

Smoke Free (Premises & Vehicles) Policy Employee Wellbeing

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

1. 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 (to include e-cigarettes/vapes) 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.

For the purposes of this Policy 'E - Cigarettes/Vapes' shall be regarded as cigarettes.

2. Scope of the Policy

This policy will apply to all establishments and all employees of Carmarthenshire County Council, casual workers, 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.

3. Statement

Carmarthenshire County Council will:

- Encourage employees, members and service users to stop smoking and vaping, and provide practical help and support via our Occupational Health Centre and the Help Me Quit Service.
- Prohibit smoking and use of E-cigarettes/vapes
 - 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 permit employees to smoke during working time with the requirements of the smoking policy.
- Not permit the charging of E-cigarettes/vapes in any Carmarthenshire County Council premises, including vehicles.
- Not permit smoking near doorways, open windows or close to ventilation systems where smoke could re-enter Council or neighbouring buildings and expose others to second-hand smoke.
- Not create a nuisance to neighbouring premises, members of the public, or colleagues.
- 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 above).
- 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.

4. Responsibilities

4.1 Directors, Heads of Service and Senior Managers

Directors, Heads of Service and senior managers have overall responsibility for ensuring that this policy is implemented effectively across their services. They must:

- Ensure the policy and associated guidance are clearly communicated and understood.
- Ensure managers have adequate training, support and supervision to fulfil their responsibilities.
- Commission additional support or resources where this is reasonably practicable and necessary to support compliance.

4.2 Line Managers and Supervisors

All line managers and supervisors are responsible for maintaining a smoke-free workplace in line with this policy. In particular, they must:

- Ensure that this policy is effectively implemented within their areas of responsibility.
- Lead by example and challenge non-compliance appropriately and proportionately.
- Ensure employees, contractors, volunteers and visitors are aware of the requirements of the policy.
- Take reasonable steps to prevent smoking and vaping in prohibited areas, including during working time and in work vehicles.
- Address breaches of the policy promptly, using informal or formal management action as appropriate.
- Support employees who wish to stop smoking or vaping by signposting them to available support services.
- Seek advice from People, Digital and Policy, Occupational Health, or the Health and Safety Team where additional support or guidance is required.

4.3 Employees (including Agency and Casuals)

All employees have a personal responsibility to comply with this policy. Employees must:

- Not smoke or vape in any premises, grounds or vehicles where smoking is prohibited under this policy.
- Not smoke or vape during working time except in accordance with this policy and any local arrangements.
- Not charge E-cigarettes or vapes in any Council premises or vehicles.
- Ensure that their behaviour does not expose others to second-hand smoke or vapour, or cause nuisance to colleagues, service users, members of the public or neighbouring premises.
- Co-operate with managers and the Council in the implementation of this policy.
- Raise any concerns about the application of this policy with their line manager.

4.4 People, Digital and Policy

People, Digital and Policy have responsibility for the **promotion, monitoring and review** of this policy. This includes:

- Providing advice and guidance to managers and employees on the application of the policy.
- Supporting a proactive approach through timely input from Occupational Health, the Health and Safety Team, and Learning and Development.
- Supporting managers in addressing breaches of the policy, including where formal procedures may be required.
- Monitoring the effectiveness of the policy and recommending improvements where necessary.

4.5 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.

4.6 Contractors, Volunteers and Visitors

Contractors, volunteers, visitors and others accessing Council premises or vehicles are expected to comply with this policy. Managers responsible for engaging contractors or volunteers must take reasonable steps to ensure they are made aware of the smoke-free requirements.

5. Breaches of the Policy

Failure to comply with this policy may be addressed through appropriate management action. For employees, this may include action under the Council's disciplinary procedures. For non-employees, this may include being asked to leave Council premises or termination of contracts or arrangements.

6. 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.

7. 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.

8. Supporting Documentation

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

9. 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, Digital and Policy on CHR@carmarthenshire.gov.uk.