



Smokefree Policy	
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Smokefree Policy

Executive summary

This policy takes positive steps to control tobacco smoking within the Leeds Community Healthcare NHS Trust workplace. The aim is to ensure that all patients, staff and visitors who work, visit and/or receive patient care, do so in an environment that is healthy, clean and pleasant.

The policy is written to ensure LCH meets the legal requirements of the smoke free legislation laid out in the Health Act 2006 (Part 1).

Equality Analysis

Leeds Community Healthcare NHS Trusts vision is to ***provide the best possible care to every community***. To achieve this and comply with the Equality Act 2010 the organisation ***pays due regard*** to the three aims of the Equality Act General Duty by the completion of and addressing any issues through the action plan in the Equality Analysis (Appendix 1)

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1. Introduction

Leeds Community Healthcare NHS Trust (LCH) is required by law to safeguard the health, safety and welfare of its employees as far as is reasonably practicable. This policy has been drawn up in accordance with the requirements of the Health and Safety at Work Act, 1974 and the Management of Health and Safety at Work Regulations 1999. It conforms to the Approved Code of Practice on Passive Smoking at Work, 2000 and also reflects government policy as set out in the White Paper on tobacco: Healthy Lives, Healthy People (a tobacco control plan for England (March 2011)). Failure to comply with the Health Act 2006 (Part 1) will be a criminal offence and may subject LCH to penalties and fines.

Smoking is still the primary cause of premature and preventable death in the country. While rates of smoking have declined over the past decade, 21 percent of adults in England still smoke, accounting for approximately 80,000 deaths in the UK. (Healthy lives healthy People: Tobacco Control Plan for England DH 2011).

Smoking is one of the most significant contributing factors to life expectancy, health inequalities and ill health. Reducing smoking and tobacco-related harm is a key government strategy for improving the health of people in England and reducing health inequalities.

Since July 2007, smoking has been prohibited in virtually all enclosed public places and workplaces in England. This includes vehicles used for business and any rooms or shelters previously set aside for smoking (if they are enclosed or substantially enclosed, according to the definition of the law).

Employers are not legally obliged to help employees to stop smoking. However, employers that do provide cessation support could reduce the risk of non-compliance with the law, as well as taking advantage of the opportunity it offers to improve people's health. They will be promoting healthy living and no smoking within society, as well as benefiting from reduced sickness absence and increased productivity. (NICE Workplace interventions to promote smoking cessation (PH5) April 2007)

2. Aims and Objectives

- To provide a safe and healthy environment for all staff, patients, clients, service users, visitors and contractors.
- Working collaboratively with Leeds NHS Stop Smoking Services to develop, implement and monitor a system to ensure that all patients who wish to stop smoking are offered access to appropriate support.
- To ensure the LCH meets the requirements of the smokefree legislation laid out in the Health Act 2006 (Part 1).
- To support staff who wish to stop smoking by directing them to Leeds NHS Stop Smoking Service.

3. Definitions

For the purpose of this Policy the following definitions are made:

Patient – includes reference to clients and service users

Smoking – the burning of lighted cigarette, cigar, pipe or any other matter of substance that contains tobacco

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NRT – Nicotine Replacement Therapy

Staff - refers to all staff employed by the LCH as well as all work experience students, contracted staff not directly in the employment of the LCH, staff employed by other organisations who work on LCH premises and voluntary staff

4. Responsibilities

All staff employed by LCH must work in concordance with the Leeds Safeguarding Multi-agency Policies and Procedures and local guidelines in relation to any safeguarding concerns they have for children or adults whom they are in contact with.

4.1 Chief Executive

The Chief Executive has overall responsibility for safety and welfare for LCH staff, patients and visitors.

4.2 Executive (Nurse) Director of Quality and Quality Professional Development

Is responsible for providing, so far as is reasonably practicable, a safe working environment and ensuring the health, safety and welfare of employees, patients, users and others.

4.3 Managers

- Informing and educating their staff about the requirements of the smokefree policy as they would with other health and safety issues.
- Monitoring the effective implementation of the policy to ensure that their department is compliant.
- Managers are responsible for taking appropriate action if staff breach this policy. Such action may include offering to make a referral the Leeds NHS Stop Smoking Services or other relevant organisation should support be requested. For persistent breaches of the policy, the Manager will be required to invoke the LCH disciplinary procedure.
- The completion of Datix® when the Policy is breached
- Support staff wishing to access the Leeds NHS Stop Smoking Services.
- Providing employees with the relevant advice and support to enable staff to manage patients, visitors and contractors in a range of environments and situations.

4.4 Staff

Ensure that all staff understand the requirements of this policy and that it is every member of staff's responsibility to promote and comply with the policy at all times whether they be staff, patients, clients, service users or visitors.

- To take responsibility for their own smoking and ensure that they do not smoke including electronic cigarettes whilst on LCH premises or grounds and in LCH owned vehicles and lease cars.
- To take responsibility for reminding all staff, patients and visitors who fail to comply with the LCH Smokefree policy that it does not allow smoking at the workplace. If the member of staff does not feel comfortable in taking this action, they should at least report it to their line manager who will assess the situation and take the appropriate action.
- LCH staff must not smoke off site where they are identifiable as representatives of LCH / NHS e.g. staff in uniforms, wearing ID badges or on duty at other sites.
- Any public events staged by the LCH will be held in smokefree venues and be publicised as being smokefree.

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- Any staff representing the LCH will be asked to refrain from smoking at all times whilst on duty and/or when they are identifiable representatives of the LCH/NHS.
- Staff may only smoke during their designated break periods but not on LCH premises or grounds.
- No member of staff will be given additional time or facilities by virtue of them being a smoker.

4.5 Human Resources Department

- Ensuring all job advertisements include a statement that the Trust operates a smokefree policy.
- Informing all new employees of the requirements of the smokefree policy as part of their induction to the organisation.
- Supporting managers on the implementation of the policy, ensuring consistency of approach is delivered across the LCH.

4.6 Patients/Visitors/Contractors

- Patients, visitors and contractors entering LCH sites are expected to abide by the terms of this policy.
- LCH will ensure that its communications proactively identify the Smoke Free Policy which applies to the LCH workplace.
- All patients, visitors and contractors will be informed of the policy prior to their visit and will be encouraged not to smoke. This information will be disseminated through community health services and GP Practices.
- Smoking cessation literature will be available in all Trust premises/sites
- LCH staff must ask patients/visitors or contractors to leave if they do not follow the LCH Smokefree policy and report the occurrence in the normal way through the incident procedure.

5. Information and Support for Staff

- The LCH policy will be made clear in job advertisements and will be further emphasised on appointment and at induction.
- Existing staff will be informed of the policy by their line manager.
- Smoking cessation support within the community is available to all staff. Advice on how to access this will be provided through the Leeds NHS Stop Smoking Service – 0800 1694219. Leeds NHS Stop Smoking Service will provide advice and support for those staff and service users who are smokers and want to give up. This will be tailored to the individual's preference and will be either one to one, group or telephone support. Staff will be able to access this support during their working hours.
- For those members of staff who do not wish to stop smoking the Leeds NHS Stop Smoking Service provides advice and support on coping strategies and managing their smoking during their working hours.
- A member of staff failing to comply with the LCH policy may come to the attention of a manager in several ways, for example directly from the employee concerned, through information supplied by a colleague or other person, through misconduct or absenteeism and/or through a deterioration in work performance. On becoming aware of the problem, the line manager will ensure that the matter is reported through the incident process and in discussion with the employee, offer guidance for working in a smokefree environment and/or offer the opportunity for a referral to Leeds NHS Stop Smoking Services.

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It is, of course, possible for an employee to seek advice direct from a general practitioner, another outside agency or from a source other than the line manager, for example the Occupational Health Department or Human Resources Department. If this is the case the normal standards of professional confidentiality will be observed. Where smoking is not eliminated or controlled sufficiently to allow resumption of normal working arrangements within a reasonable period of time the LCH Disciplinary policy commencing at the formal stage will be invoked.

6. Staff working within the Community

In circumstances where staff provide services in homes of patients they should be able to do so in a safe environment. The patient and other people who may be present e.g. family members/carers should be respectfully asked not to smoke in the home or environment where they will be visited, for the duration of the visit and for 1 hour prior to the visit.

A leaflet (COM 3) is provided for all patients providing information about the policy (Appendix 2) and other relevant requirements for staff providing services in patients, clients and service users homes.

If a member of staff enters a smoke-filled room in a patient's home, they must assess whether it is a safe environment for them to provide services. They have the responsibility to make alternative arrangements for the provision of services ensuring at all times that the safety and welfare of the patient is not compromised. Staff have the full support of the LCH to make decisions about services in these circumstances. Each case must be risk assessed and assessed on individual circumstances; staff must discuss these issues with their line manager.

As tobacco smoke is damaging to health it is not unreasonable for the Trust to withdraw treatment should the patient, or other people who may be present at a consultation, persist in smoking

If a patient or other person who may be present (e.g. family members/carers) become angry, abusive or violent and smoking whilst on oxygen, must be reported to the line manager and an incident form is completed via the Datix® system. Also refer to the Lone Worker, Security and Violence and Aggression policies.

7. Exemption

Where a member of LCH staff's normal workplace is based on premises owned by other NHS Trusts or Partner Organisations e.g. St Mary's Hospital, Her Majesty Prison the NHS Trust the Partner organisation's respective smoking policy must be observed and followed. It is the employee's responsibility to identify and comply with the relevant smoking policy at their respective workplace. Should an employee require confirmation as to whether this paragraph applies, it is the employee's responsibility to seek clarification from their line manager.

Little Woodhouse Hall (Leeds CAMHS In-patient and South Community Wedge teams) is to be managed on a case by case basis.

8. Risk Assessments

Staff to use LCH risk assessments form (Appendix 3)

9. Training Needs

Not applicable to this policy.

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10. Monitoring Compliance and Effectiveness

Minimum requirement to be monitored / audited	Process for monitoring / audit	Lead for the monitoring/audit process	Frequency of monitoring / auditing	Lead for reviewing results	Lead for developing / reviewing action plan	Lead for monitoring action plan
Staff Staff breaching the policy	Complaints to line managers/HR	HR	Ongoing	HR	HR	HR
Staff providing services in patients, clients and service users homes.	Datix®	Line managers Health and Safety Officer	Ongoing	Health and Safety Officer	Health and Safety Officer	Health and Safety Committee
Complaints From members of the public	Complaints from members of the public	LCH Complaints team	Ongoing	Complaints team	Depends on the type of complaint	Depends on the type of complaint

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10. Approval and Ratification process

This policy will be approved by the Clinical and Corporate Policy Group and ratified by the Quality Governance and Risk Committee on behalf of the LCH Board.

11. Dissemination and Implementation

Dissemination of this policy will be via the Clinical and Corporate Policy Group to services and made available to staff via the intranet.

Implementation will require: the Operational Director / General Managers / Heads of Service to ensure staff are aware of this policy and understand their responsibilities for this policy.

12. Review arrangements

This policy will be reviewed after 3 years or in the intervening period, if new evidence is published that means an up to date or revision is necessary.

13. References

Health and Safety at Work Act, 1974

Management of Health and Safety at Work Regulations 1999.

Approved Code of Practice on Passive Smoking at Work, 2000

Healthy Lives, Healthy People (a tobacco control plan for England (March 2011)).

www.nice.org.uk/nicemedia/live/11381/31969/31969.pdf

LCH Violence and Aggression Policy

LCH Lone Working Policy

LCH Driving at Work Policy

Oxygen Safety in domiciliary settings

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Appendix 1: Equality Analysis (EA) – Relevance Screening Form

1. Name of the document	Smokefree Policy			
2. What are the main aims and objectives of the document	The aim is to ensure that all patients, staff and visitors who work, visit and/ or receive care, do so in an environment that is healthy, clean and pleasant.			
3. Is this a key strategic document?	Yes		No	
			✓	
4. What impact will this document have on the public or staff?	High	Medium	Low	Don't know
		✓		
Explain:				
5. Is there any evidence, or reasons that different groups have different needs, experiences, issues and priorities in respect of this particular document?	Yes		No	Don't know
			✓	
Explain:				

If you have answered **Yes** to question 3, you should move straight onto EA.

If, for question 4 you have answered **Low**, there is no need to continue to conduct an EA.

If for question 4 you have answered **Medium** and **No** for question 5, there is no need to conduct an EA.

If, for question 4 you have answered **Medium** or **Don't Know**, and have answered **Yes** or **Don't Know** for question 5 you should move on to a **Stage One** EA.

If, for question 4 you have answered **High**, you need to conduct an EA.

	Equality Analysis	None
6. Based on the result of the screening, is an EA required?		✓

John Glynn, Health and Safety Officer

COM3

Take Care of the Health Care Worker who Takes Care of you

Important information for people receiving home visits



Tobacco smoke is a hazard to health. The NHS in Leeds is trying to protect patients, visitors and staff from the harmful effects of second-hand smoke. So we are asking you to do everything you can to keep your home free of smoke, when our staff come to see you.

home



examination



During your home visit

To protect staff from smoke we ask that patients and their families and friends do not smoke while the member of staff is visiting, or shortly before they come. To help, you can:

- Avoid smoking inside the house for at least 1 hour before your health care worker arrives
- Open windows and doors to ventilate the area
- Keep smoke out of the room where the health care worker will see you.
- Do not smoke or let anyone else in the house smoke in the room where you are being seen
- Wherever possible, when the health care worker is in the house, ask other smokers to go outside to smoke

Our NHS Trust Policy

We will support staff to leave any place which we think is unsafe. In this case, we will try to offer you a different way to get treatment if your home is not clear of smoke. In the last resort, the NHS in Leeds may have to withdraw treatment unless we are sure that you have done everything you could, to help us protect our staff.

If you would like to stop smoking please call
Leeds NHS Stop Smoking Service on 0800 169 4219

If you would like this leaflet in another format or in a different language please contact your health care worker.



Appendix 3 Risk Assessment Template

Risk Assessment:

Venue/Service:

Directorate

Issue:

Reviewer(s) (Name and Job Title

Manager of Service:

Team:

Date:

Review date:

Risk (Type of hazard and description)	Who might be harmed?	Risk Score (likelihood x severity)	Description of Action	Lead Role	Timescale	Risk Score following action	Further action needed

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Policy Consultation Process

Title of Document	Smokefree Policy
Author	John Glynn, Health and Safety Officer
New / Revised Document	New
Lists of persons involved in developing the policy	<p>Karen Haw Head of Stop Smoking Service Leeds NHS Stop Smoking Service</p> <p>Amanda Wilkinson HR Manager LCH</p> <p>Paul Howarth Fire Officer. NHS ABL</p> <p>Dominic Mullan Local Security Management Specialist NHS ABL</p> <p>Gill Armstrong - Clinical Effectiveness Lead Governance & Professional Development</p>
List of persons involved in the consultation process	<p>Angie Clegg, Executive (Nurse) Director of Quality</p> <p>Amanda Wilkinson, HR Manager LCH</p> <p>Mark Swindells, Head of Service, Leeds CAMHS In-patient and South Community Children & Family Services Child and Adolescent Mental Health Service Little Woodhouse Hall</p> <p>Jacqui Hutchinson, Head of Safety and Infection Prevention and Control</p> <p>Tracey Gregson, Operational Manager Leeds Community Equipment Service</p> <p>Andrea North, General Manager, Out of Hospital Care</p> <p>Ann Robertson, General Manager-Adult Pathway</p> <p>Claire Shepherd, General Manager, Vulnerable Groups</p> <p>Megan Rowlands, General Manager, Long Term Conditions and Neurology Services</p> <p>Peter Ainsworth, Business Manager</p> <p>Richard Chillery, General Manager CAMHS</p> <p>Sue Wilkinson, General Manager Children's Complex Care</p> <p>Ian Bennett, Clinical Development Manager - Out of Hospital Care</p> <p>Becky Aspinall and Karen Rudys, DN</p>

	<p>Neighbourhood Clinical Lead Julie Mountain, Clinical Lead Community Matrons Vicky Walker - Clinical Lead for Respiratory Services Dominic Mullan, Local Security Management Specialist Karen Haw, Head of Stop Smoking Services Gill Armstrong, Clinical Effectiveness Lead Paul Howarth, Estates Specialist (Fire Safety Advisor) Abi Eaves, Patient Safety Manager Shelagh Davenport, Clinical Effectiveness Facilitator Debbie Reilly, Professional Lead School Nursing Jo-anne Beresford, Tissue Viability Nurse Specialist Jennifer Featherstone, Infection Prevention and Control Nurse Specialist Richard Worlock, Equality and Diversity Manager Claire Firth, Business Locality Support Officer</p>
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