

# Smoke-Free Policy

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## Lincolnshire Community Health Services NHS Trust

### Smoke-free Policy

#### Version Control Sheet

Version	Section/ Para/ Appendix	Version/Description of Amendments	Date	Author/ amended by
1		Archived	October 2006	Sheila Manning
2		Archived	September 2008	Sheila Manning
3		To be archived	October 2009	Lyndsey Clapham
4	Whole Document	Full review	August 2010	Claire Burroughs Natalie Foxon
4.1	Whole Document	Policy realigned implementation of Transforming Services Agenda & new legal entity	21 <sup>st</sup> March	Rachael Ellis- Ingamells
4.2		Policy review date extended as no changes to be	July 2012	Rachael Ellis- Ingamells
5	Whole Document	Full Review and Inclusion of e- cigarettes	October 2013	Claire Burroughs
6	Whole document	Review	December 2015	Karla Richards
6.1	Amendment	Inclusion of e-cigarettes expanded	March 2017	Sophie Coutts
7.0	Whole document	Review – clarified that e-cigarette guidance can be included within the smoke free policy as clearly stated not within smoke-free legislation. Policy and website links updated.	December 2017	Sophie Coutts

8.0	Whole document	<p>Full review carried out.</p> <p>Reworded introduction, updated details of Stop Smoking services and useful resources.</p> <p>Removed section 'Smoke breaks'</p>	January 2020	Lyndsey Clapham
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# Lincolnshire Community Health Services NHS Trust

## Smoke-free Policy

### Policy Statement

<b>Background</b>	<p>The NHS is carrying out its duty of care as an employer and complying with the following Health and Safety legislation:</p> <ul style="list-style-type: none"><li>• The Health Act 2006 prohibits smoking in public places from 1 July 2007.</li><li>• Health and Safety at Work Act 1974 Section 2(2) (e) to provide a working environment that is safe and without risk to health.</li><li>• Management of Health and Safety at Work Regulations 1999, to assess risks to health, safety and welfare in the workplace.</li><li>• Health and Safety at Work Pregnant Workers Directive (92/85/EEC), to protect employees that are pregnant, have recently given birth or who are breastfeeding.</li></ul>
<b>Statement</b>	<p>Following guidelines from the government and legislation to prevent smoking in public places a policy was required to advise staff on what is and is not acceptable on the grounds of health and safety. The policy states that no employees, patients or visitors may smoke on the Trust's premises or grounds. The policy also gives guidance on visiting the homes of patients that smoke.</p>
<b>Responsibilities</b>	<p>Managers are responsible for ensuring staff, patients and visitors are made aware of the Smoke-free policy and comply with the policy.</p> <p>Managers are to ensure that any patients or members of staff in their area who smoke and wish to stop receive appropriate advice and support on smoking cessation.</p>
<b>Training</b>	N/A
<b>Dissemination</b>	Website
<b>Resource implications</b>	Cost of staff time to attend cessation sessions
<b>Equality Statement</b>	<p>This policy aims to meet the requirements of the Equality Act 2010 and ensure that no employee receives less favourable treatment on the grounds of gender, sexual orientation, transgender, civil partnership/marital status, appearance, race, nationality, ethnic or national origins, religion/belief or no religion/belief, disability, age, carer, pregnancy or maternity, social status or trade union membership</p>

**Lincolnshire Community Health Services NHS Trust  
Smoke-free Policy**

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# Lincolnshire Community Health Services NHS Trust

## Smoke-free Policy

### 1. Introduction

The Smoke-free (Premises and Enforcement) Regulations 2006 state that all enclosed premises and company vehicles are to be smoke free without exception.

The Trust has a statutory duty to display signage to inform the public and to enforce these regulations.

Tobacco smoke pollution is an unwanted and unnecessary hazard to public health.

Smoking kills 120,000 people each year in the UK. Thousands more suffer harm from diseases such as asthma, angina, nausea, headaches and other respiratory illnesses.

Allowing patients and staff to smoke undermines the message that smoking and tobacco smoke pollution are dangerous.

The Trust has a duty of care as an employer and in complying with current Health and Safety legislation.

As well as its duty to protect the health of employees, patients and visitors, the Trust has a duty to safeguard its property. Therefore this policy is also intended to minimise the risk of fire caused by employees, patients or visitors smoking in unauthorised areas.

Lincolnshire Community Health Services NHS Trust as a healthcare provider needs to ensure that it sets an example to other organisations, promotes public health and also creates an environment that minimises the health risks to members of the public who access the service.

Inherent within all of its practices the Trust is committed to the principles of diversity, equality of treatment and equality of opportunity and believes that direct or indirect discrimination against any person is unacceptable.

### 2. Aims and Objectives

To exercise the Trust's statutory role in promoting and maintaining the health of the community and to extend its health philosophy to the work environment which it manages.

This encapsulates the following:

- To protect all employees, visitors and members of the general public who access any site or enter any establishment or enclosed space owned or used by the Trust for any undertaking whatsoever, from exposure to second hand smoke. (To include any site or establishment currently sublet, rented or leased from Lincolnshire Community Health Services NHS Trust, to other government/NHS organisations).
- To be an exemplary employer, as well as an exemplary public organisation, in

protecting people from the health risks of passive smoking.

- To encourage a healthier workforce that recognises the benefits of a smoke free environment.
- To ensure legal compliance.
- To ensure that all staff, patients and visitors including contractors clearly understand their obligations.

### **3. Boundaries of Application**

There will be no smoking including e-cigarettes in any buildings, grounds, rented, leased, sublet or used by Lincolnshire Community Health Services NHS Trust. Smoking inside cars whilst parked on Lincolnshire Community Health Services NHS Trust property is prohibited. Smoking will not be permitted whilst on the Trust's business either within or outside Lincolnshire Community Health Services NHS Trust sites and premises.

This policy applies to all staff, patients, visitors, contractors and other person(s) who access any Lincolnshire Community Health Services NHS Trust site or enter any building that is owned, or used by the Trust for any purpose whatsoever.

### **4. Responsibilities**

#### **Managers' responsibilities**

Managers are to ensure that all staff in their area of responsibility are made aware of the Smoke-free policy.

- Ensure all patients, visitors; contractors etc that enter their area of responsibility are aware of the Smoke-free policy.
- Ensure that any patient or member of staff in their area who wish to quit smoking , receive appropriate advice and support on smoking cessation through a referral to Thrive tribe (please see section 8).
- Wherever possible and appropriate, staff should be allowed to access a smoking cessation programme during work time.
- In cases where counselling and support fail and staff persistently do not adhere to the policy on smoking, managers should refer to the Trust's Disciplinary Procedure. Managers are expected to liaise with a HR Advisor before taking any action under this procedure to agree action to be taken.

#### **Staff responsibilities**

- All staff must be familiar with this policy and be a suitable role model for other staff, patients and visitors by complying fully with this policy. . All employees are asked to politely remind patients and visitors of the Smoke-free policy, if they consider them to

be in breach of the policy. If a member of staff feels that it is unsafe to approach a member of the public who is smoking on the premises they should report the incident to their manager and, if appropriate, complete an IR1 form (see P\_HS\_18 Lone Worker, and Violence and Aggression at Work Policy).

- Clinical staff that have received the appropriate training have a responsibility to provide brief smoking cessation interventions to patients, and offer support to those patients who wish to stop smoking

## **5. Exemptions**

In exceptional circumstances where the requirement for some patients to adhere to the smoke-free requirements during their hospital stay becomes very distressing, e.g. palliative care patients; a discussion with the nurse in charge of the ward/unit should take place. Permission may be granted for the use of e-cigarettes outside on the premises by these patients. Patients experiencing nicotine withdrawal should be offered prescriptions of nicotine replacement therapy.

## **6. Home Visits**

Staff making home visits must be provided with a smoke free environment to work in and may request that the patient does not smoke during the visit. If the patient refuses not to smoke, the Trust will support any member of staff wishing to leave the premises on the grounds of health and safety. The staff member should ensure that they are not placing themselves, or the patient, in danger by leaving the house. An IR1 should be completed as for any incident and the line manager informed immediately by the member of staff taking this action.

## **7. Stop Smoking Service**

Any employee or patient attending an NHS establishment that wishes to stop smoking permanently or is experiencing difficulties in stopping smoking either whilst at work or during their stay is encouraged to contact Thrive Tribe for assistance:

Website: [thrivetribe.org.uk](http://thrivetribe.org.uk)

Telephone: 020 3434 2520

Email: [hello@thrivetribe.org.uk](mailto:hello@thrivetribe.org.uk)

## **8. Staff Appointment Procedures**

Reference is to be made to the Smoke-free policy in all job advertisements.

Appropriate references must be made to the Smoke-free policy and the reasons for it, during induction training and fire lectures.

## **9. Policy Monitoring and review**

This policy will be reviewed every two years or in the light of further legislation through the Trusts agreed consultative and negotiation arrangements.

## 10. Controls

- Tobacco sales are not permitted on any NHS establishment.
- Advertising or promotion of tobacco products or companies is not permitted on any NHS establishment or in any of its publications.
- All main entrances to NHS sites and buildings on site are to be clearly signed to indicate that smoking is prohibited in both buildings and grounds.
- All pool vehicles are to display a no smoking sign within the vehicle.
- It is illegal for a person of any age to smoke in a private vehicle that is carrying someone who is under 18 and for a driver (including a provisional driver) not to stop someone smoking in these circumstances.
- It is illegal to purchase tobacco products (cigarettes, e-liquids tobacco, cigars) under the age of 18 years old.

## 11. Useful Resources

- National Centre for Smoking Cessation and Training – ‘Very Brief Advice on Smoking’ E-learning Module for Health and Social Care Workers.  
<http://elearning.ncsct.co.uk/england>
- NHS Live Well  
<http://www.nhs.uk/livewell/smoking/Pages/stopsmokingnewhome.aspx>
- NHS Smoke Free  
<https://www.nhs.uk/smokefree>
- Thrive tribe  
<https://thrivetribe.org.uk>

## NHSLA Monitoring

Minimum requirement to be monitored	Process for monitoring e.g. audit	Responsible individuals/ group/ committee	Frequency of monitoring/audit	Responsible individuals/ group/ committee (multidisciplinary) for review of results	Responsible individual s/ group/ committee for development of action	Responsible individual s/ group/ committee for monitoring of action plan
This policy will be reviewed every 2 years or in the light of further legislation through the Trusts agreed consultative and negotiation arrangements	Managers should conduct their monitoring processes as on-going	HR /Employment Policy Group	This policy will be reviewed every 2 years or earlier if further legislation necessitates this	Employment Policy group	Employment Policy Group	Employment Policy group

## Equality Analysis

**Name of Policy/Procedure/Function\***

Smoke Free Policy

**Equality Analysis Carried out by: Lyndsey Clapham**

**Holistic Health Coordinator**

**Date: 17.12.19**

**Equality & Human rights Lead: Rachel Higgins**

**Director\General Manager: Ceri Lennon**

**\*In this template the term policy\service is used as shorthand for what needs to be analysed. Policy\Service needs to be understood broadly to embrace the full range of policies, practices, activities and decisions: essentially everything we do, whether it is formally written down or whether it is informal custom and practice. This includes existing policies and any new policies under development.**

### Section 1 – to be completed for all policies

A.	Briefly give an outline of the key objectives of the policy; what it's intended outcome is and who the intended beneficiaries are expected to be	<p>Following guidelines from the government and legislation to prevent smoking in public places a policy was required to advise staff on what is and is not acceptable on the grounds of health and safety. The policy states that no employees, patients or visitors may smoke on the organisation's premises or grounds. The policy also gives guidance on visiting the homes of patients that smoke.</p> <p>As well as its duty to protect the health of employees, patients and visitors, the Trust has a duty to safeguard its property. Therefore this policy is also intended to minimise the risk of fire caused by employees, patients or visitors smoking in unauthorised areas.</p>
B.	Does the policy have an impact on patients, carers or staff, or the wider community that we have links with? <b>Please give details</b>	No
C.	Is there is any evidence that the policy\service relates to an area with known inequalities? <b>Please give details</b>	No

D.	Will/Does the implementation of the policy/service result in different impacts for protected characteristics?	No		
		Yes	No	
	Disability		x	
	Sexual Orientation		x	
	Sex		x	
	Gender Reassignment		x	
	Race		x	
	Marriage/Civil Partnership		x	
	Maternity/Pregnancy		x	
	Age		x	
	Religion or Belief		x	
	Carers		x	
	<b>If you have answered 'Yes' to any of the questions then you are required to carry out a full Equality Analysis which should be approved by the Equality and Human Rights Lead – please go to section 2</b>			
The above named policy has been considered and does not require a full equality analysis				
<b>Equality Analysis Carried out by:</b>		Lyndsey Clapham		
<b>Date:</b>		17.12.19		