

# Smoking Policy

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<b>Owner</b>	<b>National Lead for Health and Safety</b>
<b>Policy Lead</b>	<b>National Lead for Health and Safety</b>

## Scope

This policy applies to all those working for the NAS, in any capacity, across the whole of the UK. It meets the legal requirements of all UK countries. It describes the NAS requirements for premises operated by the organisation. It also seeks to cover a wide range of situations where those working for the NAS may need to enter premises not under the control of the NAS.

This policy covers the use of all smoking materials including tobacco and electronic “e-cigarettes” / vaping.

## Policy Summary

The purpose of this policy is to reduce the risk of smoking related diseases by ensuring that suitable precautions are put in place to protect the people we support and those working for the NAS. Although there are clear health related differences between smoking and vaping, most requirements are similar.

## Reducing the Risk of Smoking Related Ill Health

### *General Assistance to Stop Smoking*

The NHS provides assistance and resources to help those seeking to stop smoking. For more information go to:

[www.smokefree.nhs.uk](http://www.smokefree.nhs.uk)

## ***Employee Assistance***

The Employee Assistance Programme (EAP) can be used to receive free advice and counselling for employees.

## ***Those at Greater Risk***

Exposure to tobacco smoke must be avoided where people have pre-existing medical conditions that could make them more vulnerable. For example, people with asthma, chronic bronchitis / emphysema (COPD), cardiovascular disease and also pregnant women.

## ***Vaping***

Smoking is not allowed in the vicinity of those who are vaping. It should be made clear where vaping is permitted.

## **Premises Controlled by the NAS**

### ***General***

NAS staff, volunteers and visitors are not allowed to smoke tobacco or e-cigarettes on NAS premises.

A no smoking sign must be displayed in a prominent position at each entrance to all NAS premises. The sign must be 160mm x 230mm. The sign should display the international no smoking symbol (85mm diameter) and the words, "No smoking, It is against the law to smoke on these premises". Welsh signs must also use the words, "Mae ysmygu yn y fangre hon yn erbyn y gyfraith".

### ***Designated Outside Smoking Areas for Workers and People Using the Service***

Designated outside smoking areas may be provided, at the discretion of the manager in control of the premises, but this practice is discouraged. The designated outside areas may be partially enclosed, but the area of the walls of such an enclosure must not exceed the area of the unenclosed part (note that windows and doors count as enclosed parts even though both may be left open). Designated outside smoking areas must be positioned far enough away from the premises to prevent risks from passive smoking.

Where people who use our services choose to smoke in designated outside areas then a risk assessment must be developed to show how the risks associated with smoking and smoking materials (e.g. matches, tobacco, e-cigarettes) are to be controlled. The risk assessment must also show how those working with people who smoke are to be protected from the effects of passive smoking.

## ***Designated Rooms for People in Residential Care***

Residents wishing to smoke on premises controlled by the NAS should, if appropriate, be discouraged. Consideration should be given to an assistance programme to help the person stop smoking. As a last resort permission may be given, at the discretion of the registered manager, for residents over the age of 18 to smoke in a designated room. This will usually be the individual's bedroom but could exceptionally be another room that is for smoking only, where no other activity is allowed. For example, it cannot be used as a television room, or "time-out" room. Smoking bedrooms or other rooms provided for residents must be formally designated in writing and must meet strict ventilation criteria including self-closers on doors and ventilation systems. Ventilation systems must not ventilate into any other parts of the premises. A risk assessment must be developed to show how the risks associated with smoking and smoking materials (e.g. matches, tobacco, e-cigarettes) are to be controlled. The risk assessment must also show how those working to support people who smoke are to be protected from the effects of passive smoking. All other parts of the home must be smoke free and the statutory no smoking signs must be displayed elsewhere as shown above.

## **Areas Not Under the Control of the NAS**

Employees and others working on behalf of the NAS must not smoke (this includes the use of e-cigarettes) in premises or vehicles of the people we support. They must never smoke in close proximity to people we support or co-workers even when in the open air, e.g. on outings, visits, shopping, social events, etc.

People using services that are not carried out on NAS premises such as supported living and befriending should be made aware of the NAS policy. In some situations it will be important that agreements are made before a service is provided. Where, for example, NAS staff are providing support for a smoker living in their own accommodation it may be difficult to provide this in a safe environment if the service user insists on smoking in the presence of the support worker. A risk assessment and agreed control measures should be put in place before a contract of this nature is entered into. Control measures should include a requirement that the service user, other family members or visitors who are present in the person's home do not smoke within one hour of the visit taking place.

## **Vehicles**

Smoking (including the use of e-cigarettes) is not permitted at any time in any NAS owned or leased vehicles. They should display a no smoking sign (symbol only, 75mm diameter) in a prominent position in each compartment of the vehicle, unless they have been provided primarily for the use of one person.

Smoking (including the use of e-cigarettes) is not permitted in other vehicles, used on NAS business when carrying those we support or colleagues, even with the permission of other occupants.

The use of a private vehicle as a smoking "shelter" while parked on land associated with the NAS is not allowed.

## **Non-Compliance**

Failure to comply with this policy will lead to disciplinary action being taken. Individuals may also be liable to a fixed penalty fine and possible criminal prosecution.

## **Key Management Actions**

- Ensure that no one apart from people we support smoke in any NAS buildings or vehicles in use on NAS business.
- Where residents want to smoke in an NAS residential care home then the manager must make sure that all of the conditions are met.
- Encourage and assist people to give up smoking.