

**Maldon District Council
Smoking Policy and Procedure**

Document Control Sheet

Document title	Smoking policy and procedure
Summary of purpose	The purpose of this policy and procedure is to inform employees and agency workers of the Council's Smoking Policy.
Prepared by	HR
Status	
Version number	1
Approved by	
Approval date	– xxx
Date of implementation	September 2016
Review frequency	
Next review date	As required by legislative changes
Circulation	All Staff
Published on the 's website	

Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.

If you would like this information in large print, Braille or another language, please contact HR.



**MALDON DISTRICT
COUNCIL**

Policy and Procedure Overview

1 Introduction

- 1.1 The Council recognises that the health, safety and welfare of employees, sub-contractors and anyone else directly affected by the Council's operations are of prime importance. The Council has therefore developed and enforces a dedicated smoking policy, conforming to the requirements of the smoke-free legislation.

Benefits of a smoke free organisation for the employees

- A tobacco-free environment helps create a safer, healthier workplace
- Workers who are bothered by smoke will not be exposed to it at work
- Tobacco users who want to quit may have more of a reason to do so
- Those who use tobacco may appreciate a clear company policy about tobacco use at work

2 Who does this policy apply to?

- 2.1 This policy applies to all employees of the Council as well as agency workers who undertake activities on behalf of the Council.
- 2.2 Failure to comply with this mandatory policy may result in disciplinary action being taken against that employee in line with the Council's Disciplinary Policy and Procedure.
- 2.3 As part of the Council's induction process, new starters will be told about this policy and shown where it is located.

3 Prohibition on smoking

- 3.1 Smoking is prohibited within the Council's premises, except in certain designated outside areas. Employees and agency workers may smoke only by the 'Butt Bin's' which are located;

- At Maldon District Council offices: by the bin store in the car park area
- At the Tourist Information Centre: within Butt Lane car park at the rear of the office
- At the Promenade Park Depot: Location to be confirmed

The Council provides a receptacle for smokers to dispose of cigarette butts and other smoking waste where smoking is prohibited.

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- 3.2 A further 'Butt Bin' is located at Maldon District Council offices by the entrance to reception; this is for the purposes of visitors to the Council only and is not to be used by employees or agency workers.
- 3.3 Employees and agency workers who go outside to smoke are restricted to taking two short smoking breaks during a working day. Employees and agency workers should inform their manager if they wish to take a smoking break and ensure there is sufficient cover before taking the break. All breaks taken shall be recorded on the individual's timesheet.

4 Vehicles

- 4.1 The Council does not permit workers to smoke in any company vehicle.

5 Homeworkers

- 5.1 Homeworkers are not required to refrain from smoking during the course of work that is carried out for the Council in their home, unless they invite others into an area of their home for work purposes.

6 Electronic Cigarettes

- 6.1 The Council acknowledges that some employees may wish to make use of electronic cigarettes ("e-cigarettes") in the workplace, 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.
- 6.2 Although they fall outside the scope of smoke-free legislation, the Council prohibits the use of e-cigarettes in the workplace. The Council'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 health risk to other employees
 - some e-cigarette models can, particularly from a distance, look like real cigarettes, making a smoking ban difficult to police, and creating an impression for visitors, customers and other employees that it is acceptable to smoke

7 Signage

- 7.1 The Council displays signs that make it clear that smoking is prohibited on its premises. The Council also requires that no-smoking signs are displayed in those of its vehicles that are subject to the ban.

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8 Assistance for employees to give up smoking

- 8.1 The Council recognises the difficulty that employees who wish to give up smoking may face. To support employees, the Council offers a free and confidential Employee Assistance Programme (EAP) to all staff. This service is delivered by Workplace Options, an independent provider of employee support services. To access the website, go to www.workplaceoptions.com Click on 'Member Login' then enter; User name: **Maldon** / Password: **employee**
- 8.2 Assistance is also available from <http://www.nhs.uk/smokefree>

9 Non compliance

- 9.1 Any infringement of these rules by an employee may result in appropriate disciplinary action, which will be dealt with in accordance with the Council's Disciplinary Policy and Procedure. Agency workers will be dealt with according through the agency which they are contracted by.
- 9.2 Employees are also reminded that it is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.