

Tobacco Control and Vaping Policy

HR Policy

HROD

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MANCHESTER
CITY COUNCIL

Contents

Introduction	1
Scope	Error! Bookmark not defined.
Aims	1
Legal Obligations	1
Policy Provisions	2
Implementation and Enforcement of Policy	3
Smoking Cessation Support	3

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Introduction

- 1.1 The Council is committed to ensuring the health, wellbeing and safety of its employee, workers, elected members and those who visit Council premises.
- 1.2 The Council recognises that both smoking and environmental tobacco smoke (through passive smoking) have harmful consequences and should be prohibited.
- 1.3 Smoking is an addiction and the Council aims to provide a supportive environment for those wishing to stop.
- 1.4 The Council recognises that the use of e-cigarettes (vaping) is a popular stop smoking aid. The current position from Public Health England is that vaping is less harmful to health than smoking.

Scope

- 2.1 This policy covers Manchester City Council employees, casual and agency workers and consultants, but excludes staff directly employed by schools.
- 2.2 It is recommended that schools adopt a Tobacco Control and Vaping Policy that prohibits all smoking and vaping in school premises and school grounds.

Aims

- 3.1 Through the application of this policy the Council aims to:
 - Protect the health, wellbeing and safety of employees, workers, elected members and members of the public, by providing smoke-free workplaces
 - Ensure that all employees and workers who wish to stop smoking are able to access appropriate advice and support
 - Reduce absence from work resulting from smoking related conditions and have a positive impact on employee's physical and mental health and wellbeing.

Legal Obligations

- 4.1 The Health and Safety at Work Act (1974) requires that the City Council takes reasonable measures to protect the health and safety of employees and members of the public visiting Council premises.
- 4.2 The Smoke-Free (Premises and Enforcement) Regulations 2006 requires all enclosed or "substantially enclosed" public places, workplaces and vehicles used for work to be smoke-free.
- 4.3 The Council fully accepts its responsibilities to provide safe, smoke-free workplaces.

Policy Provisions

5.1 Smoking and vaping will be prohibited in all the following areas:

- All office accommodation used by the Council
- Access doorways, surrounding areas, rest rooms, corridors and toilets
- All Council owned vehicles
- Officers' private vehicles while transporting passengers on Council business (including service users).
- All Members' rooms, including the Members' lounge and dining areas
- All Council owned public buildings, including function rooms, theatres, cafes, sports and recreational facilities. The sale of tobacco produce will also be prohibited in all of these outlets
- Youth Clubs
- Outdoors on Council grounds (e.g. car parks, courtyards)

5.2 Where the Council is renting office space smoking and vaping will be prohibited as per this policy. The Council will request that the policy is also applied to any communal areas, where applicable.

Where the Council owns the premises and part uses the accommodation, the Council will request that all other tenants adopt the spirit of the Tobacco Control and Vaping Policy.

5.3 Residential homes must aim to apply the provisions of the Tobacco Control and Vaping Policy. Where this is impractical (e.g. where the residence is considered a home), suitable control measures should be applied in order to minimise the risk to employees and other residents. This should, where possible, include banning smoking in communal areas. This exemption applies only to residents; those working in a residential home must adhere to this policy.

5.4 Although vaping is not covered under smoke-free legislation (as vaping does not burn tobacco or create smoke) vaping is not permitted as outlined above for the following reasons:

- People with asthma and other respiratory conditions can be sensitive to a range of environmental irritants, which could include e-cigarette vapour, and
- Vaping can, in certain circumstances, be a nuisance or distraction for people nearby.

5.5 Smokers and vapers are required to leave Council premises and grounds (e.g. car parks, courtyards) in order to smoke.

5.6 Vapers should not be asked to vape in the same place as smokers to avoid second-hand tobacco smoke.

5.7 Council employees who wish to smoke or vape may only do so in their own time. No employee is allowed to smoke or vape whilst being paid at work; this includes those working outdoors.

5.8 When on a smoking or vaping break, employees should not be easily identifiable as a Council employee (e.g. lanyards need to be removed/covered when smoking or vaping).

5.9 No facilities will be provided for smokers or vapers either inside or outside Council premises.

Implementation and Enforcement of Policy

- 6.1 Chief Officers will be responsible for the promotion and maintenance of a smoke-free working environment.
- 6.2 Facility management and building security will enforce the policy on Council premises and where smoke/vapour is entering the building from the outside (e.g. near doorways).
- 6.3 A copy of this policy will form part of the induction for new starters and, as with all employment policies, failure to adhere to the policy may result in disciplinary action.
- 6.4 Any non-employees who breach the Tobacco Control and Vaping Policy will be asked to leave the premises.

Smoking Cessation Support

- 7.1 The Council will actively promote NHS support and locally-commissioned smoking cessation services to its employees and workers. Additional smoking cessation support will be promoted as appropriate. This may include smoking cessation apps, and information and advice via an Employee Assistance Programme.
- 7.2 Employees can access up to 2 hours paid leave to attend an initial stop smoking consultation via a GP, a GP Stop Smoking Nurse, or local smoking cessation service.