

# Smoke Free (Premises and Vehicles) Policy

Employee Wellbeing

2020 - 2023

[carmarthenshire.gov.wales](http://carmarthenshire.gov.wales)

Cyngor **Sir Gâr**  
**Carmarthenshire**  
County Council



## Contents

<a href="#">Purpose</a> .....	2
<a href="#">Scope of the Policy</a> .....	2
<a href="#">Responsibilities</a> .....	2
<a href="#">Arrangements at Schools</a> .....	2
<a href="#">Exemptions</a> .....	3
<a href="#">Supporting Documentation</a> .....	3
<a href="#">Elected Members</a> .....	3
<a href="#">Ensuring Equality of Treatment</a> .....	3
<a href="#">Statement</a> .....	4

This document should be used in conjunction with the [Corporate Health and Safety Policy](#)

## Purpose

The purpose of the policy is to provide information on the management of no smoking in the workplace. The Council has a duty of care to ensure that employees are aware of the law regarding smoke free workplace and premises and it is followed. It is therefore a key consideration for the Council, in terms of employee health and safety, morale of employees and employee relations that no smoking in the workplace is managed effectively. This policy will assist Managers / Supervisors to ensure that the workplace and premises of the Authority are smoke free.

## Scope of the Policy

This policy will apply to all establishments and all employees of Carmarthenshire County Council, volunteers acting on our behalf, contractors, visitors, agency workers and members of public who are accessing or using premises owned or occupied by Carmarthenshire County Council.

## Responsibilities

All line managers have a responsibility under this policy for the management of no smoking in the workplace and should be able to offer the appropriate assistance to employees when required.

People Management will have responsibility for promoting and monitoring the effectiveness of this policy and guidance. The People Management Division will ensure that the proactive approach to management is encouraged through timely advice from the Occupational Health Service, Health and Safety Team, and Learning and Development Team, and the provision of timely and accurate data and professional HR advice.

Wider responsibility for the policy rests with Directors, Heads of Service and all senior managers. They are responsible for ensuring that this Policy and accompanying guidance is effectively communicated. Senior managers will be responsible for commissioning additional support for managers as appropriate and practicable, and ensuring that managers have adequate training and supervision to carry out their duties.

## Arrangements at Schools

Governing Bodies of all schools are encouraged to adopt this policy, with a recommendation that schools may wish to develop appropriate wording to include pupils or signpost to the appropriate policy or guidelines for pupils. School management teams must ensure that our premises always remain smoke free, including outside normal school hours when the facilities may be hired to third parties.

## Exemptions

1. Designated smoking rooms or external smoking areas will be permitted in adult residential care and respite homes, and designated external smoking areas will be permitted in social care establishments providing day care services to the elderly or vulnerable.
2. Within flats and domiciliary areas of Sheltered Housing and Council Housing Premises – **ALL** communal and external areas of these premises fall within the scope of the policy.

**For the purposes of this Policy 'E - Cigarettes' (which contain nicotine) shall be regarded as cigarettes.**

## Supporting Documentation

Supporting information, guidance and documentation will be available to assist with the management and implementation of this policy.

## Elected Members

Elected Members have a personal responsibility to all staff and members of the public to uphold the values set out in this policy, promote good relations and challenge inappropriate behaviour where required. Elected Members are responsible for ensuring that they support positively, the principle of equality and diversity, in undertaking their public duties and follow the Code of Conduct for Elected Members and associated policies and procedures.

## Ensuring Equality of Treatment

This policy must be applied consistently to all employees irrespective of race, colour, ethnic or national origins (including citizenship), language, disability, religion, belief or non-belief, age, sex, gender reassignment, sexual orientation, parental or marital status, pregnancy or maternity.

If you have any equality and diversity concerns in relation to the application of this policy and procedure, please contact a member of the HR Team who will, if necessary, ensure the policy/procedure is reviewed accordingly.

If you require this information in an alternative format, please contact People Management on [CEHRDuty@carmarthenshire.gov.uk](mailto:CEHRDuty@carmarthenshire.gov.uk).

## Statement

### **Carmarthenshire County Council will:**

- Encourage employees, members and service users to stop smoking, and provide practical help and support via our Occupational Health Centre and the Help Me Quit Service.
- Prohibit smoking and use of E-cigarettes:
  - in all enclosed and substantially enclosed workplaces and premises owned or occupied by the County Council, including offices, schools, communal areas of sheltered housing schemes, rest rooms, canteens, theatres, libraries, community facilities, public toilets, museums, kiosks, markets, restaurants, cafes, members rooms, sports and leisure facilities, bus stations, day centres, and commercial premises leased or hired to third parties, etc.
  - in all enclosed and substantially enclosed premises used to provide the services or activities of the County Council, including those owned, operated by or shared with others, such as offices, day services, conference centres and training venues, etc.
  - in all vehicles used for work purposes or the provision of services including vans, buses, mobile libraries, and cars (including own cars during business time). Employees and others (e.g. volunteers, contractors) using vehicles in connection with the provision of services shall ensure the vehicles are smoke-free whilst they are used for these purposes.
  - within the grounds of premises owned or occupied by the County Council, including car parks associated with our administrative and commercial buildings, gardens, playgrounds, sports grounds and other external areas, etc.
- Not provide facilities for smokers, such as shelters or smoking rooms, either inside or outside, including doorways and immediate vicinities of any Council premises (except for the exemptions detailed below).
- All employees should not smoke during working time with the requirements of the smoking policy.
- E-cigarettes must not be charged in any Carmarthenshire County Council premises, including vehicles.
- Provide signage:
  - at all entrances to our premises, including at entrances to grounds, which informs everyone that they are smoke free, and that smoking is prohibited. This signage shall comply with the requirements of the Smoke-free Premises and Vehicles (Wales) Regulations 2020, and the Smoke Free (Signs) Regulations 2012, and any associated guidance.
  - in all of our vehicles, including those leased or hired to others, which informs everyone that they are smoke free, and smoking is prohibited. This signage shall

comply with the requirements of the Smoke-free Premises and Vehicles (Wales) Regulations 2020, and any associated guidance.

- Prohibit the selling or promoting of tobacco products in premises owned or occupied by the County Council.
- Cooperate with other employers, contractors or voluntary organisations to ensure compliance with this policy and any risks associated with second-hand tobacco smoke are minimised.
- Act as an exemplar employer and role model for other employers within Carmarthenshire in relation to non-smoking and the provision of smoke free workplaces.
- Periodically monitor, review and improve (when necessary) the delivery of this policy to ensure that it remains effective, and that we continue to comply with associated legal requirements and/or relevant management standards.