

SPENNYMOOR TOWN COUNCIL



NO SMOKING POLICY

Author of Policy:	Town Clerk
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Policy Review: When & By Whom	7 October 2020 Constitution Working Group
Next Review:	February 2022
Version Control:	V3

In accordance with the Freedom of Information Act 2000, this document will be posted on the Council's Website www.spennymoor-tc.gov.uk and copies of this document will be available for inspection on deposit in the Council Offices, Town Hall, Spennymoor. Costs are as per the model publication scheme.

1. Introduction

- 1.1 In response to changes in government legislation and guidelines Spennymoor Town Council has implemented a total ban on smoking, including E cigarettes/Vaping, in any Council premises, including offices, corridors and toilets, vehicles (including privately owned when on Council business and carrying any passengers) or worksites.
- 1.2 As a responsible employer Spennymoor Town Council is taking the necessary steps to protect all employees from health risks wherever practical. Non-smokers have a right to work in a safe and healthy environment. This includes being protected from passive smoking. The Council recognises the risks of smoking both to smokers and non-smokers.
- 1.3 The implementation and enforcement of this policy, in association with the terms and conditions of employment is intended to protect the employee, colleagues, members of the public and the Council.
- 1.4 This policy will replace all previous policies and instructions relating to the control of smoking in Council premises or worksites.
- 1.5 This policy also applies to Members.

2. Current legislation

- 2.1 It is intended that this policy complies with the relevant legislation including the 'Health Bill' in England and Wales effective from 1st July 2007.
- 2.2 The Health and Safety at Work Act 1974, Section 2(2)(e), which places a duty on employers to provide a working environment for employees that is:

“..safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work.”

3. Aims and Scope of this Policy

- 3.1 This policy is intended to:
 - Protect everyone against the effects of second hand smoke
 - Promote health in the workforce
 - Support those people who would like to quit smoking

4. Guidelines

- 4.1 Non adherence or disregard to any points below will be seen as a breach of this policy and the disciplinary procedure will be invoked which could result in your dismissal.
- 4.2 Smoking, including e-cigarettes/vaping, is **not** allowed in any part of the premises, work sites or grounds, including offices, corridors and toilets. Unless there is a designated smoking area clearly marked.
- 4.3 Smokers are not permitted to smoke immediately outside any work base. This applies to staff, visitors and contractors.
- 4.4. Staff based in and visitors to premises owned by Spennymoor Town Council are not permitted to smoke in any part of the premises, worksites or grounds, including offices, corridors and toilets. Unless there is a designated smoking area clearly marked.
- 4.5 Staff are not permitted to smoke in Town Council or rental vehicles at any time.
- 4.6 Staff are not permitted to smoke in personal vehicles whilst undertaking official Town Council business and carrying any passengers.
- 4.7 Staff are not permitted to smoke whilst undertaking official Council duties such as grass cutting.
- 4.8 Smoking breaks will NOT be provided for staff.

5. Responsibilities

- 5.1 This policy is intended to benefit all employees and visitors. All employees are responsible for its continued implementation. Overall responsibility for ensuring the policy is implemented, monitored and reviewed rests with Line Managers
- 5.2 Signs will be put up where necessary to inform visitors. There will be no ashtrays inside Council buildings.

6. Support

- 6.1 Each case will be dealt with on an individual basis. However, the Council will recommend referral to your own GP for counselling. If counselling is not available the Council may consider a referral to occupational health.

7. Enforcement of the policy

- 7.1 In the unlikely event of a member of staff not respecting the policy, their manager will attempt to resolve the situation informally in the first instance. Repeated breaches of the policy will result in disciplinary procedures.