



## Non-smoking and non-vaping Policy

**Responsibility:** Personnel Committee

**Review Cycle:** Every three years, or earlier in the event of legislative changes

<u>Date of Adoption / Renewal</u>	<u>Resolution Number</u>
11 <sup>th</sup> February 2020	8989

**NON-SMOKING AND NON-VAPING POLICY**

## **1. Introduction**

1.1 Exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses. The Town Council is committed to protecting all employees, Members, residents, contractors and visitors from exposure to second-hand smoke.

1.2 The British Medical Association (BMA) has said that more research is needed to establish the safety of electronic cigarettes. For this reason, the Town Council feels it is prudent to protect employees, Members, residents, contractors and visitors from potential risks associated with vapours produced by these devices.

## **2. Policy statement**

2.1 It is the policy of the Town Council that all our workplace buildings are smoke-free, and all employees have the right to work in a smoke-free environment. Smoking is prohibited in all enclosed and substantially enclosed premises in the workplace, including Town Council vehicles. The same prohibition applies to vaping (the use of electronic cigarettes).

2.2 Appropriate 'no smoking' signs will be clearly displayed at the entrances to and within the premises, and in all Town Council vehicles.

## **3. Legislation and sanction**

3.1 The Health Act 2006 was implemented in England on 1 July 2007. It is now a criminal offence to smoke in virtually all enclosed public spaces, workplaces and in public and work vehicles.

3.2 Managers of smoke-free premises and vehicles have legal responsibilities to prevent smoking and to ensure that 'no smoking' signs are displayed as required by this law. However, all staff are obliged to adhere to and support the implementation of the policy. If staff do not adhere to this policy they will be subject to disciplinary action.

3.3 In the event someone does smoke in a smoke-free environment, the below procedure will be followed:

- The person's attention will be drawn to the no-smoking signs and they will be requested to stop smoking or go outside
- It will be pointed out that the person is committing a criminal offence by smoking in a smoke-free premises or vehicle and the police may be called as a result.

3.4 As vaping is not covered by the Health Act 2006, a different procedure should be followed if a person is found to be using an electronic cigarette in a Town Council premises or vehicle:

- The person will be informed that vaping is prohibited by this policy and they will be requested to stop using their electronic cigarette or go outside

#### **4. Smoking by staff members**

4.1 Staff members who smoke whilst at work must do so only during designated smoking breaks, which are unpaid time. This includes the use of electronic cigarettes.

4.2 Staff members must agree with their line managers how to best manage any unpaid smoking breaks, taking into account the nature of the job role and any specific working arrangements which may apply.

4.3 Agreed smoking breaks must not detract from a staff members work or efficiency and must not cause disruption to colleagues.