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<b>Policy name:</b>	<b>Smoke Free Workplace</b>
<b>Author:</b>	<b>Elain Hogan</b>
<b>Date of adoption:</b>	<b>March 2007</b>
<b>Date of Review:</b>	
<b>Date of Revision:</b>	<b>Annually</b>

## 1 Policy statement

- 1.1 Mind Monmouthshire (MM) is committed to providing a healthy working environment and recognises its responsibilities under health and safety legislation and its duty of care for its workers and volunteers, for people who use its services, and any other individuals working at or visiting its workplaces.
- 1.2 MM accepts medical evidence that smoking is linked to lung cancer, heart disease and chronic bronchitis. It also accepts that exposure to second hand smoke, known as passive smoking, can have similar effects. In addition, MM recognises that smoke has a detrimental effect on the environment, causing an unpleasant smell, discolouration of clothes, decorations and furniture, and can be a fire hazard.

## 2 The policy

- 2.1 Therefore, this policy is intended to provide a framework to:
- protect the health of people working, visiting, or using its projects
  - meet the need of non-smokers to work in a smoke free environment
  - to encourage smokers to give up smoking
  - to improve the immediate environment by reducing smell and discolouration of decorations and clothing
  - to reduce the risk of fire from smoking related incidents
- 2.2 It will also meet the requirements of **The Health Act 2006**, specifically the **Smoke Free Premises etc (Wales) Regulations 2007**, which come into force on **2<sup>nd</sup> April 2007**.

### 2.3 This policy applies to:

- all employees
- self-employed contractors
- volunteers
- trustees
- visitors
- people using MM services
- people using any services provided by other agencies or individuals in MM workplaces

2.4 **Failure to comply** with this policy and therefore the law will be taken seriously, and may result in disciplinary action for employees, or other punitive action for non-employees.

2.5 This policy will be effective from **2<sup>nd</sup> April 2007**, when **smoking will be prohibited** in:

- all enclosed premises used by MM
- in vehicles leased or hired by MM
- in employee's own vehicles when carrying other employees, trustees, service users, or any other individual if on MM business
- by all staff when they are visiting service users' homes
- by all staff in the company of service users, volunteers, or colleagues
- in all MM premises when hired, loaned or leased to other agencies or individuals on a short term basis

## 3 Rooms Occupied by Tenants

3.1 MM recognises that the rooms occupied by tenants in its supported housing projects are not public or necessarily work spaces. Therefore, smoking is not prohibited in these rooms.

3.2 However, if tenants and their visitors chose to smoke in the tenant's own room, they must ensure that the door is closed to prevent smoke contamination to the rest of the house. It is recommended that tenants are made aware of the health and environmental benefits of ensuring the room is ventilated with a partially opened window whilst smoking is taking place.

3.3 If workers, volunteers, trustees, or contractors are potentially exposed to second-hand smoke, a risk assessment must be carried out and the required actions to reduce the risk must be taken.

## 4 Fire Risk

4.1 MM aims to reduce fire risk by the introduction of this policy. However, all workers are required to recognise the risks from smoking in uncontrolled areas (such as tenant's rooms) or other areas (such as may be sought by

individuals seeking to smoke undetected) and be vigilant of the fire risk thus posed.

- 4.2 Individual risk assessments for tenants or other service users on fire hazards arising from smoking will be undertaken if there is good reason to believe that a serious fire risk is present. Failure to comply with agreed outcomes of the risk assessment will be taken seriously, and could result in eviction or temporary exclusion from services.

## **5 Support to stop smoking**

- 5.1 MM recognises that smoking is an addictive habit and will offer ongoing support to those who wish to give up. A regular programme of smoking cessation groups, open to workers and service users, will be run in the drop ins as needed for the foreseeable future.
- 5.2 Workers seeking further support to give up can negotiate with their line manager to arrange this if possible. Service users can seek further advice, support, and signposting to other smoking cessation services from drop in or housing workers.

## **6 Smoking in work time**

- 6.1 Employees who wish to smoke in work time can only do so if the legitimate pursuit of their duties takes them into an environment where smoking is permitted. *For example, whilst walking outside on an errand necessary to the job unaccompanied by a service user or colleague, such as to the shops or bank.*

## **7 Smoking shelters**

- 7.1 MM will endeavour to provide where possible shelters at each of its housing and drop in projects that qualify as unenclosed spaces under the legislation and can be used by smokers. However, it recognises that in leased or hired premises, the policy of the owner of the premise will override MM policy, and that staff and people using our services will be required to comply with that policy.

## **8 Publicity**

- 8.1 Managers are required to display NO SMOKING signs near to the entrances and within the building, having given consideration to effective positioning. Places where individuals may seek to smoke undetected should be signed. Examination of these signs will be included in routine health and safety checks to ensure that they are in good condition and remain in place.

## **9 Other workers on MM premises**

- 9.1 This policy also applies to contractors (for example, builders) working in MM workplaces. The manager arranging the work will be responsible for ensuring

that any contractor is aware of the no smoking rule at the time of the appointment. All workers on the premises when the contractor is present are responsible for reminding the contractor of the policy, especially if he or she fails to comply. If a contractor fails to cooperate, the matter should be referred by any worker present to a manager or trustee as a matter of urgency.

9.2 Workers from other agencies also have to comply with this policy. Actions as at 9.1 should apply.

## **10 Reviewing the policy**

10.1 This policy will be reviewed in April 2008, and annually thereafter.