
Smoke-Free Workplace Policy

Document Control

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Revision due	The service aims to review policies and procedures every two years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)
July 2024

Change History

Version	Date	Description of Change(s)	Changes made by
1.2	July 2024	Moved to updated template. Renamed Smoke Free Workplace (as previously No Smoking Policy) Vaping included and guidance on vaping included in policy.	Melissa Berry
1.1	March 2019		HR

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Bracknell Forest Council

Smoke Free Workplace Policy

1 Introduction

The Council is committed to providing a healthy and safe environment for all occupants and reducing the health risks associated with smoking, including second hand smoke exposure and fire hazards.

The policy adheres to the legislation included under the Health Act (2006). These regulations apply both to the smoker and to those who are in control of premises. The primary objective of the legislation is to protect individuals from second-hand smoke.

2 Equality

At Bracknell Forest Council we are committed to ensuring equality, diversity, and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The Council, in providing goods and/or services and/or facilities, is also committed to equity, celebrating diversity, inclusion and against unlawful discrimination of customers or the public.

3 Purpose

The policy seeks to ensure compliance with the legislation whilst acknowledging the issues related to smoking/vaping and the use of e-cigarettes by its employees and members of the public visiting Council owned or managed premises.

4 Principles

Whilst e-cigarettes and vapes are not included under the Health Act 2006, the Council prohibits the use of these in Council Buildings, including onsite premises/outside areas and Council vehicles. Throughout this policy, the term smoking will include smoking and the use of all types of electronic and disposable vaporisers (vapes) and e-cigarettes.

All visitors and contractors will be made aware of the requirement for them to comply with the Council's Smoke Free Workplace Policy via all appropriate means e.g., notices in workplaces entrances and reception areas.

Any contravention of this policy by employees will be regarded as a disciplinary breach and will be treated as misconduct under the Disciplinary Policy.

Employees failing to address visitors smoking/vaping/using e-cigarettes in Council buildings and vehicles will be regarded as having breached disciplinary policy and may be treated as misconduct under the Disciplinary Policy. The primary route for reporting incidents would be through the Facilities or Community Hub team.

Notices, reminding people they are in a smoke-free area, will be displayed where necessary/deemed appropriate in both Council buildings, onsite premises and vehicles. These signs will comply with the requirements set out in the Health Act 2006.

In some instances, Council offices may have designated smoking areas and staff will be made aware of these on request.

5 Scope

This procedure applies to all employees of Bracknell Forest Council, with the exception of School based staff.

6 Application of the Smoke Free Workplace Policy

6.1 Buildings and Structures

This policy applies to all premises where Council employees work, whether they are full-time, part-time, contractors or temporary agency staff. This includes all Council-owned or managed offices, the Council's commercial centre and other public buildings such as; libraries, theatres, leisure facilities etc. The Policy applies to common parts of buildings where the Council has a responsibility as landlord.

All areas within Council buildings are designated as smoke-free areas, this includes all offices regardless of whether they are occupied by a single employee or a group of employees; all corridors, public areas, meeting rooms, lavatories etc.

Managers of commercially let premises and premises where members of the public use the facilities, must consider how to ensure that arrangements are in place to avoid second hand smoke entering the building from the public/customers.

In care establishments/residential units, subject to any exemption permitted by legislation, managers must take every possible measure to ensure that second-hand smoke exposure is kept to an absolute minimum for all staff and other residents. Unless permitted by legislation staff will not be permitted to smoke on such premises.

6.2 Agile/remote working

Whilst working at home or another remote location, staff should refrain from smoking/vaping and using e-cigarettes whilst on Teams/Zoom meetings. Failure to do so will be regarded as a disciplinary breach and will be treated as misconduct under the Disciplinary Policy.

6.3 Council Vehicles/Vehicles used on Council Business

Smoking, vaping and using e-cigarettes is prohibited in all Council vehicles, including those on hire to the Council which are used for the purpose of work by BFC employees.

Staff who use their own private vehicle for work purposes on a casual or essential car user basis are not permitted to smoke, vape or use e-cigarettes when they are carrying passengers in their cars on Council business. They should also not allow passengers to smoke/vape or use e-cigarettes within their vehicle during working hours.

6.4 People's private homes

Council employees may not smoke, vape or use e-cigarettes in private homes whilst on council business.

A council employee has the right to ask a resident, and others present in their home or workplace, not to smoke/vape within the room(s) they need to access in order to perform and complete their duties.

The Manager should reinforce this message by contacting residents and asking them to refrain from smoking when Council employees are present. If appropriate it may be acceptable to include a request for the resident/s not to smoke for at least one hour before any visit, and to allow the worker to ventilate the rooms they work in by opening windows. Face masks will be provided to employees, if required.

If the resident, or others on the premises, refuse to stop smoking in the relevant rooms of their home, the Council employee should decide whether it is necessary to enter the premises on that occasion or whether some alternative arrangement can be made. Employees should discuss with their manager ways to minimise the risk from second-hand smoke in resident's homes. The manager should ensure a risk assessment is undertaken in conjunction with the employee, recognising the needs of smokers/vapers/users of e-cigarettes

It is recognised that smoking is a addictive and the Council is supportive and understanding of employees' needs whilst also recognising that:

- That service provision is the first priority of the Council;
- Smoking/vaping must be restricted in the work environment; and
- The scientific evidence for the link between smoking/vaping and illness, and hence the impact of smoking/vaping on service delivery.

Managers should be supportive of employees wishing to reduce or stop smoking. This may include being flexible with working time to allow attendance at Stop Smoking counselling, within the flexitime scheme.

6.5 Ensuring Compliance

6.6.1 Line Managers

Line managers will ensure full implementation of this policy by:

- Ensuring all employees are aware of, and cooperate with, the smoke-free workplace policy requirements.
- Monitoring compliance of employees to the policy and taking action if they are made aware of breaches of this policy.

6.6.2 Employees

Employees must:

- Co-operate fully with the requirements of the smoke-free workplace policy.
- Notify managers upon discovering incidents which breach the smoke-free workplace policy.
- Refrain from smoking/vaping during their actual working hours.
- Record smoking/vaping breaks on timesheets to reflect breaks are taken in their own time.
- Not smoke/vape onsite or outside of council premises.

6.6.3 Facilities/Managers of Establishments

Facilities/managers of establishments/vehicles must:

Ensure the display of appropriate signs at all entrances/reception areas in all Council buildings and within Council vehicles.

6.6 Co-ordination of Policy

The Human Resources and Health and Safety teams are responsible for the provision of information or advice regarding this policy.

6.7 Complaints about employees who smoke/vape/use e-cigarettes.

When complaints are received, line managers should initially talk to the individual who is the subject of the complaint to gain a better understanding of the issue. Complaints may need to be investigated and where appropriate, dealt with in accordance with the Council's relevant policy and procedures.