

Introduction

This policy applies to all North West Leicestershire District Council employees, unless stated otherwise, and will be applied fairly and consistently without discrimination on the grounds of marital status, gender, age, disability, sexual orientation, race, nationality, ethnic or national origins, trade union membership or activity, political or religious belief and unrelated criminal conviction.

North West Leicestershire District 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 no smoking policy, conforming to the requirements of the smoke-free (Premises and Enforcement) Regulations 2006, smoke-free (Exemptions and Vehicles) Regulations 2007, smoke-free (Signs) Regulations 2007, and other related legislation.

1 Application

1.1 As part of the Council's induction process, new starters should be told about this policy and shown where it is located on the Council's intranet. The Human Resources Team is responsible for informing job applicants of this policy. Employees are responsible for informing their visitors to the premises and customers that they are serving of this policy.

2 Prohibition on smoking

2.1 Smoking is strictly prohibited on all parts of the Council's premises, including at entrances or anywhere on its grounds. This includes areas that are outside but that form part of the Council's premises.

2.2 Smoking breaks are no longer permitted. Any employee or contractor wishing to smoke must do so in their own time.

3 Vehicles

3.1 The Company does not permit workers to smoke in Council vehicles. Please refer to the [Use of Council Vehicles Policy](#) for more information.

3.2 Employees are not permitted to smoke in their own vehicles in work time on the way to or from meetings and appointments. This is to ensure that, in the same way smoking in uniform or outside council buildings is prohibited; we maintain a professional image to our customers and peers without our officers arriving at meetings having been smoking in a confined space. There is also a health, safety and wellbeing consideration for this decision.

4 Homeworkers / Mobile Workers

4.1 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.

5 Council Premises

5.1 Due to the residential nature of some of the Council's premises and the difficulties associated with enforcing a ban, some locations are exempt from the ban

(Council Houses, Flats and individual homes of residents in sheltered accommodation) Council employees, however, are prohibited from smoking in these areas. •

Every effort will be made to minimise the effects of smoking in the exempted premises to ensure that employees and visitors are not subjected to passive smoking.

6 Signage

6.1 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 its vehicles.

7 Assistance for employees to give up smoking

7.1 The Council recognises the difficulty that employees who wish to give up smoking may face. The Council's occupational health services can offer guidance/information and support/counselling to help smokers to give up. Details are available from Human Resources.

7.2 Assistance is also available from the NHS smoking Helpline – 0845 045 2828

8 Non-compliance

8.1 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](#).

8.2 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.

8.3 Customers who are smoking in smoke-free areas should be reminded of the no-smoking signs and asked to stop. If a customer continues to smoke, employees should explain that the customer is committing a criminal offence and will not be served if he/she continues to do so. If the customer still refuses to stop smoking, staff should ask the customer to leave the premises and, where relevant, direct him/her to where he/she can smoke.

9 Maintaining this policy

9.1 The Council will monitor the effectiveness of this policy and its general compliance.

9.2 This policy will be kept up to date and amended accordingly to reflect any changes in response to revised legislation and applicable standards and guidelines.