Creating a Smoke Free Workplace Policy

Solent NHS Trust policies can only be considered to be valid and up-to-date if viewed on the intranet. Please visit the intranet for the latest version.

Purpose of Agreement	To safeguard the rights of patients, employees and visitors to be in a tobacco smoke free environment and to comply with smoke-free legislation and provide support to help people stop smoking.
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Name of Approving Committees/Groups	Policy & NHSLA, Clinical Executive Group
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Document Sponsor (Name & Job Title)	Chief People Officer
Document Manager (Name & Job Title)	Head of Occupational Health & Wellbeing
Document developed in consultation with	Occupational Health / HR Team Behaviour Change Service Health and Safety Manager and Fire Office Estates
Intranet Location	Business Zone > Policies, SOPs and Clinical Guidelines
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Review Log
Include details of when the document was last reviewed:

Version Number	Review Date	Lead Name	Ratification Process	Notes
Version 1	January 2010	L. Bicknell	Policy group	
Version 2	September 2014	M. Tarrant	Policy group	• New Policy format • Updated information in line with legislation, guidance and practice • Further guidance has been added for Community workers who are visiting clients at home and may be exposed to smoke

Version 3	December 2017	M. Tarrant	Policy group	• The content of this policy document has been reduced and is now supported by a Guidance document. There are minimal changes to the content held within both the Policy and guidance document.
Version 4	December 2020	M. Tarrant	Chair's action – agreed to extend current policy to May 2022	• Search undertaken to check for policy/legislative changes and no changes found which affect policy. • Chair's action approved

POLICY SUMMARY

As a healthcare care organisation with a responsibility to promote health and protect people from the harmful effects of tobacco products this policy defines the Trust position to ban the use of tobacco products by employees, patients and visitors on Trust owned property and for employees in the course of carrying out their duties irrespective of the setting.

The Policy acknowledges the importance of offering information, advice and support for people to stop smoking. It also recognises the challenges faced by smokers and in particular patients resident in ward areas and the wide range of environments where employees may work e.g. hospitals, community settings, Trust vehicles and in premises owned by other organisations. It also recognises the difficulties associated with control measures to protect staff visiting patients that smoke in their own homes.

The Policy is supported by a SOP relating to employees and protocols for patient areas in order to take into account the wide range of people and physical settings covered by this Policy.

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1. THE POLICY

1.1 It is recognised that smoking materials are a fire risk and a serious health hazard. The smoking of tobacco products, e-cigarette/vapour is therefore prohibited in Solent NHS Trust owned sites and on the surrounding grounds, including the car parks and Trust owned vehicles. The sale of smoking products are also prohibited on Solent NHS Trust premises.

1.2 Solent NHS Trust is a healthcare care organisation with a responsibility to promote health and as such employees must take account of the need to maintain a professional image and are therefore not permitted to smoke when carrying out their duties and responsibilities for Solent NHS Trust. Employees that choose to smoke off site during break periods must take steps to remove their Trust name badge and to completely cover their uniform to ensure the professional image of the Trust is not compromised and to protect the uniform/work clothing from the odour of smoke.

1.3 Patients having consultations or receiving treatment from Trust Services presents many patients with an ideal opportunity to stop smoking. The Trust is committed to providing practical help, support and advice to patients who wish to take advantage of this opportunity. It is also recognised that this policy will impact on smokers working lives. Solent NHS Trust is therefore committed to supporting employees that would like to quit smoking. Further details on accessing support can be found in the Standing Operating Procedure for Creating a Smokefree Workplace.

1.4 This Policy should be read and used in conjunction with other relevant documents/guidance:
- Solent NHS Trust Standing Operating Procedure Creating a Smoke Free Workplace
- Solent NHS Trust Inpatient Smokefree protocol
- Solent NHS Trust NRT Inpatient Guidelines Smokefree Protocol
- Solent NHS Trust Health and Safety Policy
- Solent NHS Trust Fire Safety Policy
- NICE Guidance PH48 Smoking: acute, maternity and mental health services
- Solent guidance for the use of E-Cigarettes (Smoking Cessation Service 2016)
- Solent NHS Trust Health & Wellbeing Strategy

2. SCOPE & DEFINITIONS

This document applies to all directly and indirectly employed people within Solent NHS Trust and other persons working within the organisation in line with Solent NHS Trust's Equality, Diversity and Human Rights Policy. This document is also applicable to Independent Contractors.

The Policy also applies to patients, visitors / members of the public. Solent NHS Trust is committed to the principles of Equality and Diversity and will strive to eliminate unlawful discrimination in all its forms.

We will strive towards demonstrating fairness and Equal Opportunities for users of services, carers, the wider community and our staff.

3. ROLES AND RESPONSIBILITES

3.1 The Chief Executive
The Chief Executive has the overall accountability for the activities of the Organisation and should ensure they have the appropriate assurance that the requirement of Health & Safety legislation relating to creating a smoke-free workplace is met.

3.2 Operational Directors, Head of Service and Department Managers
Managers are responsible for ensuring the promotion, implementation and compliance of the policy and in supporting patients and employees to quit smoking and where feasible to support time for employees to attend local Stop Smoking Service to initiate a cessation support programme.

3.3 Employees
All employees have a duty to ensure they comply with the Policy to create a smoke free workplace and that they do not commit action which could lead to an outbreak of fire or endanger the health of others. Employees who do smoke are encouraged to seek support from the Stop Smoking Services in order to make a quit attempt with behavioural support and pharmacotherapy.

3.4 Estates and Facilitates Team
The estates team should ensure that appropriate no smoking signs are clearly displayed at the entrances to and within the premises, and in all Trust smoke-free vehicles. Where applicable, Security staffs are responsible for monitoring compliance and for taking action to request compliance with the Policy and supporting staff to achieve this where necessary.

3.5 Occupational Health & Wellbeing Team (OH)
The OH team should display and provide information and immediate advice and support for staff to give up smoking by offering a referral to Specialist Stop Smoking Services.

3.6 Stop Smoking Services
Stop Smoking services team should promote their services and provide information on the harmful effects of smoking and how to seek help to quit. They should work with staff and recommend appropriate support and where indicated the best medication to make it easier for the member of staff to stop smoking e.g. Nicotine Replacement Therapy (NRT) products; refer to Smoke Free Protocol. The Medicines Management Committee has a role in reviewing the Smoke Free Protocol.

4 TRAINING

Brief intervention training in smoking cessation is available on the E learning Suite.

5 REVIEW

This policy may be reviewed at any time at the request of either staff side or management, or in response to changes in Legislation/Guidance/best practice. It will be automatically reviewed on a 3-yearly basis.

6 REFERENCES
- Health & Safety at Work Act 1974
- Health Act 2006.

- NHS England - www.smokefreeengland.co.uk
- Solent NHS Trust Fire Safety Policy
- Disciplinary Policy
- Action on Smoking and Health (ASH) : fact sheet:
  -http://ash.org.uk/download/fagimplementation-of-the-smokefree-law/
- NICE Guidance PH48 Smoking: acute, maternity and mental health services -
  https://www.nice.org.uk/guidance/ph48
- Smoke free NHS - https://www.nhs.uk/smokefree

Appendix 1 - **EQUALITY IMPACT ASSESSMENT**

Step 1 – Scoping; identify the policies aims	Answer
1. What are the main aims and objectives of the document?	To ensure as far as possible that employees, patients and visitors to Trust premises are not exposure to the harmful effects of second hand smoke. To ensure that support is available to patients and employees to assist them to stop smoking ensuring access to Stop Smoking Services and Nicotine Replacement Therapy (NRT)
2. Who will be affected by it?	Patients, all employees, whether employed directly, through an agency, by a contractor or other organisation, and visitors to Trust sites.
3. What are the existing performance indicators/measures for this? What are the outcomes you want to achieve?	Healthier workforce, safety for employees, patients and visitors, compliance with legislation
4. What information do you already have on the equality impact of this document?	Previous policy
5. Are there demographic changes or trends locally to be considered?	The policy applies to all staff groups
6. What other information do you need?	NA

Step 2 - Assessing the Impact; consider the data and research	Yes	No	Answer (Evidence)
1. Could the document impact unlawfully against any group?		x	The policy applies to all groups
2. Can any group benefit or be excluded?		x	The policy applies to all groups
3. Can any group be denied fair & equal access to or treatment as a result of this document?		x	The policy applies to all groups
4. Can this actively promote good relations with and between different groups?	x		The policy offers opportunities to all smokers to access help and support to quit smoking
5. Have you carried out any consultation internally/externally with relevant individual groups?	x		Occupational Health Team, HR, H&S Manager, Smoking Cessation Team
6. Have you used a variety of different methods of consultation/involvement			Via email, face to face at formal meetings

7. Mental Capacity Act implications	x		
8. Will this document require a decision to be made by or about a service user? (Refer to the Mental Capacity Act document for further information)	x		

If there is no negative impact – end the Impact Assessment here.

Step 3 - Recommendations and Action Plans	Answer
1. Is the impact low, medium or high?	Low
2. What action/modification needs to be taken to minimise or eliminate the negative impact?	NA
3. Are there likely to be different outcomes with any modifications? Explain these?	NA

Step 4- Implementation, Monitoring and Review	Answer
1. What are the implementation and monitoring arrangements, including timescales?	This policy will be reviewed every three years, where there has been a significant change or if it is believed to no longer be valid.
2. Who within the Department/Team will be responsible for monitoring and regular review of the document?	Health of Occupational Health & Wellbeing, Operations Manager – Behaviour Change Service & H&S Manager