

H11 – Opening Statement

Smoke-Free Policy

The United Kingdom is now governed by smoke-free legislation. This procedure will assist employers, managers and those in charge of smoke-free premises and vehicles to comply with the law.

Employers will need to:

- Develop a smoke-free policy in consultation with staff
- Display 'no-smoking' signs in smoke-free premises and vehicles
- Take reasonable steps to ensure that staff, customers/members and visitors are aware that premises and vehicles are legally required to be smoke free
- Remove any existing indoor smoking rooms
- Ensure that no one smokes in smoke-free premises or vehicles.

Employers may also want to take these supportive measures:

- Offer staff training to help them understand the new law and what their responsibilities are
- Provide staff and customers with support to quit smoking.

The new smoke-free law applies to virtually all 'enclosed' and 'substantially enclosed' public places and workplaces. This includes both permanent structures and temporary ones such as tents and marquees.

Premises are considered 'enclosed' if they have a ceiling or roof and (except for doors, windows or passageways) are wholly enclosed either on a permanent or temporary basis.

Premises are considered 'substantially enclosed' if they have a ceiling or roof, but have an opening in the walls, which is less than half the total area of the walls. The area of the opening does not include doors, windows or any other fittings that can be opened or shut.

If you require further guidance on whether your premises are 'enclosed' or 'substantially enclosed' please contact your local council.



H11 – Smoke-Free Policy

What is this?

This is a written procedure which outlines a company's duty to control and prevent smoking in the workplace.

The person responsible for implementing this procedure is:

What do we need to do?

The person responsible for implementing this procedure should:

- Develop a policy for a smoke free workplace.
 - Ensure that employees and/or their safety representatives are involved in the development and preparation of the policy. This could be done through a task group of smokers and non-smokers.
 - Issue specific responsibilities for the implementation and enforcement of the smoking policy.
 - Ensure all employees, contractors, visitors and customers are aware of the smoking policy and the arrangements included within it.
 - Identify areas outside any fixed building where smoking is permitted. Suitable open shelters and facilities to dispose of cigarette ends must be provided.
 - Ensure that smoking inside company vehicles is prohibited and that this is mentioned in the policy.
 - Discipline any individual(s) who disregards the policy.
 - Keep the policy under review.
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What else can be done by the employer?

Some smokers find that the introduction of smoking restrictions provides the impetus they need to give up smoking entirely. Others may fear that they may be unable to stop.

Encouraging employees to give up smoking can be done in a number of ways, such as:

- Providing help and support to give up smoking. This can be done by providing occupational health facilities or promoting local health education units within the area;
- Contributing to the cost of nicotine patches, chewing gum etc.;
- Encouraging employees to improve their fitness by cycling or walking to work;
- Handing out free leaflets on how to quit smoking; and
- Rewarding employees with social events for quitting smoking.

Note: This list is by no means exhaustive, but provides a general overview of the types of activities that can be introduced to stop employees smoking.

Further information

For more information on the proposed smoking changes and how employees can give up smoking, see the following websites:

- www.doh.gov.uk
 - www.nhsdirect.nhs.uk
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