

Smoking Policy

Owners: HR Service / Health and Safety
Authors: Sharon Crane / Margaret Durkin
Last updated: September 2013

Contents

1. Introduction	3
2. Smoking Restrictions	3
3. Employer's Responsibilities	3
4. Employee's Responsibilities.....	4
5. Advice and Help	4

1. Introduction

Kirklees Council recognises that smoking and passive smoking are risks to health. This document outlines the policy of a smoke-free working environment within Kirklees Council.

All elected members and employees are required to comply with the policy and members of the public will also be required to comply with this policy and the smoke free law.

2. Smoking Restrictions

Smoking is prohibited in all council buildings, council vehicles and other establishments in the control of the council. This includes electronic cigarettes.

Smoking is not be permitted in any part of any council workplace occupied by council staff and elected members such as offices, depots, front line service points, cash offices, libraries and work vehicles. School governing bodies will also be required to comply with the law in school buildings, and any enclosed or substantially enclosed places. They should be encouraged to adopt a smoke free policy for school grounds.

Social Care and Well-being for Adults have a separate smoking policy for residential care homes and similar premises.

From 1 July 2007 smoking has not been allowed in virtually all enclosed or substantially enclosed public places, workplaces and public and work vehicles. There are very few exemptions from the law. All council premises and work vehicles must have appropriate smoke free signs displayed in accordance with the legislation.

The council does not provide any amenities which will aid or help employees to smoke. If necessary, Heads of Service may designate smoking areas outside council buildings, which may include the grounds. Due consideration should be taken in terms of the proximity of any such designated smoking area to entrances to buildings and any public accessed areas. Facilities to prevent littering should also be provided for employees' use and appropriate arrangements made for emptying them.

In order to ensure equity amongst smokers and non smokers, any smoking breaks must be agreed with one's manager and taken in one's own time and recorded as such.

3. Employer's Responsibilities

Kirklees council has a duty to ensure that the health and safety of all its employees is maintained and that their well-being is sustained at the optimum level. It is the responsibility of all managers to make sure that the policy is implemented and that employees are aware of it and work within it.

Employees should be made fully aware of the smoking policy in their induction.

4. Employee's Responsibilities

It is the responsibility of each individual employee to uphold and comply with the smoking policy and the law. Persistently acting in contravention of the policy is a matter which will be dealt with through the disciplinary procedure. This is consistent with other council employee relations strategies. Any individual found to be in breach of smokefree law(s) is liable to a fixed penalty notice and possible prosecution.

5. Advice and Help

The council has a duty to promote good health for all employees. Practical advice and help is freely available through the [LOCALA Stop Smoking Service](#) for those employees who smoke and who may be considering quitting, or who have already quit. They can be contacted on 01924 351498. Employees who feel at risk from work-related tobacco smoke exposure are advised to speak to their managers about their concerns. Employee Healthcare can be contacted for advice and support.

The council is committed to providing smokefree workplaces, public places and to comply with the smoke-free legislation. We will continue to support employee who wish to quit smoking.