should be covered.

- The CCG and its staff will not engage in any activities that promote smoking or smoking materials and will not receive sponsorship from tobacco, vaping, or e-cigarette companies. Sale of tobacco, vaping or e-cigarette products on any CCG premises or premises owned or leased by the NHS will not be permitted.
- Visitors/contractors etc. will not be permitted to smoke or vape on CCG premises, in entrances or grounds of CCG premises or any building leased or owned by the NHS.
- CCG will maintain non-smoking signage across all sites.
- Reasonable time off from work will be granted to staff who wish to attend stop smoking clinics to aid them to quit smoking.
- The use of e-cigarettes or vapes is not permitted in buildings, around entrances to buildings or within 15 metres around buildings owned or leased by the CCG.
- Where staff are smokers they are only allowed to smoke on designated breaks.

6. Assistance for Employees to Give up Smoking

- 6.1 Smokefree is an NHS initiative that has been designed to help individuals stop smoking and improve public health, the link below will enable the individual to receive free materials around stopping smoking; <http://www.nhs.uk/smokefree>

7. Failure to Adhere to this Policy

- 7.1 Failure to adhere to this policy may result in action being taken as per the CCG's Disciplinary Policy and Procedure.

8. Right to Appeal

- 8.1 Any grievance arising out of the operation of these arrangements may be raised under the CCG's Grievance Procedure.

9. Legal Considerations

- 9.1 Statutory Instruments 2006 No. 3368 the Smoke Free (Premises and Enforcement) Regulations 2006.

10. Equal Opportunities

- 10.1 The CCG is an equal opportunities employer and will ensure that this policy is operated in accordance with the CCGs Equality, Diversity & Inclusion Policy.

11. Monitoring and Review

11.1 This policy will be reviewed and updated in light of changing legislation and CCG Policy.