



**Dudley**  
Clinical Commissioning Group

# SMOKE FREE POLICY

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## AMENDMENT HISTORY

VERSION	DATE	AMENDMENT HISTORY
D1	Jan 14	Addition of branding and formatting changes in line with Policy for Development of Policies.
V1	Feb 14	Approved by Rem Comm.
RC/XX/046/V1	Dec 14	Unique reference number added prior to publication
V2	May 2017	Three yearly review

## REVIEWERS

This document has been reviewed by:

NAME	DATE	TITLE/RESPONSIBILITY	VERSION
Steph Cartwright	28 January 2014	HR Lead	V1
Julia Dixon	28 January 2014	Staff Side Lead	V1
Amy Huckle	15 May 2017	HR Lead	V2
Staff Side	5 June 2017	Staff Side	V2

## APPROVALS

This document has been approved by:

NAME	DATE	VERSION
Remuneration Committee	28 February 2014	V1
Remuneration & HR Committee	7 June 2017	V2

N.B: the version of this policy posted on the intranet must be a PDF copy of the approved version.

## DOCUMENT STATUS

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## RELATED DOCUMENTS

These documents will provide additional information.

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## 1.0 Policy Overview

### Purpose

The CCG has a duty to protect its staff and users of services from the effects of tobacco products and passive smoking. The CCG is committed to providing a safe, health and smoke-free environment for staff and visitors. The policy aims to meet the requirements of health and safety legislation by assessing and reducing the risks to health caused by tobacco to employees and other users of the CCG premises.

### Who this policy applies to

This policy applies to all staff including employees, contract, agency and office holders and any persons representing the organisation.

The policy is applicable to all CCG property and premises, including inside and outside of buildings associated sites and where appropriate vehicles.

### Legal considerations

Statutory Instruments 2006 No. 3368 the Smoke Free (Premises and Enforcement) Regulations 2006. The **smoking** ban in England, making it illegal to **smoke** in all enclosed work places in England, came into force on 1 July 2007 as a consequence of the Health **Act** 2006. Individuals can be fined up to £200 for smoking in the workplace.

## **2.0 Smoke Free Policy**

2.1 As a healthcare organisation the CCG recognises the dangers to health from smoking and smoking replacements, and the CCG will ensure that all staff and visitors to CCG premises have a smoke-free environment which will ensure staff are protected from the effects of passive smoking.

2.2 The CCG will also encourage and provide opportunities and support for staff who wish to stop smoking.

- Smoking is prohibited in all NHS buildings, and in vehicles owned or operated by the CCG.
- Smoking is not allowed in buildings, around entrances to buildings or within 15 metres around buildings owned or leased by the CCG.
- Staff who wish to smoke in their agreed breaks are not allowed to smoke in buildings, around entrances to buildings or within 15 metres around buildings owned or leased by the CCG.
- When not on duty staff wishing to smoke should not be identifiable as CCG/NHS employees e.g. any uniforms and identity badges should be covered.
- The CCG and its staff will not engage in any activities that promote smoking or smoking materials and will not receive sponsorship from tobacco companies. Sale of tobacco products on any CCG premises or premises owned or leased by the NHS will not be permitted.
- Visitors/contractors etc. will not be permitted to smoke on CCG premises, in entrances or grounds of CCG premises or any building leased or owned by the NHS.
- CCG will maintain non-smoking signage across all sites.
- Reasonable paid time off from work will be granted to staff who wish to attend stop smoking clinics to aid them to quit smoking
- The use of e-cigarettes and vapours are not permitted for use in any CCG premises or work environment
- Where staff are smokers they are only allowed to smoke on designated breaks

## **3.0 Departmental/Line Manager Responsibility**

- Managers will take reasonable steps to ensure that adequate arrangements are in place to enable this policy to be fully implemented at all levels. This will include ensuring that all staff and visitors comply with the policy.
- If an employee is not aware of the policy, it is the Manager's responsibility to issue a copy to the employee. The Manager should also establish if the employee understands the policy and implications of any breach

- All incidents where visitors/contractors have refused to refrain from smoking should be reported.
- All fire hazards as a result of smoking should also be reported.
- To be familiar with the contents of the policy.

#### **4.0 All CCG Employees**

- Have a duty to comply with the requirements of this policy by not smoking on any CCG premises, including the grounds of CCG premises. All employees will, in addition to adherence to this policy, be expected to adhere to the no smoking policies of any external premises at which they are working, based or visiting.
- Smoking is not allowed in any vehicle owned, leased or rented by the CCG.
- All incidents where visitors/contractors have refused to refrain from smoking should be reported.
- All fire hazards as a result of smoking should also be reported.
- To be familiar with the Policy

Contractors and External Agencies to be made aware of the content of the policy

#### **5.0 Right of Appeal**

- 5.1 Any grievance arising out of the operation of these arrangements may be raised under the CCG's Grievance Procedure.

#### **6.0 Equality Statement**

- 5.2 In applying this policy, the organisation will have a due regard for the need to eliminate unlawful discrimination, promote equality of opportunity and provide for good relations between people of diverse groups. In particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation, in addition to offending background, trade union membership or any other personal characteristic.