



City of
BRADFORD
METROPOLITAN DISTRICT COUNCIL

NO SMOKING GUIDANCE FOR MANAGERS

Issued by Occupational Safety Team

Originally Issued: July 2007

Last Revised: July 2017

Reviewed: July 2021

1.0 Introduction

This No Smoking Guidance takes account of the Health Bill on smoke-free legislation applicable from July 2007.

This provides for smoke-free work premises and vehicles.

In addition, the Council is committed to encouraging wellbeing within the district and recognises that encouraging our workforce into healthy practices is a major part of this strategy. Smoking is associated with around 50 major illnesses including cancer, heart disease, stroke, bronchitis and emphysema. Smoking also has a major impact on pregnancy and young people.

The Council recognises and fully accepts its responsibilities under health and safety legislation and is committed to providing a working environment where employees safety and health is of the utmost importance.

From 1st January 2007 smoking was not permitted at anytime anywhere within buildings occupied by Council employees.

This applies to all staff, visitors, contractors, elected members and members of the public. All employees are responsible for drawing visitors' attention to no smoking.

Smoking is not allowed in Council owned vehicles or in employees' private vehicles whilst transporting passengers on Council business (including service users and members of the public).

2.0 E-Cigarettes (Vaping)

The use of e-cigarettes is becoming common place and Bradford Council acknowledges that some employees may wish to use these devices as an aid to reducing smoking or giving up totally. They are an electronic device that delivers nicotine to the user by heating and vapourising a flavoured solution containing nicotine.

It is understood that e-cigarettes are different from tobacco cigarettes, as they do not burn combustible materials or produce smoke, so should not be treated in the same manner as smoking. With this in mind the use of e-cigarettes (vaping) will be considered in the same way as other workplace issues.

To support employees, the following guidance on the use of e-cigarettes will apply

- e-cigarettes "vaping," is not allowed in any enclosed or substantially enclosed workplace or Council premise. Enclosed workplaces include any vehicle that is being used for council business. As a major supplier of services, particularly to children and young people, there is a risk that the wrong message will be sent if the use of e-cigarettes is allowed in these premises.
- employees who wish to use e-cigarettes (vape), can do so in their own time or during their breaks, inline with service needs. These restrictions are similar to those listed in section **3.0 smoking restrictions**.
- vaping is only permitted outside of Council premises and likely to be away from designated smoking areas.
- due to the potential health and safety implications, e-cigarettes and the associated equipment are not allowed to be charged at work or in any council owned or hired vehicle. This is the same restriction as other personally owned electrical devices which have not been tested and approved.

3.0 Smoking Restrictions

If employees need to stop work to have a smoke, they must smoke in their own time, subject to the needs of the service. The time they use to smoke must be taken on an unpaid basis and agreed with the manager/supervisor.

The employee must be either signed out under the flexitime arrangements or individual start and finish times amended where staff work fixed hours. (The application of the guidance should be agreed and managed at a Department level). Smoking is not allowed in Council buildings or near/in front of external entrances or opening windows.

Non smokers can also break 'core time' for personal reasons, subject to the needs of the service, using the flexitime arrangements and with agreement of their manager/supervisor.

4.0 Residential Homes

The Health Bill exempts from smoke-free legislation certain types of residential accommodation, subject to specified conditions. Under these regulations, designated rooms used for accommodation for persons 18 years and over will not have to be smoke-free in a care home as defined in the Care Standards Act 2000. Whilst this provides exemptions for the service users the legislation is clear that, as a place of work, employees cannot smoke. Since employers have a duty of care to take reasonable precautions to protect the health of their employees, managers need to undertake a risk assessment to reduce level of exposure to tobacco smoke that is as far as is reasonably practicable e.g. asking residents not to smoke when a member of staff is in the room and opening windows to fully ventilate the room during and after smoking.

5.0 Passive Smoking - Home Visits

To minimise the harmful effects of passive smoking for Council employees (and volunteers) providing services within the home of a service user, where the service user and/or a member of the household smokes, a request should be made not to smoke during the visit and for an hour prior to the visit.

Where regular scheduled visits take place individual care plans should be carried out and should include reference to negotiation with the service user/members of the household to cease smoking at least an hour prior to Council staff delivering services.

If appointments are made over the telephone, Council staff should advise the service user/member of the household of this guidance.

If the service user/member of the household refuses to refrain from smoking after information, discussion and negotiation has taken place, management will advise in writing that, although their right to smoke in their home is respected, their refusal to help minimise the risk of passive smoking may affect the services they receive.

Within services where home delivery services are provided and the service user smokes, staff should have their home visits schedule reviewed regularly by their manager to ensure that the risk assessment control measures are being followed. Specific risk assessments should consider those with medically supported conditions e.g. pregnancy, asthma sufferers.

6.0 Schools

Schools are deemed to be a workplace and each establishment is covered by the legislation and became no smoking on 1st July 2007. Most schools extended this to cover the site through the National Healthy Schools Programme. This applies to the whole site and all managers should apply a consistent approach throughout.

7.0 Signs

The legislation requires all workplaces to fix signs indicating that it is a no smoking building.

8.0 Support for staff

The following support services are available to help those who wish to stop smoking. Managers should adopt a flexible approach to assist staff to give up smoking.

8.1 Bradford Council Employee Health and Wellbeing Service

Telephone 01274 434246

8.2 General Practitioners

Family doctors will probably run smoking cessation clinics. The Practice Nurse runs these on a one to one basis and usually you don't have to see the doctor. The Nurse can help preparation to stop smoking and to give support through the first few weeks after quitting. Where appropriate, the Nurse can arrange a prescription for nicotine replacement therapy.

8.3 Pharmacists

Local chemists will be able to give advice on stopping smoking and explain nicotine replacement therapy. They are an invaluable source of information and appointments are not necessary.

8.4 Help Lines / Websites

[NHS stop Smoking Services](#)

Local Stop Smoking Service **01274 437700**

www.ash.org.uk

www.gasp.org.uk

www.quit.org.uk

www.bhf.org.uk/smoking

www.cancerresearchuk.org