

# SMOKE FREE POLICY

## INTRODUCTION

Smoking accounts for approximately 15-20% of all deaths in Britain relating to ill health and also contributes significantly to financial loss due to fire in buildings and premises.

Recent research has established a link between exposure to second-hand smoke (known as passive smoking) and the increased risk of lung cancer and other forms of cancer in non-smokers.

The irritation from tobacco smoke is well known even to smokers. Smoke affects the eyes, nose and respiratory tract and particularly affects certain sensitive groups such as pregnant women, wearers of contact lenses, asthmatics and sufferers of coronary heart disease.

Tobacco smoke also causes discomfort and annoyance to many non-smokers, which, in turn, may affect their performance at work and relations with their colleagues.

This policy seeks to ensure compliance with health and safety legislation and employment law relating to the exposure to tobacco smoke, guaranteeing a healthy working environment and to protect the current and future health of employees, contractors, customers and members of the public who access smoke free areas.

This policy will also take into account the needs of those persons who choose to smoke whilst raising awareness of the dangers associated with tobacco smoke. In addition this policy aims to encourage smoke cessation to those who wish to stop by providing information and support.

## POLICY

It is the policy of Hounslow Homes that enclosed or substantially enclosed workplaces, including Company vehicles, as well as communal / common parts within housing estates will be designated as smoke free areas.

Domestic premises where an employee may be required to work are excluded from this policy however guidance is provided on measures to be taken to minimise exposure to second hand smoke under these circumstances.

Smoking will also be prohibited in external areas where there is a risk of fire due to the presence of combustible materials and / or oxidants, flammable and highly flammable liquids and gases.

| First Issued | Revision | Revision Date | Author    | Page Number  |
|--------------|----------|---------------|-----------|--------------|
| Apr 02       | 2        | Nov 06        | S Pettitt | Page 1 of 10 |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

Where appropriate external smoking areas will be designated, signed and if deemed necessary shelter and suitable bins will be provided.

The requirements of this policy will be promoted within workplaces and other smoke free areas by the person responsible for that area.

This policy will come into effect from 1<sup>st</sup> April 2007 at which time the previous Smoking Policy will be superseded.

## **SCOPE**

This policy applies to all Employees, Consultants, Contractors, Visitors, Customers and Members of the Public who access workplaces and other smoke free areas as defined by this policy.

## **LEGISLATION**

The following is a summary of the primary legislation that relates to smoking:

➤ **Health Act 2006**

This Act makes provision for the prohibition of smoking in certain premises, places and vehicles which will come into force on 1<sup>st</sup> July 2007. Specific responsibilities under this Act are outlined within the following Regulations:

- The Smoke-free (Premises and Enforcement) Regulations 2006
- The Smoke-free (Signs) Regulations 2007

In addition the Government has announced that additional Regulations will be published during 2007 covering:

- Exemptions and Vehicles
- Penalties and Discounted Amounts
- Offences in Vehicles and the Format of Fixed Penalty Notices

➤ **Health and Safety at Work etc Act 1974**

Under this legislation an employer has a duty to ensure, so far as is reasonably practicable, a safe place of work for employees. Although this legislation does not make specific references to tobacco, employers are obliged to pay regard to risks at work e.g. the exposure to tobacco smoke.

➤ **Employment Rights Act 1996**

The contract of employment regulates the relationship between employer and employee is subject to general principles of statute law. In addition to expressed terms within the contract there will also be 'implied terms'. These may be implied by statute such as the Health and Safety at Work etc Act 1974, or by common law.

Such implied terms include the common law obligation placed on employers to take care of employees. This obliges employers to take all

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 2 of 10       |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

reasonable steps to protect employees as soon as they are aware of a risk, or could be expected to be aware of a risk.

Other legislation relating to smoking includes:

- Management of Health and Safety at Work Regulations 1999
- The Construction (Health, Safety and Welfare) Regulations 1996
- Dangerous Substances and Explosive Atmospheres Regulations 2002
- Regulatory Reform (Fire Safety) Order 2005
- The Food Safety (General Food Hygiene) Regulations 1995
- Environmental Protection Act 1990
- Control of Substances Hazardous to Health (COSHH) Regulations 2002

## **DEFINITIONS**

### **Enclosed Premises**

Premises will be enclosed if they have a ceiling or roof and, except for doors, windows or passageways, are wholly enclosed, whether on a permanent or temporary basis.

### **Substantially Enclosed Premises**

Premises will be substantially enclosed if they have a ceiling or roof, but there are openings in the walls that are less than half of the total area of walls.

## **IMPLEMENTATION**

Initial implementation of this policy will comprise of:

- An information newsletter being displayed within workplaces supported by announcements during team meetings or tool box talks for employees.
- Project managers notifying contractors of smoke free areas and the requirements of this policy.
- Tenants and leaseholders being notified by means of an article within Hounslow Homes News.
- Signage being displayed at the entrance of all smoke free areas.

## **RESPONSIBILITIES**

### **Line Managers**

Line managers are responsible for the implementation of this policy within workplaces under their control and will therefore be required to:

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 3 of 10       |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

- Inform employees and visitors of their responsibilities under this policy.
- Remind employees of their responsibilities on a regular basis by means such as team meetings.
- Promote this policy during the induction process.
- Implement appropriate measures to enforce compliance.
- Ensure that appropriate 'No Smoking' signs are clearly displayed at the entrances to and, where necessary, within workplaces and other smoke free areas under their control.
- Instigate appropriate action in the event of non-compliance such as disciplinary action.

Line managers will also ensure that vehicles that are owned or leased by Hounslow Homes are designated as smoke free areas and are to take appropriate measures to ensure that smoking within these vehicles does not occur which will include the provision of no smoking signs.

### **Project Managers**

Project managers are responsible for ensuring that:

- Contractors are made aware of workplaces and other smoke free areas where smoking will not be permitted.
- Contractors are reminded of their responsibilities during project meetings.
- Where contractors are reported as smoking in smoke free areas appropriate action to investigate the claims are taken and that and where necessary appropriate action is taken.

### **Housing / Leasehold Management**

Housing / Leasehold Management will:

- Ensure that customers (including tenants and leaseholders) are notified that smoke is not permitted in areas designated as smoke free under this policy.
- Reminded customers that they are responsible for their visitors and as such are required to take reasonable steps to ensure that they also refrain from smoking in smoke free areas.
- Ensure that appropriate 'No Smoking' signs are clearly displayed at the entrances to and within all smoke free areas under their management.
- Ensure that this policy is communicated during sign ups.
- Take appropriate action when non-conformance is identified.

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 4 of 10       |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

**Employees (including contractors and consultants)**

Employees are not permitted to smoke within workplaces and other smoke free areas as identified within this policy or by signage

These areas include vehicles that are owned or leased by Hounslow Homes as well as private vehicles carrying passengers when on business purposes.

**Communications Team**

The Communications Team will ensure that the requirements of this policy are communicated to customers within Hounslow Homes News at intervals deemed appropriate by the editorial group in consultation with the Health and Safety Team.

**Health and Safety Team**

In addition the Health and Safety Team will be responsible for:

- Monitoring compliance with the requirements of this policy.
- Provide information as necessary to promote smoking cessation.
- Promote this policy within the Introduction to Hounslow Homes course.
- Reviewing the policy following changes to the organisation, the introduction of new legislation relating to smoking or in the event of an incident relating to smoking.

**HEALTH EFFECTS**

Tobacco smoke is known to contain harmful substances that have a detrimental effect on the body. Details of these effects are outlined at appendix A.

**ASSISTANCE IN GIVING UP SMOKING**

The Company will actively encourage staff to give up smoking and will support any staff in their efforts to succeed. For advice, staff may refer themselves to:

- A pharmacist.
- Their general practitioner.
- The occupational health adviser.
- Any other appropriate advice centre.

Details of the NHS “Help to Quit Smoking” services can be found at appendix B.

**EMPLOYEES ENTERING DOMESTIC PREMISES**

Whilst legislation does not prevent smoking in domestic premises the organisation acknowledges that employees and contractors are often required to enter domestic premises in conjunction with their work.

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 5 of 10       |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

Should smoking take place in these premises exposure would not be for long periods however should an employee or contractor decide that the smoke is excessive, one or more of the following actions should be taken:

- The occupants are asked to refrain from smoking during the visit.
- A request is made for the windows to be opened.
- Allow time for the smoke to dissipate before entering the property.

If the occupants do not comply with these reasonable requests an employee or contractor is then authorised to terminate the visit and report the fact to their line manager.

## **FIRE SAFETY**

In addition to enclosed and partially enclosed workplaces and communal areas certain other areas, including external locations, will be designated smoke free due to the risk of fire and explosion. These areas will include:

- Storerooms and workshops containing large quantities of combustible materials such as clothing, paper, wood, timber, plastics etc.
- Storerooms and workshops containing any of the following:
  - Flammable liquids (e.g. diesel, white spirit, heating oil).
  - Highly flammable liquids (e.g. petrol, acetone).
  - Liquefied petroleum gas (LPG).
  - Flammable gas cylinders.

Areas where work with flammable gas fittings, gas installations etc will have an area surrounding the hazard defined as smoke free. The extent of this area will be established by risk assessment together with consultation with the Health and Safety Team. Only CORGI registered gas fitters are to undertake work on natural gas appliances and pipe work with strict control of all ignition sources such as flames and hot surfaces being instigated including a hot work permit.

Indoor or outdoors areas where oxidising, flammable and highly flammable liquids are being dispensed from storage containers will also require an extended smoke free zone which will be identified by risk assessment together with consultation with the Health and Safety Team. Dispensing inside buildings should be avoided as the risk is much smaller if done outside in the open air. This applies to the refuelling of machinery tanks, e.g. leaf blowers and strimmers, from petrol cans.

Further information can be found within the fire safety procedure.

## **NON-COMPLIANCE**

The Government favours a “non-confrontational” approach to enforcement of smoke free areas, and that enforcement action should be “fair, proportional and consistent”.

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 6 of 10       |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

London Borough of Hounslow are the enforcing authority in regards to this legislation and anyone who does not comply with the requirements of the Health Act will be liable to a fixed penalty fine and possible criminal prosecution.

Hounslow Homes also has a duty to promote and implement the requirements of the Health Act and this policy and will take action should a breach be reported or discovered. Where appropriate the first offence will be dealt with in an informal manner however subsequent non-compliance with this policy may result in:

- Disciplinary action being taken against Employees.
- Action taken as a breach of tenancy agreement or leaseholder contract for Tenants and Leaseholders.
- Termination of contract for Consultants and Contractors.

## **NO SMOKING SIGNS**

All smoke free buildings and vehicles will display “*prominently visible*” no-smoking signs at each entrance.

For some smoke free areas it may be necessary to display signs at other locations, especially around areas of a high fire risk.

These signs must be of a specific size, display an approved pictogram and contain a message all of which must meet the requirements of the Smoke-free (Signs) Regulations 2007. The Health and Safety Team will provide details of the precise requirements upon request.

The Health and Safety Team will also provide guidance on the selection of signage for external smoke free areas.

| <b>First Issued</b> | <b>Revision</b> | <b>Revision Date</b> | <b>Author</b> | <b>Page Number</b> |
|---------------------|-----------------|----------------------|---------------|--------------------|
| Apr 02              | 2               | Nov 06               | S Pettitt     | Page 7 of 10       |

## HEALTH STATISTICS AND EFFECTS

There is overwhelming evidence that smoking is a direct cause of diseases such as lung cancer, chronic bronchitis, emphysema and coronary heart conditions and a contributory factor in others. Less well known is the link between smoking and cancer of the mouth, throat and gullet, damage to the foetus, cancer of the bladder, chest complications after surgery, cancer of the cervix, gastric and duodenal ulcers.

### Smoking Statistics

The following smoking statistics are from the NHS:

- In 1998, 27% of adults aged 16 and over smoked cigarettes in England; 28% of men and 26% of women.
- The prevalence of cigarette smoking among adults has dropped substantially since 1978 (from 40%), although it levelled off in the 1990s.
- The prevalence of cigarette smoking is higher for people in manual than non-manual socio-economic groups (32% compared with 21% in 1998).
- In 1998, 69% of smokers in England wanted to give up smoking.
- In 1999, 9% of children aged 11-15 smoked cigarettes regularly - 8% of boys and 10% of girls.
- Over 120,000 deaths were caused by smoking in the UK in 1995; that is, one in five of all deaths.

### Second Hand Smoke

Second hand smoke is other people's tobacco smoke. Also known as passive smoking, second hand smoke is a major source of indoor air pollution. It can lead to heart disease and lung cancer, and make illnesses like asthma worse.

Second hand smoke is made of two types of smoke:

- **Main stream smoke** - is smoke breathed in and out by smokers
- **Side stream smoke** - comes from the end of a burning cigarette or cigar, and makes up 85 per cent of the smoke in a smoky environment. This type of smoke contains more toxins and nicotine than mainstream smoke.

Short-term effects

- The effects you might notice straight away include:
- Coughing
- Headache
- Eye irritation
- Sore throat

| First Issued | Revision | Revision Date | Author    | Page Number  |
|--------------|----------|---------------|-----------|--------------|
| Apr 02       | 2        | Nov 06        | S Pettitt | Page 8 of 10 |



**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

- Sneezing and runny nose
- Feeling sick
- Breathing problems (and possibly an asthma attack)
- Irregular heartbeat (a particular problem for people with heart disease)

Long-term effects

- Worsening of chest problems and allergies like asthma, hay fever, bronchitis and emphysema
- Increased risk of heart disease
- Increased risk of lung cancer
- Pregnant women exposed to second hand smoke can pass on the harmful gases and chemicals to their babies

**Contents of Tobacco Smoke**

Tobacco smoke contains around 4,000 different chemicals. Many of them are poisonous and some can cause cancer. Three of the main components are:

- **Nicotine** - a powerful, addictive drug. It increases the heart rate and blood pressure, and affects mood and behaviour. Nicotine is also an insecticide.
- **Tar** - many of the substances in tar are known to cause cancer. It can also damage the lungs.
- **Carbon monoxide** - a gas that takes the place of oxygen in the blood, making the lungs less efficient and stopping cells and tissues getting the oxygen they need to work properly. Carbon monoxide is the poisonous gas found in car exhaust fumes.

Other chemicals in tobacco smoke include:

- **Benzene** - a poisonous gas found in petrol fumes, known to cause leukaemia
- **Ethanol** - used in anti-freeze
- **Ammonia** - used in anti-personnel spray and cleaning products
- **Formaldehyde** - an embalming fluid
- **Hydrogen cyanide** - an industrial pollutant
- **Polycyclic aromatic hydrocarbon (PAH)** - a cancer-causing chemical also found in diesel exhaust and other combustion products

| First Issued | Revision | Revision Date | Author    | Page Number  |
|--------------|----------|---------------|-----------|--------------|
| Apr 02       | 2        | Nov 06        | S Pettitt | Page 9 of 10 |

**HOUNSLOW HOMES  
HEALTH AND SAFETY ARRANGEMENTS  
CHAPTER 42**

Appendix B

**NHS “HELP TO QUIT SMOKING”**

The Government has set up a comprehensive NHS Stop Smoking Service. These services are now available across the NHS in England, providing counselling and support to smokers wanting to quit, complementing the use of stop smoking aids Nicotine Replacement Therapy (NRT) and bupropion (Zyban).

The national NHS Smoking Helpline number is 0800 169 0169 or you can visit their web site at: [www.giveupsmoking.co.uk](http://www.giveupsmoking.co.uk)

Local NHS initiatives can include group or one to one sessions, depending on the circumstances and client's preferences. Most stop smoking advisers are nurses or pharmacists, and all have received training for their role. The following are details of services available in the local area:

| <b>EALING AND HOUNSLOW STOP SMOKING</b> |   |
|---|---|
| <b>Area:</b>                            | London Boroughs of Ealing and Hounslow  |
| <b>Referral Method:</b>                 | Self referral to helpline on 0845 111 0155  |
| <b>Times Helpline</b>                   | Mon - Fri: 9am - 5pm  |
| <b>Times Sessions</b>                   | Times vary - contact for details.   |
| <b>Service:</b>                         | Group motivational support and community advisor (one-to-one) programme.  |
| <b>Pregnancy services:</b>              | Specialist smoking in pregnancy support is available.   |
| <b>Ethnic services:</b>                 | Clients are able to register in English with the service on the main number. However, ethnic language speakers are available to the service. The area does have clients who do not speak any English but they bring an English speaking friend or relative with them. |
| <b>Other services:</b>                  | We provide service for prison staff as well as inmates in Feltham young offenders institution.  |
| <b>Address:</b>                         | The Thelma Golding Health Centre,<br>92 Bath Road,<br>Hounslow,<br>TW3 3EL  |
| <b>Helpline:</b>                        | 0845 111 0155   |
| <b>Fax Number:</b>                      | 020 8321 2457   |

| First Issued | Revision | Revision Date | Author    | Page Number   |
|--------------|----------|---------------|-----------|---------------|
| Apr 02       | 2        | Nov 06        | S Pettitt | Page 10 of 10 |