

The following is a suggested model for a policy, we would encourage all employers to adapt and change the content to suit their situation and house style.

MODEL NO SMOKING POLICY

Give the details below:

Company:
Address:
Date Policy Formally Agreed By Management:
Date Policy Becomes Effective:
Review Date:
Person responsible for Implementation and Monitoring:
Other relevant policies e.g. Health and Safety

Introduction

Secondhand smoke (breathing in other people's tobacco smoke), has been shown to cause cancers, heart and respiratory disease in non-smokers. The Health and Safety at Work Act 1974 places a duty on employers to provide a working environment that is 'Safe, without risks to health'. The Health Act 2006 and associated Regulations will make provisions to prohibit smoking in virtually all enclosed and substantially enclosed workplaces from 1 July 2007.

(Insert name of organisation/company) acknowledges that secondhand tobacco smoke is both a public and work place health hazard and have therefore adopted this no smoking policy.

Aims of the Policy

The policy seeks to:

Guarantee a healthy working environment and protect the current and future health of employees, customers and visitors.

Guarantee the right of non-smokers to breathe in air free from tobacco smoke.

To comply with Health & Safety Legislation, Employment Law and the Health Act 2006 (from 1 July 2007).

Raise awareness of the dangers associated with exposure to tobacco smoke.

Take account of the needs of those who smoke and to support those who wish to stop.

Consultation

This policy has been drawn up in full consultation with staff side and management.

(Please state who has been involved in producing the policy. We would suggest involving Trade unions with staff and management representatives).

Restrictions on Smoking

Smoking is not permitted in any indoor or substantially enclosed part of the premises or entrances at any time, by any person regardless of their status or business with the organisation/company. Staff and/or customers may smoke outside (in the designated outdoor area/s) at agreed times **(state the times when smoking will be allowed e.g. official breaks only).**

Visitors

All visitors, contractors and deliverers are required to abide by the no smoking policy. Staff members are expected to inform customers or visitors of the no

smoking policy. However they are not expected to enter into any confrontation which may put their personal safety at risk.

Vehicles

Smoking is not permitted in company vehicles or any vehicles being used on company business.

Support for smokers

Smokers wishing to give up smoking will be signposted to Newcastle and North Tyneside NHS Stop Smoking Service which can be contacted on 0191 219 5111.

State whether the company will provide additional support for smokers wishing to quit perhaps via an occupational health nurse.

Disciplinary Action

Detail the action to be taken against staff, who disregard the policy.

Implementation

The policy will become operational on ***(complete date)***. Please note that the Health Act 2006 will be implemented from 1 July 2007 and all employers and employees will by law have to comply with this.

Monitoring

The no smoking policy will be monitored by ***(State names of staff member(s))***.
..... S/he can contacted on.....

Signed by _____ Position _____

Date _____

Supplementary Information for the Hospitality Industry on Implementation of the Health Act 2006 Pertaining to Customers

If a customer ignores the no smoking policy the following action will be taken;

- The person’s attention will be drawn to the ‘No Smoking’ signs and they will be reminded that they are committing an offence. They will be asked politely to stop smoking.
- The person smoking will be reminded that it’s also an offence for you (as owner, manager etc) to let anyone smoke.
- It will be explained that the business has a smoke free policy to ensure a safe working environment for all staff and customers.
- If the person smoking is a **customer**:
 - It will be explained that staff are obliged to refuse service if they continue to smoke.
 - If they carry on smoking, they will be asked to leave the premises (and, where relevant will be directed to the outdoor smoking area).
 - If he/she refuses, the normal procedure for anti-social/illegal behaviour in the premises will be implemented.
 - A record of all such incidents and outcomes will be maintained.
- In all cases where physical violence or intimidation is threatened or encountered, the assistance of the police will be sought