

Smoke Free Policy



Thorn Grove Primary School

Approved by the Governing Body on: 15th May 2023

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Next review due by: May 2025

Based on a Stockport LA policy Reviewed January 2023

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1. Policy statement

Stockport Council is committed to promoting health and preventing disease for all its employees. This policy recognises that there is overwhelming evidence that smoking and the inhalation of passive smoke is detrimental to health and that as an exemplar employer, it has a responsibility to provide a healthy working environment.

The Council, as part of its contribution to furthering public health in Stockport, has pledged to provide progressive and health promoting working conditions for its employees within available resources and to encourage other employers to do the same.

In addition, the Smoke-Free (General Provisions) Regulations 2007, made under the Health Act 2006, came into effect at 0600 on the 1st July 2007.

NB. Where there is a legislative requirement, this will be identified by italics.

2. Aims

This policy contributes to ensuring and improving the health and safety of its employees by making all Council owned or leased offices/occupied buildings which are either wholly or substantially enclosed*, smoke free.

**substantially enclosed means if there is a ceiling or roof where the permanent openings in the wall or perimeter are less than half the total area of the walls - known as the "50% rule" - no account is taken of any door or window openings.*

This will be supplemented by:

- Supporting employees who want to give up smoking by offering smoke cessation information and support.
- Minimising the risk to employees who work in clients/service user's homes/accommodation – separate guidelines will apply.

3. Application

This policy applies to all Council employees, Elected Members, visitors to and contractors working in Council offices/occupied buildings/schools and employees working in the homes of clients/service users.

Where the term "smoking" is used it relates to the use of tobacco products and electronic cigarettes/vapes.

4. Employees who smoke

Whilst at work, employees who smoke must do so in their own time and ensure that any smoking related litter is properly disposed of.

Employees must record time spent away from their normal work on "smoking breaks", and this time must be deducted from their weekly hours. In those workplaces where formal time recording does not occur local arrangements must be introduced to ensure that individuals account for this time.

5. Vehicles

Smoking will not be permitted in vehicles owned or leased by the Council whilst on Council business during working hours.

No smoking signs must be displayed in all Council liveried vehicles

Employees are not permitted to smoke in personal vehicles when undertaking Council Business and carrying any passengers.

6. Shared occupancy

Where Council owned buildings are shared by Non-Council employees, this policy will apply to all occupants.

7. Entrances to buildings/car parks

Employees must not smoke near to entrances or exits of Council buildings

Employees must not smoke near to or underneath windows of Council buildings where smoke may drift into the building.

Employees must not smoke in car parks.

In addition: Smoking is not permitted on the Council's Corporate Civic Complex or its associated grounds e.g. the piazza area.

All entrances to buildings must display an A5 size notice which displays the internationally recognised no-smoking symbol and contains the words:

"No smoking. It is against the law to smoke in these premises."



The sign must be positioned in such a way that it can easily be read by persons using the entrance.

Where an area falls under the definition of "substantially enclosed", then similar signage will be posted.

8. Sales of tobacco

Sale of tobacco products in employee occupied Council premises is not permitted.

9. Electronic cigarettes/vapes

Employees, official visitors and contractors, volunteers and members of the public should treat the use of e-cigarettes in the same way as their usual tobacco products in relation to the Smoke Free Policy.

Electronic cigarettes will not be permitted anywhere in enclosed public spaces including, entrances and exits to buildings, playgrounds and in other areas where residue may enter enclosed spaces and Council owned vehicles which are used as a shared commodity or indoors.

The Smoke Free Policy for Council Staff refers to the smoking of tobacco products and the use of electronic cigarettes and similar devices. Electronic cigarettes do not contain tobacco and therefore are exempted from the smoking ban via smoking law. However the residue is covered via the Control of Substances Hazardous to Health Regulations [COSHH].

Whilst evidence suggests that electronic cigarettes are considerably less damaging to health than smoking tobacco, they are currently unregulated and therefore the Council has taken the view that it will treat them under the same policy.

Local authority staff should not smoke e-cigarettes/vapes indoors or whilst on duty as this may give a misleading impression and it does not support the council's aim of 'denormalising' smoking. .

10. Non-compliance with the policy

If any employee does not comply with this policy they will be:

- Informed of the policy.
- Offered information about smoking cessation support.
- Asked to discuss the issue with their line manager.

If employees continue to ignore this policy, then disciplinary procedures will be followed as a last resort.

In addition, fixed penalty notices could be issued to individual employees if they are found smoking in a smoke free place or vehicle.

11. Monitor and review

This policy will be monitored and reviewed every 2 years, earlier if any changes to legislation occur.

12. Signage

The appropriate "no use of electronic cigarettes" signage will be posted adjacent to no smoking signs.

13. Sources of further information

If managers/employees require any further advice regarding the application of the Smoke Free policy and guidance, please contact the corporate Health and Safety team via 0161 474 3056 or healthandsafety@stockport.gov.uk

Guidelines for schools: Smoking and the use of electronic cigarettes/vapes

Additional guidance regarding the use of electronic cigarettes is covered in the above policy.

Introduction

This appendix relates to the use of smoking materials/e-cigarettes in Local Authority maintained school property and grounds.

- Neither smoking nor the use of e-cigarettes/vapes by school employees, pupils, contractors or visitors is allowed on council maintained school property inclusive of both indoor and outdoor areas at any time.
- Neither smoking nor the use of e-cigarettes/vapes by school employees, pupils, contractors or visitors is allowed whilst such people are on formal school trips/events etc. and whilst they are representing the school inclusive of both indoor and outdoor areas at any time.

The aim of this policy is to provide some practical guidelines, which will enable head teachers, managers and employees to manage this smoke free situation and reduce the risk to health noting that Council employees who smoke/use e-cigarettes/vapes must be treated in the same way as non-smokers.