

Smoking Policy

Name of Policy Author: Nicola Waldron - Senior HR Adviser

Name of Review/Development Body: Trust Staff Council

Ratification Body: Executive Leadership Team

Date of Ratification May 2014

Review Date: 01 June 2017

Reviewing Officer: Nikki Hill Associate Director of HR

Effective from: 01 June 2014

VERSION CONTROL SHEET

Date	Review Type (please tick)		Version No.	Author of Review	Title of Author	Date Ratified	Ratification Body	Page Numbers (where amended)	Line Numbers (where amended)	Details of change	
	Minor amendment	¹ Full Review								Inserted	Deleted
14.03.1w		✓	2	Nicola Waldron	Snr HR Adviser	May 2014	Executive Leadership Team				

¹ Where there is a full review, amendment details are not required in the version control sheet

CONTENTS

VERSION CONTROL SHEET

1	Introduction	4
2	Purpose and Objectives	4
3	Scope	4
4	Roles and Responsibilities	4
5	Core Guidance	6
	5.1 Legislation & Guidance	6
	5.2 Transport	6
	5.3 Electronic Cigarettes	6
	5.4 Sales of Tobacco Products	7
6	Training	7
7	Implementation	7
8	Monitoring of the compliance with and Effectiveness of the Policy	7
9	Review, Approval, Ratification and Archiving	8
10	Dissemination	8
11	Equality Analysis	8
12	Associated Documents	8
13	References	8

1. Introduction

1.1 The Royal Surrey County NHS Foundation Trust (The Trust) has a responsibility for the maintenance, and where possible improvement, of the health of its patients, visitors, employees and contractors. The Trust acknowledges that breathing other people's smoke is both a public health hazard and welfare issue, proven to cause ill health. This policy is not about whether anyone smokes but with where they smoke and the effect this has on patients, visitors, colleagues and other members of the wider health community. It is also about the exclusion of preventable carcinogenic substances in the locality of health sites. The policy does take into account those who choose to smoke and to support those who wish to stop. The policy complies with Health & Safety Legislation and Employment Law.

1.2 The Trust actively encourages its employees to stop smoking outside the Trust premises both in their own interests and as representatives of a body whose purpose is to improve health.

2. Purpose and Objectives

2.1 The main purpose of this policy is to protect the health of staff, patients, visitors and contractors of the Trust.

2.2 A key objective of this policy is to promote the culture of a smoke free hospital by;

- Setting an example to other employers and workforces, by arranging for Trust buildings and vehicles to be smoke free and by requiring staff not to smoke whilst on duty.
- Informing staff and managers of their responsibilities in respect of this policy.
- Supporting smokers to help them cope with increased restrictions or to stop smoking.
- Robust referral for staff and patients to be referred for advice and guidance to comply with the Trust's Smoke Free policy whilst being employed or staying in hospital.

3. Scope

This policy will apply to all staff, patients, visitors, contractors and other persons, who enter the premises of this Trust.

4. Roles and Responsibilities

4.1 Trust Chief Executive

The Trust Chief Executive has overall responsibility for ensuring that the Trust complies with the legislation of No Smoking in public places and the guidance from the Department of Health to ensure that smoking is not permitted within the grounds, except designated areas, and building of any hospital within England and Wales.

4.2 Trust Managers

4.2.1 Managers are required to ensure that all new employees understand that Trust buildings are smoke free and that smoking is only allowed on site at the designated smoking areas. Managers must ensure that all present employees understand the

policy and that it is important that it is implemented for the health and well being of staff members and patients alike.

4.2.2 Managers should encourage their staff who smoke to refer themselves to NHS Stop smoking clinic at the RSCH or the NHS Stop Smoking Helpline when they find it difficult to adhere to the policy. If it is found that an employee continues to smoke whilst on duty then the line manager will be responsible for instigating an investigation under the Trust's Disciplinary Policy and Procedure.

4.3 Trust Employees

4.3.1 Staff will only be permitted to smoke whilst off duty (in official break times only) and may use their break to go off-site or use the designated smoking areas provided to smoke. Staff will be expected to be out of uniform whilst smoking. Staff will not be permitted to smoke at any time in public when representing the Trust and when attending meetings on behalf of the Trust wherever these are held.

4.3.2 When visiting patients in their own homes employees should ask those present to refrain from smoking whilst the employee is on the premises. If those present do not comply, the employee should seek advice from their manager.

4.3.3 It is unfair for patients and other visitors to have deal with the effects of second hand smoke from staff when dealing with them on a personal basis. Staff should be considerate of this at all times.

4.3.4 Employees should report any adverse incident involving smoking using Datix.

4.3.5 Employees are encouraged by the Trust to consider options for smoking cessation and seek advice from the Occupational Health department.

4.4 Trust Patients

4.4.1 Patients and visitors are not allowed to smoke in the hospital. The first consideration for patients would be to discuss with the patient nicotine replacement therapy.

4.4.2 The Trust Board recognises that some patients have circumstances that will require staff to make an assessment on a case by case basis as to whether special arrangements need to be made so that the patient may be facilitated to smoke at the designated smoking areas on the Trust site.

4.4.3 Such circumstances might include detention under the Mental Health Act, the inability of a patient to give informed consent for help with smoking cessation or physical dependency. The assessment will be made by with the nurse in charge of the ward or unit and be formally recorded. In such circumstances a risk assessment must be completed by the nurse in charge, in line with the Trust Risk Assessment Strategy (Nov 2012), and the patient will be supervised in a suitable location whilst having their smoke e.g. an office or day room or even in the grounds depending on the patient's health condition.

4.4.4 In all cases where an exception has been made there should be demonstrable evidence that smoking cessation has been fully considered as part of the patient care pathway, in conjunction with the patient and/or their relatives.

4.4.5 Where an exception is made, every effort must be made to minimise staff exposure to smoke. This would normally mean that smoking would only be permitted outdoors where staff and other patients would not be in close proximity to the smoker. Ideally, this would also be out of sight of other patients, visitors and staff, who may be engaged in a smoking cessation programme.

4.5 Trust Visitors:

All visitors, contractors and deliverers are required to abide by the smoke free policy.

4.6 Occupational Health:

The Trust recognises its duty towards employees who smoke. The Occupational Health Department will encourage staff who smoke to refer themselves to NHS Stop smoking clinic at the RSCH or the NHS Stop Smoking Helpline

4.7 Smoking Cessation Advisers

4.7.1 The Trust employs stop smoking specialists working within the Respiratory office (ext. 2439) who can support individuals - employees or patients who want to stop smoking, regardless of age, medical condition or position within the hospital. They are employed by the Trust and all enquiries to them are confidential. Referrals for patients to an appropriate health specialist in the community can be made, to ensure continuing support. This free service is available to all staff, visitors, volunteers and contractors. It is able to provide free training for staff in supporting patients. Literature is available on every ward, OPD and walk-in centre.

4.7.2 Surrey Stop Smoking offer advice and support on stopping smoking and can be contacted on 0845 602 3608 (24 hour answer phone), their website is www.surreyquit.net

5. Core guidance

5.1 Legislation and Guidance

5.1.1 Second-hand smoke is defined as breathing in other peoples' tobacco smoke. It has now been shown to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.

5.1.2 The Health Act 2006 makes virtually all indoor public places and workplaces, including work vehicles, smoke-free. Smoking is prohibited in all enclosed or 'substantially enclosed' public places and workplaces by making it an offence to smoke or permit others to smoke in smokefree premises and to fail to display warning signs.

5.2. Transport

Smoking is not permitted in Trust vehicles. Smoking is not permitted in leased or staff private vehicles whilst used on Trust business. No smoking is allowed in the site car parks (including within cars). Smoking is only allowed at the designated smoking areas on the Trust site.

5.3 Electronic Cigarettes

The Trust acknowledges that some individuals may wish to make use of electronic cigarettes ("e-cigarettes"), particularly as an aid to giving up smoking. E-cigarettes are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user.

Although they fall outside the scope of smoke-free legislation, the Trust prohibits the use of e-cigarettes onsite except in designated smoking areas. The Trust's rationale for a ban on e-cigarettes is that:

- although they do not produce smoke, e-cigarettes produce a vapour that could provide an annoyance or pose a health risk to other employees;
- some e-cigarette models can, particularly from a distance, look like real cigarettes and create an impression that it is acceptable to smoke.

5.4. Sales of Tobacco Products

5.3.1 No sales of tobacco products will be allowed on any Trust premises, including the provision of vending machines, except the Social Club. It is a criminal offence for anyone to sell, transport or possess illegal tobacco products. Penalties for such offences may include imprisonment and/or substantial fines for any manager allowing their premises to be used for such activities. The selling/storing and dealing in any way of illegal cigarettes and tobacco on Trust premises will not be tolerated.

5.3.2 The Trust will fully co-operate with Law Enforcement agencies, such as HM Revenue and Customs, in their investigations. Any such illegal activity will be considered as Gross Misconduct and may result in disciplinary action.

6. Training

Training for this policy is not mandatory, should managers require guidance on how to assist staff stop smoking, this can be provided by the Smoking Cessation Advisers.

7. Implementation

7.1 This policy will be brought to the attention of all staff.

7.2 Smoking is not permitted in any part of the premises or grounds managed, leased or owned by the Trust at any time other than at the designated smoking areas, by any person regardless of their status or business with the organisation. Staff members are expected to inform patients or visitors of the policy if found to be smoking in breach of the policy. However staff are not expected to enter into any confrontation that may put their personal safety at risk. If concerned staff should seek guidance / assistance from the Trust Emergency Planning and Security Manager. The term "premises" includes the Nuffield Hospital Building & Stirling House for Trust employees. The term "premises" excludes The Social Club (which has their own policy) and Staff living in Residences (however employees are working at the Residences for cleaning and maintenance are not permitted to smoke).

7.3 Responsibility for implementing this policy lies with the Chief Executive. However, day-to-day responsibility for implementation lies with directors, managers and all staff.

7.4 Employees found to not co-operate with the policy will be interviewed by their line manager and referred to Occupational Health, for support and advice as appropriate. Should an individual or group of individuals continue to infringe this policy their actions will be subject to investigations under the Trust Disciplinary Policy & Procedure which may result in disciplinary action being taken.

8. Monitoring the Compliance with and Effectiveness of the Policy

The Head of Human Resources will be responsible for monitoring the effectiveness of this policy. The Head of Human Resources will provide reports every 12 months on the application of the policy as part of the monitoring requirements to the Health & Safety Committee. Monitoring will include information on the number of employees

the Smoking Cessation Advisers have provided support to in smoking cessation and the number of staff subject to disciplinary action due to smoking whilst on duty.

9. Review, Ratification and Archiving

9.1 This policy will be reviewed every three years or earlier than this if there are any statutory or other changes that impact on the procedure. The review will be carried out by the Associate Director of Human Resources or other person(s) designated to act on their behalf. The Health & Safety Committee will be consulted on any proposed changes.

9.2 The author or local policy officer is responsible for ensuring that archive copies of superseded working documents are retained in accordance with the Records Management: NHS Code of Practice, 2009, refer to Policy Development and Management: Including policies, procedures, protocols, guidelines, pathways and other procedural documents.

10. Dissemination and Publication

10.1 Dissemination of the final policy is the responsibility of the author. They must ensure the policy is uploaded to the Trust's Central Library (intranet) either via their local policy officer or submitted directly to the Central Policy Officer. The Head of Marketing and Communication is responsible for the trust-wide notification of existence of the policy.

10.2 Clinical directors, Associate Directors, Specialty Business Unit (SBU), or supporting services management teams, Ward Managers and Heads of Department are responsible for distributing this policy and ensuring that all staff under their management (including bank, agency, contracted, locum and volunteers) are aware of the policy.

11. Equality Impact Analysis

The author of this policy has undertaken an Equality Analysis Initial Screening. No adverse impacts were identified. The Equality Analysis Initial Screening has been archived and is available via the local Policy Officer.

12. Associated Documents

This policy & process document should be read in conjunction with the following Trust HR policies:

- Occupational Health Policy
- Disciplinary Policy and Procedure
- Trust Risk Assessment Strategy (Nov 2012)

13. References

- Health Development Agency (2005) Guidance for smoke free hospital trusts
- National Clean Air Award (2004) Model smoking policy
- Department of Health – Smoke free workplaces an economic analysis
- The Health Act 2006