

Smoke Free Policy	
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Smoke Free Policy

Executive summary

This policy takes positive steps to control smoking within the Leeds Community Healthcare NHS Trust (LCH) 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 Smoke-free (Premises and Enforcement) Regulations 2006 and the Health Act 2006 (Part 1).

Changes made to this version:

Section	Detail of each change made
4.2	Remove Executive Director of Nursing and add Executive Director of Finance and Resources
4.3	Add Executive Directors
4.4	Add Health and Safety Group.
4.5	Add Risk and Safety Team.

Equality Analysis

Leeds Community Healthcare NHS Trust's vision is to provide the best possible care to every community. In support of the vision, with due regard to the Equality Act 2010 General Duty aims, Equality Analysis has been undertaken on this policy and any outcomes have been considered in the development of this policy.

Smoke Free Policy

Contents

Section		Page
1	Introduction	5
2	Aims and Objectives	5
3	Definitions	5
4	Responsibilities	6
5	Smoke Free Policy Statement	6
6	Staff working within the Community	7
7	Risk Assessments	7
8	Training Needs	7
9	Monitoring Compliance and Effectiveness	8
10	Approval and Ratification process	9
11	Dissemination and implementation	9
12	Review Arrangements	9
13	Associated Documents	9
14	References	9
Appendices		Page
1	Information Leaflet for Patients	11
2	Support Available to Staff	12

Smoke Free Policy

1 Introduction

The Smoke-free (Premises and Enforcement) Regulations 2006 state that all enclosed premises and company vehicles are to be smoke free without exception.

LCH has a statutory duty to display signage to inform the public and to enforce these Regulations.

This policy has been developed to protect all employees, service users, customers and visitors from exposure to second-hand smoke and to assist compliance with the Health Act 2006.

This policy applies to all employees of the Trust in all locations including Non-executive Directors, temporary employees, locums and contracted staff, It is also applicable to patients and visitors to the Trust.

2 Aims and Objectives

The aim of this policy is to:

- To protect all employees, visitors and members of the general public who access any site or enter any establishment or enclosed space owned or used by the Trust for any undertaking whatsoever, from exposure to second hand smoke. (To include any site or establishment currently sublet, rented or leased from Leeds Community Healthcare, to other government/NHS organisations).
- To ensure legal compliance
- To encourage a healthier workforce that recognised the benefits of a smoke free environment
- To ensure that all staff, patients and visitors including contractors clearly understand their obligations

3 Definitions

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

Smoking	Smoking is defined as being in possession of a lit substance such as tobacco or any other substance that can be smoked. This includes any type of cigarette, pipe, cigar or water pipe used to smoke tobacco.
Electronic Cigarettes (e-cigarettes)	Any electronic device designed for, or capable of, producing a vapour, smoke or fume from a range of additives by introducing the substances to a heating element. The intention is to directly inhale the products into the respiratory system. The devices are usually, although not restricted to, battery operated (standard or re-chargeable). The term "use of" denotes operation, including charging of any device.

Smoke Free Policy

Vaping	The use of an e-cigarette.
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4 Responsibilities

All staff employed by Leeds Community Healthcare NHS Trust 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 service users and the public with who they are in contact.

4.1 Chief Executive

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

4.2 Directors

Directors must:

- Raise the profile of the smoke free policy at Board level.
- Ensure that managers are aware of the policy and are supported in enforcing the policy with staff.
- Comply fully with the policy and provide a suitable role model for staff, clients, service users, contractors, visitors and patients.

4.3 All Managers

Managers are responsible for taking appropriate action if staff breach this policy.

4.4 Staff

All staff have a duty to ensure they understand the requirements of the policy, comply fully with it and provide a suitable role model for staff, clients, service users, contractors, visitors and patients.

4.5 Workforce Directorate

Workforce Directorate are responsible for:

- Ensuring all job advertisements include a statement that LCH operates a smoke free policy.
- Informing all new employees of the requirements of the smoke free policy as part of their induction to the organisation.

5 Smoke Free Policy Statement

There will be no smoking including e-cigarettes in any buildings, grounds, rented or leased, sublet or used by Leeds Community Healthcare NHS Trust. Smoking inside cars whilst parked on LCH Trust property is prohibited. Smoking will not be permitted whilst on Trust business either within or outside of LCH Trust sites and premises, including transporting staff and students. Where members of staff smoke in a public place they

Smoke Free Policy

must ensure that their uniform/lanyard ID is covered and it is not otherwise apparent that they are an NHS employee.

Should an individual or group of individuals infringe this policy, action will be taken by their line manager. Such action may include signposting staff to organisations or information that can provide advice and support, for example, One You Leeds (Appendix 2). All breaches of this policy are to be recorded through the incident reporting process. For persistent breaches of the policy, the Manager will refer to LCH Disciplinary Policy and take action as appropriate.

6 Staff working within the Community

Staff providing services in the homes of patients should be able to do so in a safe and smoke free environment. The patient and other people who may be present (for example, family members/carers) should be respectfully asked not to smoke/vape 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, appendix 1) is provided to all patients containing information about the policy and other relevant requirements for staff who provide services in patients, clients and service user's homes.

If the patient refuses not to smoke, staff must assess whether this is a safe environment to provide services. Staff 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. LCH will support any member of staff wishing to leave the premises on the grounds of health and safety. The staff member should ensure that they are not placing themselves, or the patient, in danger by leaving the house. An incident report should be completed, as for any incident, and the line manager informed immediately by the member of staff taking this action. Each case must be risk assessed on an individual basis; staff must discuss these issues with their line manager.

Patients smoking whilst on oxygen must be reported to the line manager and an incident form is completed via the electronic incident reporting system. For further information contact LCH Respiratory Service (leedsintegrated.copdservice@nhs.net).

7 Risk Assessments

'Risks identified with the implementation of this policy (and procedure) have been assessed and mitigated as far as possible, in line with the Trusts risk appetite. Should any further risks be identified following implementation, these will be assessed and consideration will be given to an urgent review/revision of the policy (and procedure)'.

8 Training Needs

Not applicable to this policy.

9 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 breaching the policy	Line manager through incident reports and investigation	Line manager	Line manager	Line manager	Line manager	Line manager
Breach of policy in patients home	Monitored through incident reports and investigation	Line managers	Ongoing	Line Managers	Line managers	Line managers
Complaints from members of the public	Complaints from members of the public	LCH Complaints Manager	Ongoing	LCH Complaints Manager	Depends on the type of complaint	Depends on the type of complaint

10 Approval and Ratification process

The policy has been approved by the appropriate body and ratified by Senior Management Team on behalf of the Board.

11 Dissemination and Implementation

The Clinical Audit & Effectiveness Team will support the dissemination of this policy by ensuring it is uploaded to the LCH Intranet.

Operational Directors/ Heads of Service/Line Managers are to ensure staff have access to this policy and understand their responsibilities for implementation.

The Quality and Professional Development and the Workforce Department will provide appropriate support and advice to staff on the implementation of this policy.

12 Review Arrangements

This policy will be reviewed in three years following ratification by the author or sooner if there is a local or national requirement.

13 Associated Documents

LCH Violence, Aggression and Lone Working Policy (PL381)
LCH Driving at Work Policy (PL297)
LCH Fire Policy (PL304)
LCH Disciplinary Policy
LCH Incident and Serious Incident Management Policy (PL268)
Oxygen Safety in domiciliary settings
BOC Oxygen Safety Information

14 References

HM Government (2011) [Healthy Lives, Healthy People : a tobacco control plan for England](#)

National Institute for Health and Care Excellence (2007) [Smoking: workplace interventions. Public health guideline \[PH5\]](#)

Relevant legislation

[Health Act 2006](#)

[Health and Safety at Work etc. Act 1974](#)

[The Management of Health and Safety at Work Regulations 1999](#)

[The Smoke-free \(Premises and Enforcement\) Regulations 2006](#)

Smoke Free Policy

Useful websites

Health and Safety Executive – Advice on smoking at work

Smokefree England – Employers and businesses: a checklist

UNISON – Smoking in the workplace

The NHS website – <https://www.nhs.uk/live-well/quit-smoking/nhs-stop-smoking-services-help-you-quit/>

COM3

Leeds Community Healthcare **NHS**
NHS Trust

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/vape while the member of staff is visiting, or shortly before they come. T

- Avoid smoking /vaping 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/vape or let anyone else in the house smoke/vape 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/vape

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 One You Leeds on 0800 169 4219 169 4219

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

Appendix 2

Support Available to Staff

One You Leeds

One You Leeds (previously the LCH Healthy Living service) will support staff who wish to stop smoking.

To make a referral or for more information about One You Leeds please visit www.oneyouleeds.co.uk

Occupational Health

Refer to the LCH Intranet for contact details for Occupational Health.

THE NHS – www.nhs.uk

<https://www.nhs.uk/live-well/quit-smoking/nhs-stop-smoking-services-help-you-quit/>

Smoke Free Policy

Policy Consultation Responses

Complete this template when receiving comments at various draft stages of the Policy.

Responder (including job titles and organisation)	Version, Comment and Date	Response from Author
Andrea North – General Manager, Specialist Business Unit.	<ul style="list-style-type: none"> • Provide information for staff to support patients, clients and service users with self management of their health condition including access to stop smoking resources 	Agree. Added to section 2
	<ul style="list-style-type: none"> • Retain a written record of any action agreed with the member of staff 	Added to section 4.6
	or immediately outside	Added to 4.7
	<p>Staff working in the community who provide services in patients, clients and service user's homes must provide information prior to visits, informing of the requirements contained in this policy.</p> <p>AN response: This isn't feasible in advance of all visits. Would it be better to say staff must carry patient information relating to the non smoking policy to support a conversation with patients where necessary</p>	Disagree as client can be notified at the point of making the appointment.
	Clinicians will also carry patient information to support conversation with patients as necessary	Added to section 4.9
	LCH staff that work from premises owned or managed by other organisations must not comply	Staff must always comply with the host policies and procedures

Smoke Free Policy

	with the 'host' organisations policy and procedures.	
Jacquie Walker- Operational /Clinic Manager	<ul style="list-style-type: none"> Must sport the wording: "No smoking, it is against the law to smoke in these premises" <p>JW response: Should the signage also state or on these grounds. As point 9 states no smoking in vehicles whilst parked on LCH grounds</p>	This is the legal wording required on signage as defined by legislation.
Philip Boynes – Quality Lead, Specialist Services Health and Justice	<p>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).</p> <p>PB response: Should we stipulate that this include private vehicles whilst on duty.</p>	This is not against the law and unsure how it would be enforced?
	Do we need to be more specific following the HSE inspection	Changed 'Managers' to 'All Managers'
	<p>Patients smoking whilst on oxygen must be reported to the line manager and an incident form is completed via the electronic incident reporting system.</p> <p>PB response: Would this also include the use of vaping</p>	<p>Stated in the introduction: For the purpose of this policy, the practice of smoking includes all tobacco based products as well as electronic cigarettes (e-cigarettes) regardless of their contents.</p>
HR	Should an individual or group of individuals infringe this policy, action will be taken by their line manager. Such action may include signposting staff to organisations or information that can provide advice and support, for example, One You Leeds.	Breaches in policy/procedure that are a hazard to staff etc. should be reported on Datix.

Smoke Free Policy

	<p>All breaches of this policy are to be recorded through the incident reporting process. For persistent breaches of the policy, the Manager will refer to LCH Disciplinary Policy and take action as appropriate.</p> <p>HR response: Question - why would we report an infringement of this policy through incident reporting – when I don't think we do for other policies?</p>	
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Policy Consultation Process

Title of Document	Smokefree Policy
Author (s)	John Glynn, Rebecca Mazur
New / Revised Document	Revised (v3)
Lists of persons involved in developing the policy	
List of persons involved in the consultation process	<p>Bryan Machin-Executive Director of Finance and Resources.</p> <p>Health and Safety Group:</p> <ul style="list-style-type: none"> • Cara McQuire, Risk and Safety Manager • Peter Ainsworth – Operational Support Manager. • Dominic Mullan – LSMS Security Manager • Paul Howarth – Fire Safety Advisor • Stuart Verry – Estates Manager • Debbie Hammill – RCN Staff Side HS rep. • Liz Grogan – IPC • Debbie Lowe – Operational Manager • Kellie Mcloughlin – Operational Manager • Ann Hobson – Asst Director of Workforce <p>Andrea North – General Manager, Specialist Business Unit.</p> <p>Megan Rowlands – General Manager, Adult Business Unit.</p> <p>Caroline McNamara – Clinical Lead Adult Service</p> <p>Helen Rowlands, Clinical Lead Children’s and Families</p> <p>Julie Mountain – Clinical Head of Service, Adults</p> <p>Philip Boynes – Quality Lead, Specialist</p>

	<p>Services Health and Justice</p> <p>Christine Pearson – Quality Lead for Children’s Business Unit</p> <p>Jacquie Walker- Operational /Clinic Manager</p> <p>Gill Lockwood – Service Manager</p> <p>Lisa Mincke- Children’s Service Manager</p> <p>Lisa McInerney – Clinical Team Manager CNRU, St Mary’s Hospital</p> <p>Susan Carr – Teamleader Inclusion Nursing Service</p> <p>Kezia Prince – Incident and Assurance Manager</p>
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