

**Overarching Ensuring a Smoke Free Environment Policy
for University Hospitals of Derby and Burton NHS
Foundation Trust**

Policy name: Ensuring a Smoke Free Environment

Approved by:	Management Executive
On:	August 2012
Review Date:-	Extension Agreed to September 2023
Corporate / Divisional :-	Corporate
Clinical / Non Clinical :- Non Clinical	Non-Clinical
Department Responsible for Review:	Workforce
Distribution: <ul style="list-style-type: none"> Essential Reading for: 	All Trust staff, including medical and dental staff, Bank and Temporary staff, Contractors and agency staff and relatives/carers/visitors.
Training and Dissemination	Employees training/briefing sessions will be delivered as part of the QIPP programme. The policy will be disseminated to employees via the Intranet, articles in Taking Pride, GP Brief, Signpost, press releases, notice boards and screensavers. Information will be included in recruitment literature and during induction.
To be read in conjunction with:	Trust Health and Safety Policy, Disciplinary Policy, Uniform/Dress Code.
Policy Number:	POL-HR /211/06
Version Number:	2.2
Signature: Executive Director of Workforce
Date :

REVIEW AND AMENDMENT LOG

Version	Type of change	Date	Description of Change
1	New	August 2006	Original Policy
2	Amendments		Policy review by Smoke Free Environment Group (SEG) and reformatted to NHSLA Standard
2.1	Amendment	October 2013	Minor amendment to reflect change in practice
2.2	No change. Unified	July 2018	Derby Policy unified for UHDB

TRUST POLICY AND PROCEDURES FOR ENSURING A SMOKE FREE ENVIRONMENT

Reference Number POL-HR/211/06	Version: V2.1		Status Final	Author: Karen Martin Job Title(s): Director of Workforce Management
Version / Amendment History	Version	Date	Author	Reason
	1	Aug 2006	Director of HR	Original Policy
	2		Health Promotion Co-ordinator/HR advisor	Policy Review by Smokefree Environment Group (SEG) and Reformatted to NHSLA standard
	2.1	Oct 2013	Health Promotion Co-ordinator / Health and Safety Adviser	Minor amendment to reflect change in practice
	2.1.2	Aug 2017	Exec Director of Workforce/Chief Nurse	Interim minor amendment to reflect a required change in practice

Intended Recipients: All employees including Medical and Dental and bank /temporary staff, contractors and agency staff, patients and relatives/carers/visitors/	
Training and Dissemination: Employees training/briefing sessions will be delivered as part of the QIPP programme. The policy will be disseminated to employees via the intranet, articles in Taking Pride, GP Brief. Signpost, press releases, notice boards and screensavers. Information will be included in recruitment literature and during induction.	
To be read in conjunction with: Trust Health and Safety Policy, Disciplinary Policy, Uniform/Dress Code.	
In consultation with and Date: Smoking Operational Group, NHS Derby City and Derbyshire County Directors of Public Health Workforce Committee, Derby City Partnership, Derbyshire County Tobacco Control Group, Trust Joint Committee, Partnership Forum	
EIRA stage One Completed	Yes
Stage Two Completed	No
Procedural Documentation Review Group Assurance and Date	November 2013

Approving Body and Date Approved	Minor amendments approved by PDRG on behalf of ME
Date of Issue	November 2013
Review Date and Frequency	August 2015 then every 3 years
Contact for Review	Head of Workforce
Executive Lead Signature	Director of Workforce Management
Approving Executive Signature	Director of Workforce Management

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TRUST POLICY IN SUPPORT OF ARRANGEMENTS FOR ENSURING A SMOKE FREE ENVIRONMENT

1. Introduction

The White Paper 'Choosing Health – Making Healthier Choices Easier' (DOH, 2004) states that 'the NHS will be smoke free by 2006'. On the 1st July 2007 the smoking elements of the Health Act (DOH, 2006) came into force making nearly all enclosed and substantially enclosed workplaces and public places smoke free and prohibiting smoking in workvehicles.

The Health and Safety at Work Act (1974) places a duty on employers to 'provide and maintain a safe working environment which is, so far as is reasonably practicable, safe without risks to health and adequate as regards facilities and arrangements for their welfare at work'.

The health risks from smoking are severe and smoking remains the greatest single cause of preventable death and disease in England. Additionally, second hand smoke – the involuntary breathing in of other peoples' tobacco smoke - has now been shown to cause lung cancer and heart disease in non-smokers as well as many other illnesses and conditions. Derby Hospitals NHS Foundation Trust recognises that second hand smoke is both a public health hazard and a welfare issue.

1.1. Policy Statement

Smoking tobacco, including the use of electronic cigarettes is not permitted anywhere on Trust premises. This includes all building and grounds including car parks and Trust vehicles.

No on-site facilities for smokers will be provided.

Employees are not permitted to smoke during paid working time nor when in uniform. Employees should not return to their workplace smelling of tobacco smoke as this can be offensive and harmful to patients and colleagues as well as having an adverse effect on anyone trying to stop.

2. Purpose and Outcomes

This policy underpins the Trust's intention to have a smoke-free environment for the benefits of all patients, employees and visitors. It re-enforces our health promotion role as a health care organisation.

This policy applies to all employees, patients, visitors, contractors and other persons who enter our premises for any purpose whatsoever.

The aim of the Policy is:

- To protect and improve the health of employees, patients, visitors and any other persons by guaranteeing them the right to breath air free from tobacco smoke whilst in our buildings, and grounds (including car parks).
- To protect smokers and non-smokers from the danger to their health of exposure to second hand smoke.
- To support employees and patients who smoke by helping them to stop smoking or to cope with the restrictions on smoking contained within this policy.

- To set an example to other employers and workforces, particularly in health-related locations.

3. **Definitions used:**

Site Entrances/Exits	All footpaths and roads which enable access to and egress from hospital grounds
Employees	All employees of Derby Hospitals NHS Foundation Trust.
Contractors	Employees not employed by the Trust but working on Trust premises.
Agency Staff	Staff employed via an agency carrying out Trust work.
Community workers	Any Trust employee working off site
Nicotine Replacement Therapy	Nicotine Replacement Therapy (NRT) – A type of treatment that gives small, steady doses of nicotine to help stop cravings and relieve symptoms that occur when a person is trying to quit smoking. These products include nicotine gum, nicotine inhaler, nicotine nasal spray, nicotine lozenges, and nicotine patch. Electronic cigarettes are currently not medically recognised as NRT.
Trust property / premises	All and any buildings and land owned and/or occupied by the Trust

4 **Key Responsibilities/Duties**

4.1 **Executive Director of Workforce Management**

Responsible for ensuring implementation and monitoring of compliance of HR Policies and Procedures. This work is maintained by partnership working and reported to Workforce Committee and the Trust Joint Council.

4.2 **Workforce Committee**

This Committee is responsible for the monitoring of Human Resources (HR) Policies and Procedures to ensure that the Trust meets employment legislation, good workforce practice and NHSLA Standards.

4.3 **Trust Joint Council**

This Council is responsible for considering and supporting HR Policies and Procedures recommended by Partnership Forum to ensure that the Trust meets employment legislation, good workforce practice and NHSLA Standards

4.4 **Partnership Forum**

Consults on the content, implementation and monitoring of HR Policies and Procedures to ensure that the Trust meets employment legislation, good workforce practice and NHSLA Standards.

4.5 HR Team

The HR Team will ensure that all recruitment literature including job advertisements and contracts of employment state that this is a Smoke Free Trust. The HR Team is responsible for supporting and advising line managers and employees regarding this policy.

4.6 Smoke Free Operational Group

This group is responsible for the review, development and implementation of this policy. The group is also responsible for monitoring compliance with, and effectiveness of the policy.

4.7 Communications

The Communications Team will support the implementation and reinforcement of this policy through timely and appropriate dissemination of information.

4.8 Managers

Managers will ensure that this policy is disseminated and implemented within their areas of responsibility and will ensure their employees attend appropriate training. They will provide their employees with appropriate support including referrals to stop smoking services.

Managers will investigate failures to comply with this policy.

4.9 Employees

All employees have a vital role in ensuring smooth implementation and continued compliance with the Trust Smoke free Policy and will ensure patients and visitors are aware of the Trust's Smoke free Policy.

4.10 Visitors

This policy applies to all visitors, relatives and carers.

4.11 Contractors

Tenders and contracts between Derby Hospitals and other agencies will stipulate adherence to this policy as a contractual condition.

5 Enforcement and Implementation of the policy

5.1 Enforcement

Employees failing to comply with section 1.1 of this policy will be reminded of the policy and given a caution as to a further breach (1st warning). A second breach of the policy will result in a second caution (2nd warning). These will be held on file for a period of twelve months following the last caution. Any further breach during that time will result in a formal warning under the Trust's Disciplinary Policy (final warning). Any further breaches of the policy will result in further disciplinary action, in line with the Trust's Disciplinary Policy.

Managers should record any breaches of the policy on the individual's personal file, where it is the second or more breach of the policy, managers should also report individuals to the appropriate HR advisor for their department.

5.2 Implementation of the policy

5.2.1 Employees

If a patient, visitor or an employee, either Trust or from another organisation is observed in breach of policy, they should be asked to extinguish their smoking materials and informed of the requirement to leave the site if they wish to smoke. Under no circumstances should a confrontational attitude be adopted or allowed to develop and the employee should walk away if the smoker adopts this attitude. If the smoker is a patient, their name should be taken and passed to the appropriate nurse in charge. If it is an employee, their name should be taken and passed to their manager.

If you live in, or have a GP in Derby City or are an employee seeking advice and support to quit please contact your GP or call b-You on Derby 01332 641254 or join via the b-you website www.b-you.co.uk/content/apply-join-b-you

If you live in, or have a GP in Derbyshire County please contact the Derbyshire County Stop Smoking Service on **0800 085 22 99**.

If you live outside of Derbyshire you can call Smokefree on 0800 022 4 332 or find out more at <http://smokefree.nhs.uk/>

5.2.2 Employees with patient contact

Employees with patient contact will:

- Acknowledge the importance of their involvement in aiming to reduce smoking prevalence.
- Develop, foster and encourage awareness of the benefits of stopping smoking as part of the patient pathway, before, during and following hospital admission.
- With consent signpost or refer patients to their local lifestyle or stop smoking service
 - For patients who live in Derby City - bYou on Derby 01332641254
 - For patients who live in Derbyshire County the Derbyshire County Stop Smoking Service on 0800 085 22 99.
 - For patients who live outside of Derbyshire, please signpost them to Smokefree on 0800 022 4332 for more information about stop smoking services where they live.
- Ensure patients who smoke but do not want to quit, are informed about the Trust's smoke free policy and offered the choice of using Nicotine Replacement Therapy for the duration of their in-patient stay if appropriate.
- Ensure that the patient's smoking status is recorded in the documentation as part of the patient pathway.
- In times of high stress when patients are attending following a self-harm or suicide attempt, a patient may sometimes request to smoke to alleviate their stress. Although the Trust cannot condone smoking, where it is deemed important in maintaining patient safety (where intermittent or continuous observation are in place), staff will be supported by the Trust to escort patients to smoke in the hospital grounds.
- There are separate guidelines available for employees required to treat patients in their own homes. Employees who are worried about exposure to second hand smoking in these circumstances should seek advice from their line manager who must arrange for a risk assessment to be carried out and all reasonable steps taken to protect employees from exposure to tobacco smoke.

The Trust is committed to continued employee training/ awareness raising in support of its tobacco control policy

5.2.3 New Recruits

A statement highlighting the Trust's policy is included in all recruitment documentation including advertisements, job offers and contracts of employment.

5.2.4 Patients

This policy applies to all patients. The following statement is included in information leaflets given to employees:

“Smoking including the use of electronic cigarettes is not permitted in building and grounds of Derby Hospitals. Patients and visitors are asked to respect our smoke free policy.”

Patients who have planned surgery are sent a “Stop before your Op” leaflet which explains that quitting smoking before or during a hospital stay can speed up recovery and reduce the risk of complications.

5.3 Exemptions

There are no exemptions to this policy.

5.4 Vehicles

The Health Act 2006 requires all vehicles used primarily for work purposes to be smoke free at all times. Smoking including the use of electronic cigarettes is therefore not permitted at any time in work vehicles owned or leased by the Trust. Employees must not smoke whilst using their own vehicles for business purposes, and whilst parked on Trust premises.

No smoking signs are displayed in all work vehicles owned and leased by the Trust.

5.5 Sale of Tobacco

On site retail establishments are not permitted to sell tobacco products either over the counter or via vending machines.

Employees are not permitted to buy and sell tobacco products on Trust premises during Customs and Trading Standards, in any investigations relating to the sale and purchase of imported smoking materials.

5.6 Electronic Cigarettes

Electronic cigarettes (E-Cigarettes) are currently not recommended by NICE and therefore neither are they recommended by the Department of Health or the Trust for treatment of people wishing to stop smoking. There is not enough evidence on whether e-cigarettes are safe, effective or made to a consistent standard of quality, to enable a statement to be made about their safety as a product.

The Trust does not allow their use within any buildings or ground within the hospital site.

All smokers are encouraged to use nicotine replacement therapy such as patches, gum, inhalators, lozenges or mouth sprays as safer sources of nicotine and to access the most effective way to quit via the NHS Stop Smoking Services.

6 **Monitoring Compliance and Effectiveness**

Monitoring Requirement	<ul style="list-style-type: none"> ▪ Compliance with policy ▪ Appropriate action following breach ▪ Take up of referrals
Monitoring Method	<ul style="list-style-type: none"> ▪ Site Walkabouts ▪ Referrals to local lifestyle or stop smoking services
Report prepared by	Head of Workforce
Monitoring report presented to	Workforce Performance Forum
Frequency of report	Annually

7 **References**

Department of Health (2004) 'Choosing Health – Making Healthier Choices Easier'.

Health & Safety at Work etc Act 1974

Health Act 2006

The Smokefree (Premises and Enforcement) Regulations 2006

The Smokefree (Exemptions and Vehicles) Regulations 2007

The Smokefree (Penalties and Discounted Amounts) Regulations 2007

The Smokefree (Vehicle Operators and Penalty Notices) Regulations 2007

The Smokefree (Signs) Regulations 2007