

Droitwich Spa Town Council



SMOKEFREE POLICY

Purpose

This policy has been developed to protect all employees, service users, customers and visitors from exposure to secondhand smoke and to assist compliance with the Health Act 2006. Exposure to secondhand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure. The Health Act 2006 sets out a new legal position on smoking at work and ensuring smoke-free workplaces and public premises. As a result the law requires all enclosed workplaces, buildings and offices to be non-smoking throughout by 1st July 2007 and prohibits the designation of smoking rooms.

Policy

It is the policy of Droitwich Spa Town Council that all our workplaces, the Museum, the Tourist Information Centre and the Community Hall are smokefree and all employees have a right to work in a smokefree environment. The policy shall come into effect on Sunday 1 July 2007. Smoking is prohibited in all enclosed and substantially enclosed premises in the workplace (which will include company vehicles, should the Town Council avail itself of these). This policy applies to all employees, consultants, contractors, customers, members and visitors. This policy establishes that all premises owned by the Town Council shall be free of tobacco smoke in all enclosed and substantially enclosed areas.

Implementation

Overall responsibility for policy implementation and review rests with the Town Clerk. However, all staff are obliged to adhere to and support the implementation of the policy. The Town Clerk shall inform all existing employees and volunteers, consultants and contractors, of the policy and their role in the implementation and monitoring of the policy. The Town Clerk will also give all new personnel a copy of the policy upon recruitment/induction.

Appropriate 'no smoking' signs will be clearly displayed at the entrances to and within the premises, and in all smokefree company vehicles (as necessary – see above).

Help to Stop Smoking

All employees that smoke should be directed to the range of free services offered by the NHS to help smokers give up:

Visit gosmokefree.co.uk

Call NHS Smoking Helpline on 0800 169 0 169

Text 'GIVE UP' and full postcode to 88088 to find the local NHS Stop Smoking Service

Non-Compliance

Should a member of staff not comply with this policy then the Town Council's disciplinary procedures are to be followed. Those who do not comply with the smokefree law may also be liable to a fixed penalty fine and possible criminal prosecution.

The procedure to be followed, when someone is caught smoking on the Town Council's premises, is:-

1. *Draw the person's attention to the "No Smoking" signs in the area and inform them that he/she is committing an offence by smoking. Politely ask them to stop smoking.*
2. *Direct them to the nearest place where they are able to smoke legally.*
3. *Advise the person smoking that their actions could result in the person in control of the premises being prosecuted and receiving a fine of up to £2,500.*
4. *If the person is a visitor, refuse them entry / service.*
5. *If the person still continues to smoke, ask them to leave the premises.*
6. *If the person is a member of staff or volunteer, invoke normal disciplinary procedures.*
7. *Maintain a written record of all such incidents and outcomes in the No Smoking Log.*
8. *If the person threatens physical violence smoking, notify and/or seek assistance from the Police.*

In order to assist any future defence of "due diligence", all incidents involving a breach of the Smoke free legislation, as laid out in the Health Act 2006 should be recorded in a book kept specifically for the purpose and should record the following:

- Date and time of incident
- *Where person was smoking*
- *Action taken*
- *Name of person smoking (if known)*
- *Name of person taking action*
- *Outcome*

Signed...
(Town Clerk)



Date... 25 June 2007

On behalf of Droitwich Spa Town Council