

Smoke Free Policy



Thorn Grove Primary School

Together we nurture curious, respectful, aspirational individuals

Approved by Governing Body on:	14 May 2025
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1. Policy statement

Stockport Metropolitan Borough Council (SMBC) has a statutory duty under the Health Act 2006 to ensure that all enclosed public places and workplaces are “smoke free”. In addition, the Council has a duty of care to ensure, so far as is reasonably practicable, the health, safety, and welfare of its employees whilst they are at work.

The 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.

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 in compliance with the Health Act 2006.

**“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.*

The further objectives are:

- a) To improve the health of employees by providing help to those smokers who wish to stop smoking.
- b) To protect colleagues and the members of the public from the effects of breathing in other people’s tobacco smoke
- c) To protect the Council from the threat of prosecution or litigation because of smoking in the workplace or enclosed public place.
- d) To promote the aims of public health and to support the Council’s Public Health Strategy
- e) To prevent negative public perception being formed by preventing groups of SMBC colleagues smoking or vaping in or around council buildings.
- f) Minimising the risk to employees who work in clients/service user’s homes/accommodation – separate guidelines will apply.

3. Application

This policy applies to:

- Council colleagues
- Agency/contract staff
- Elected Members
- Colleagues from partner organisations
- Visitors to council offices/occupied buildings/schools
- Contractors working in council offices/occupied buildings/schools.
- Colleagues working in the homes of clients/service users

Definitions

Smoking - Where the term smoking appears, it refers to the use of any tobacco containing products such as cigarettes, cigars, and pipes.

Vaping - Where the term vaping appears, it refers to electronic devices commonly known as vapes or e-cigs used to inhale nicotine and flavourings.

4. Recording time - Employees who smoke or vape

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

Employees must record time spent away from their normal work on “smoking/vaping 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/vaping 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 or vape near entrances or exits of council buildings.
- must not smoke or vape near or underneath windows of council buildings where smoke or vapour may drift into the building.
- must not smoke or vape in car parks.

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

8. Sales of tobacco

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

9. Electronic cigarettes/vapes

Vaping is not risk free, but it is substantially less harmful than smoking. In 2022, UK experts reviewed the international evidence and found that "in the short and medium-term, vaping poses a small fraction of the risks of smoking".

10. Vaping in and around Council buildings

The Council acknowledges public health statements that vaping carries a fraction of the risk of cigarettes and has the potential to help drive down smoking rates. It also notes that there is no evidence so far that vaping is harmful to other people around them, and any risks are likely to be very low.

However, the Council does not allow the use of e-cigarettes or vapes in the workplace, which includes in or around the civic complex, near entrances and exits and the carparks.

The reasons being for this include:

- The Council wants to project a clean and healthy image for our premises.
- Some e-cigarettes are 'lookalikes' (e-cigarettes made to resemble cigarettes) and may be misconstrued as cigarettes.
- It may impact on public perception of the Council and its employees.
- It may affect people with asthma and other respiratory conditions who can be sensitive to a range of environmental irritants, which could include e-cigarette vapour.

11. Vaping as a means to smoking cessation

Evidence shows that nicotine vapes are more effective than nicotine replacement therapies, like patches or gum.

Some people find vaping helps them because the hand-to-mouth action is like smoking, plus you get similar sensations, like "throat hit".

It's important to choose an e-liquid with enough nicotine to reduce withdrawal symptoms and urges to smoke. Your local Stop Smoking Service can advise you.

Ref: NHS website:

<https://www.nhs.uk/better-health/quit-smoking/vaping-to-quit-smoking/#:~:text=Nicotine%20vaping%20is%20substantially%20less,quitting%20smoking%20and%20staying%20quit.>

12. 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.

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 safety&healthteam@stockport.gov.uk

14. Policy review

This policy will be monitored and reviewed every 3 years, earlier if any changes to legislation occur.

15. Signage

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

16. Sources of further information

If colleagues require any further advice regarding the application of the Smoke Free policy and guidance, please contact the corporate Health and Safety team via hrsafety&healthteam@stockport.gov.uk

For advice on smoking cessation please contact:

- Contact the Stockport Triage, Assessment & Referral Team (START) on 0161 474 3141 or email START@stockport.gov.uk
- Or complete online referral form: <https://www.healthystockport.co.uk/contact-us>

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.

