

Smoking and Vaping policy



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SMOKING AND VAPING POLICY

1. INTRODUCTION – WHAT DOES THE POLICY COVER?

The Council takes seriously its responsibility to provide a safe and healthy workplace for all employees and visitors, free of smoking and vaping in both our buildings and work vehicles. We recognise that smoking damages health, not only for the person who smokes but also where people inhale smoke from others (passive smoke).

This policy sets out our expectations of you to comply with legal requirements and to support us in providing a smoke free environment in our buildings for everyone. This enables us to comply with the Health Act 2006, which requires all enclosed workplaces (including vehicles) and public places to be smoke free.

2. WHEN DOES THIS POLICY APPLY?

This policy applies to all employees, visitors, volunteers, contractors, and Councillors, who must not smoke or vape within the boundaries and grounds of Council premises. This includes any spaces used as a workplace for Council staff, other than in designated smoking shelters or vaping away from council buildings. “Vaping” is deemed as smoking for the purpose of this policy. You should make visitors aware of these requirements.

3. EXPECTATIONS

We do not permit you to smoke or vape while you are working. This includes not smoking or vaping in work vehicles and while operating machinery (including the back of waste vehicles) and when travelling for work. It also includes where you are involved in virtual meetings while working remotely, such as from home. The exceptions to this are if you are driving your own vehicle for work and you are not carrying passengers or you are working from home (or equivalent location) without it impacting on your ability to undertake your role.

What happens where behaviours fall below these expectations? This may include, but is not limited to, taking smoking or vaping breaks without your manager’s agreement, smoking or vaping in council premises or in council vehicles, or irresponsible disposal of cigarette ends and vapes. In the first instance, your manager will have a conversation with you. However, failure to comply with this policy may lead to action being taken in accordance with our Disciplinary Policy. In addition, this policy does not prevent you from incurring a penalty for committing an environmental offence, such as for littering.

3.1 Smoking or Vaping Breaks

If you smoke or vape and wish to take a smoking or vaping break while at work, you need to agree an arrangement for those breaks with your manager. It is expected that these breaks are always in your own time and accounted for on your timesheet, and that you will manage these around your work commitments. If you are working from home, you are expected to manage smoking and vaping breaks in the same way. For anyone working 6 hours a day or more you are required to take a minimum 30 minutes’ unpaid break. Any exception to this will need to be approved by your Head of Service and in line with the Working Time Directive. You should be mindful and considerate of the potential impact of additional unpaid smoking breaks on your workload and on your colleagues and team. In

some roles where you are unable to work in an agile or flexible way to enable breaks, these will be at the discretion of your line manager. Your manager may remove, temporarily suspend or vary any agreed arrangement on smoking/vaping breaks if you take breaks too often, for too long a duration or where the needs of the service are compromised. If you are in a role where you work off site or in a non-office environment, you will need to discuss your needs with your manager to reach a sensible agreement. In considering such requests, your manager will consider a range of factors, which will include the needs of the service, health and safety, maintaining the Council's reputation, and proximity to flammables.

3.2 Disposal of Cigarettes and Electronic Cigarettes/'Vapes'

It is your responsibility to dispose of cigarette ends and E-cigarettes, including rechargeable devices, in a respectful and safe way. E-cigarettes/Vapes must be recycled as they contain lithium and, like batteries, therefore pose a potential fire risk.

4 OUR SMOKE-FREE ENVIRONMENT

We take your health and safety at work seriously, including site visits, working outdoors, and visits to clients and customers you make as part of your role. We have signage in our buildings and council vehicles to comply with smoke-free legislation and to ensure that you and visitors to our premises have a healthy working environment and that you are protected from exposure to second-hand smoke or vape. "No Smoking" signs are displayed at entrances to all Council buildings, informing employees and visitors of the council's smoke free policy. Employees visiting clients in their own homes have the right to not be exposed to second-hand tobacco smoke, and all reasonable steps should be taken to prevent this, through risk assessments and measures to address any identified risks. Further guidance can be found in the Health and Safety Handbook, and advice on carrying out risk assessments can be obtained from the Health and Safety Manager.

There may be rare instances where you have been prescribed an electronic vaping style device as part of prescription medication by your GP, or other medical practitioner, for example cannabidiol (CBD) based medical products. If you are prescribed something on medical grounds which you believe is an exception to this policy, please discuss this with your manager. It may be appropriate to refer you to occupational health to ensure you are fully supported in managing your medication in a way that is safe for you in your role, particularly if you drive or operate machinery as part of your role.

5 SUPPORT IF YOU WANT TO GIVE UP SMOKING AND VAPING

Support and advice to support you to give up smoking or vaping is available from:

- The NHS National Smoke free Helpline – telephone 0300 123 1044.
- Your GP, or your local pharmacist
- Employee Support Service – Confidential advice, guidance and support is available to you from the well-being pages and 24 hour employee assistance programme.
- Occupational Health can offer advice and support. Contact your line manager or your HR Advisor for further information.

- Smoking cessation courses providing support to give up smoking either in a group environment or one to one's available locally. Call the National Smokefree helpline on 0300 123 1044.

Revision History

Version	Effective Date	Principal Changes	Author
1.0	June 2024	First version of policy	Samantha Taylor