



Telford & Wrekin
COUNCIL



SMOKING POLICY

This policy has been adopted by Haughton school in September 2025. It is based on the Local Authority Internal Health and Safety Smoking Policy.

Next Review Date: September 2027

1.0 Background

1.1 One of the key priorities of Telford & Wrekin Council and Haughton School includes improvement of the health and wellbeing of our communities. Telford & Wrekin Council also takes its responsibility for the health and safety of its employees very seriously.

1.2 The Health Act 2006 bans smoking in enclosed public places, including workplaces.

2.0 Policy

2.1 **Aims** This policy aims:

- To protect the health of everyone who works for the Council or uses its services.
- To give everyone the right to work in air that is free of tobacco smoke.
- To arrange Council business so that not smoking is both the healthiest and the easiest option.
- To ensure that employees, governors and members set a good example to children, young people and vulnerable adults.

2.2 **Application** This policy applies throughout to all employees, governors and members. The policy will also apply to contractors, visitors and members of the public whilst in our workplaces or in our vehicles. It also applies to the employees of partner organisations who share our premises.

2.3 **Smoke free buildings** Smoking is not allowed in Telford & Wrekin Council operational buildings or in any Telford & Wrekin Council place of work.

2.3.1 Where our buildings are also homes for adults the residents' right to smoke will need to be restricted to areas where employees are not expected to work whilst smoking is taking place and ideally should only be allowed outside the building. Common areas in buildings used by children or vulnerable adults must be no smoking areas.

2.4 **Smoke free working hours** Employees, governors and members are not allowed to smoke during working hours. 'Working hours' are defined as the individual's own working hours, this does not include official breaks. Unofficial smoking breaks are not allowed. Where continuity of service is required and there are no official breaks, then by agreement with the

manager concerned, smokers may have breaks provided these are on a par with, and do not exceed, the entitlement given to non-smokers.

2.5 Smoking in the open air – some restrictions Smoking in the vicinity of exits and entrances to Telford & Wrekin Council buildings is discouraged. Areas where smoking is not permitted outside Council buildings will be clearly indicated, and in some cases will extend to the entire site, particularly schools.

2.5.1 Zones where smoking is not permitted outside buildings must be set up to prevent second hand smoke from drifting back into the building and/or avoid the need for employees and visitors to walk through a smoking area.

2.5.2 Employees, governors and members must not smoke outside in the vicinity of doors or windows of any Council building where there is a risk of smoke blowing back into the building or people being affected by smoke as they enter or leave. Cigarette ends must be disposed of in a bin and not dropped as litter.

2.5.3 Anyone who works outdoors is only permitted to smoke during official breaks.

2.6 Protecting children and vulnerable adults Employees, governors or members who work with or, through Council business, are in contact with young people who are aged under 18 or with vulnerable adults should present a healthy role model.

2.6.1 Employees, governors and members therefore must not smoke in the presence of children, young people or vulnerable adults (including whilst transporting them in the employee's or member's own vehicle), purchase cigarettes on their behalf, or put anyone at risk as a result of bringing their smoking products and any associated goods to work.

2.7 Smoke free home visits Employees, governors and members must not smoke when visiting people in their home on Council business. Employees, governors or members on such home visits should request that no one smokes in the house whilst they are there. If the request is refused and causes concern then the decision remains with the service manager on how the service can be provided in future. Advice on negotiating smoke-free home visits is given in appendix 1. There will be a few exceptional occasions where the risks to health and safety posed by insisting on a smoke-free environment in someone's home will outweigh the health risks from second-hand smoke to the employee providing the service.

2.8 Smoke free vehicles Smoking is not allowed in Telford & Wrekin Council vehicles. Employees, governors and members must not smoke whilst using their own car to travel on Council business. This also applies to lease cars.

2.8.1 Smoke free vehicles extends to staff carrying children (anyone under 18 years of age) in a private vehicle. It is illegal to smoke in a private vehicle with someone under 18 present.

2.9 Protection from smoke in other workplaces The needs of employees, governors and members to be protected from cigarette smoke whilst working in premises not controlled by the Telford & Wrekin Council are recognised. The person in control of any work place must comply with the Health Act 2006 and prevent smoking in the building. If council

employees find that smoking is being permitted in the building then they should report this to the Council's Environmental Health section 01952 381818.

2.10 Smoke free commercial premises Tenants of commercial premises owned by Telford & Wrekin Council are required to comply with the Health Act 2006 and prevent smoking in the buildings.

3.0 Employee and member support

3.1 Whilst being keen to promote a healthy working environment the Telford & Wrekin Council recognises that smoking can be highly addictive, therefore the Council should support and assist employees, governors and members in giving up. It is recognised that stopping smoking is difficult, often takes several attempts and that some people do not wish to give up smoking (which is matter of personal choice).

3.2 Employees, governors and members who smoke and wish to stop can obtain support from Occupational Health (01952 383630) and also the Healthy Lifestyles team (01952 382582)

3.3 Telford & Wrekin Stop Smoking Service operates through many GP surgeries in the Telford & Wrekin area in several community and pharmacy venues across the borough. The success rate amongst people using the Stop Smoking Support Services is twice that of other methods. The programme lasts for three months starting with a 20 minute assessment followed up by weekly 10 minute appointments to check progress and help with any withdrawal symptoms. After the first month appointments may be weekly or fortnightly.

3.4 Employees, governors and members who do not yet wish to give up smoking and would find compliance with this policy difficult, may find that the use of nicotine replacement therapy, particularly gum, useful in controlling cravings between official breaks and a help to cut down on smoking. Employees, governors and members who will need to cut down on smoking to be able to comply with the policy are advised to contact their GP to obtain a prescription for suitable nicotine replacement therapy. This route is cheaper and safer than purchasing nicotine replacement products direct from supermarkets or pharmacies without medical advice.

3.5 The effectiveness of electronic cigarettes as a means to support smokers wishing to give up smoking is, as yet unproven, we like the HSE will keep this evidence under ongoing review. The use and recharging of e cigarettes therefore, is **not allowed** within Telford & Wrekin workplaces although they may be used outside Council buildings as described in point **2.5** above, during the employee's own time.

3.6 Employees are discouraged from gathering to smoke in public areas as this creates a negative impression of the Council to many people. In particular smoking waste, including cigarette ends must be disposed of correctly and not dropped as litter. A fixed penalty fine can be imposed on anyone who fails to observe this.

4.0 Non-compliance with this policy

4.1 In the event of non-compliance with any condition of this policy appropriate disciplinary action may be taken where informal measures have failed. For employees such action will be taken in the first instance by the employee's line manager or the member's group leader.

4.2 Contravening the Health Act 2006 (smoking in an enclosed public place or vehicle) renders the smoker liable to a fine of up to £200 and the person in control of the premises/vehicle to a fine of up to £2500. Failure to display minimum no smoking signs carries a penalty of up to £1000. This legislation is enforced by the Council's Environmental Health section.

4.2 If any visitors to our premises break the conditions of this policy they will be asked to stop smoking or to leave the premises.

5.0 This policy

- Will be available on the Intranet and for schools, on the T&W Commercial Services Website.
- Will be communicated to all employees, governors, members, visitors and external clients
- Will be referred to in job advertisements and job descriptions
- Will be made available to all new employees during induction
- Will be reviewed regularly at intervals of not more than three years and whenever the need arises.

Appendix 1

Smokefree home visits

A1.1 The Health Act 2006 prevents smoking in enclosed public places and workplaces but this law does not protect anyone working in a client's home. Employers and employees have to rely on the understanding and goodwill of the client.

A1.2 When arranging the appointment employees should establish whether smokers are likely to be present. If so they should verbally request that no one smokes during the visit and that the area being used has been free of smoke for at least one hour before the scheduled appointment time.

A1.3 Ensure that the request for a smoke free working environment is included in all written correspondence with the service user. Where appropriate an information leaflet could be included. A suggested wording is shown below:

Important information for people receiving home visits.

Please consider the need of our employees and provide them with a smoke free environment.

Second hand smoke harms people's health. It can cause heart disease, stroke and lung cancer. Being exposed to second hand smoke even for a short time can cause eye irritation, headache, cough, sore throat, dizziness and nausea.

How you can help.

- Don't smoke in the house for at least an hour before your appointment time.
- Open windows and doors to ventilate the area.
- Try to keep one room smoke free at all times.

During the visit

- Do not smoke and do not let anyone else in the house smoke in the area being used by the Council's employee.
- Wherever possible while our employee is in the house ask smokers to go outside to smoke.

Our undertaking to you.

All routine visits will be pre - booked and you will be given a time for the visit. If the employee is delayed you will be contacted as soon as possible.

Our policy

We ask our employees to assess whether any environment they enter is safe for them to work in. If a smoke -free environment cannot be provided we will need to look at ways of reducing the risk as far as is reasonably practicable. In some cases this may include staff leaving a situation that they deem to be unsafe and alternative ways of providing a service to you arranged.

A1.4 When the nature of the service requires regular visits to work in a client's home then a written contract that outlines the responsibilities of the service provider and the service user can be useful to make this clear eg

A1.5 In order to protect staff who visit clients in their own homes, when clients refuse reasonable requests for no smoking during the visit, line managers will provide a letter to the client, requesting that the client and their family do not smoke during the visit. If the client or occupants do not respect this, the manager will ask for an alternative venue for the appointment where reasonably practicable.

A1.6 Employees who are pregnant, suffer from asthma or other chronic respiratory condition may be at increased risk from exposure to second-hand smoke, the employee should make their line manager aware of their condition. Alternative arrangements will need to be made to avoid them having to work in smoky homes.

A1.7 Employees who smoke are not allowed to smoke during working hours regardless of where they are and this includes the homes of smokers.

A1.8 There will be a few exceptional circumstances where the dynamic assessment of the risk of attempting to insist on a smoke-free environment or withdrawing from the situation will be outweighed by the risk from the resulting failure to provide the service. Examples of such home visits include:

- Visits in connection with some child and vulnerable adult protection cases.
- Situations where the service user is likely to be acutely distressed.
- Situations where the service user's or other person's immediate health or safety would be compromised if the service was not provided at that time.
- Where the service user is known to be terminally ill.