

Livewell Southwest

## **Tobacco Policy**

Version No 2:10

Review: December 2017

**Notice to staff using a paper copy of this guidance.**

**The policies and procedures page of LSW intranet holds the most recent version of this document and staff must ensure that they are using the most recent guidance.**

**Author:** Head of Stop Smoking Service

**Asset Number:** 442

## Reader Information

<b>Type of Formal Paper</b>	Policy
<b>Category</b>	Corporate
<b>Title</b>	Tobacco Policy. V.2.10
<b>Document Purpose and Description</b>	This policy puts in place the action required by the Health Act 2006. Moreover, it sets out to protect the health of NHS staff and patients by creating a smoke-free environment on all LSW sites.
<b>Author(s)/Editor(s)</b>	Head of Stop Smoking Service
<b>Ratification Date and Group</b>	28/3/2006 Professional Executive Team 12/4/2006 Clinical Governance 21/12/2006 LSW Board
<b>Publication Date</b>	15 <sup>th</sup> December 2016
<b>Review Date</b>	15 <sup>th</sup> December 2017
<b>Disposal Date</b>	See Retention and Disposal Schedule
<b>Job Title of Person Responsible for Review</b>	Smoking Cessation & Tobacco Control Manager, Smoking Advice Service
<b>Target Audience</b>	This policy affects all staff and patients
<b>Circulation List</b>	Electronic: Via Healthnet Via LSW website (subject to Freedom of information exemptions) Written: Upon request to the Public Information Service on ☎ 01752 272511  Please note this document can be made available in other formats if required please contact the Public Information Service on ☎ (01752) 272511
<b>Patient and Public Involvement and other consultation undertaken</b>	Policy version 1 was discussed at the Patients Forum in February 2006. Version 2 has been available.
<b>References</b>	Secretary of State for Health (2004). Choosing Health White Paper, Stationery Office Human Rights Act and Diversity issues assessment Health Development Agency, The case for a completely smoke free NHS in England, January 2005 Health Development Agency, Guidance for Smoke-free Hospital LSWs (2005) Health Development Agency, Smoking and patients with Mental Health Problems, January 2005 Health and Safety at Work Act: London: HMSO, 1974, reprinted 1991 PY - PUBLICATION YEAR: 1974 SE - SERIES: Statutes in force IS - ISBN or ISSN: ISBN 0105437743 NT The Management of Health and Safety at Work Regulations 1999. The Stationery Office ISBN 0 11

	085625 2 National Institute of Clinical Excellence. Smoking Cessation – Bupropion and nicotine replacement therapy (no 39) Guidance document. 2002
<b>Supersedes Document</b>	Tobacco Policy Version 2:9
<b>Contact Details</b>	Project Manager, Tobacco Control Nuffield Clinic Lipson Road Plymouth PL4 8NQ  Tel 0845 155 80 80

## Document Version Control

<b>Version Number</b>	<b>Details</b> e.g. Updated or full review	<b>Date</b>	<b>Author of Change</b>	<b>Description of Changes and reason for change</b>
2	Updated	June 2007	L Thomas	To comply with Health Act 2006
2:1	Reviewed	Sept 2009	L Thomas	Reviewed, no changes made.
2:2	Reviewed	May 2010	J Bullard	Reviewed, no changes made.
2:3	Reviewed	June 2012	PRG	Review date extended, no other changes made.
2:4	Reviewed	Sept 2012	PRG	Review date extended, front cover added.
2:5	Extended	November 2013	PRG	Extended, no changes
2:6	Extended	April 2014	Health Improvement Manager (Marketing and Communications)	Extended, no changes
2:7	Extended	October 2014	Health Improvement Manager (Interim Tobacco Control Lead)	Extended, no changes

2:8	Extended	May 2015	Health Improvement Manager (Interim Tobacco Control Lead)	Extended, no changes
2.9	Extended	May 2016	Health Improvement Manager (Interim Tobacco Control Lead)	Extended, updated to Livewell.
2.10	Reviewed	December 2016	Head of Health Improvement	Reviewed

## Contents

Section	Content	Page No
1	Introduction	5
2	Core Principles	5
3	Ensuring smoke-free work environments	6
4	Exceptions	8
5	Smoking Cessation Support	8
6	Policy Implementation	9
7	Monitoring the Policy	9
8	Complaints	10
Appendix A	PHE advice on use of E-cigarettes in workplaces”.	11

# Tobacco Policy

## 1. Introduction

The public health white paper, Choosing Health, makes a clear commitment to a smoke free NHS by the end of 2006. Section 2(2) of the Health and Safety at Work Act 1974 places a duty on employers to:

‘...provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.’

Several EU directives relating to health and safety in the workplace have come into force since January 1993. These include the Management of Health and Safety at Work Regulations 1999 which, under General Principles of Prevention, include: -

- Avoiding risks
- Combating risks at source
- Replacing the dangerous by the non-dangerous or less dangerous
- Giving collective protective measures priority over individual protective measures.
- Second hand smoke – breathing other people’s tobacco smoke – has now been shown to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.

Livewell Southwest acknowledges that breathing other people’s smoke is both a public health hazard and a welfare issue. Therefore, this Policy has been adopted concerning smoking at all Livewell Southwest premises. The policy is not concerned with **whether** anyone smokes but with **where** they smoke.

National legislation takes effect on 1<sup>st</sup> July 2007 as the Health Act 2006 becomes law then. This means that all enclosed or substantially enclosed workplaces and public places must be smokefree. As a health organisation, the LSW fully supports this Act and wishes to promote a policy that goes even further than the law where appropriate to do so.

## 2. Core Principles

This policy is based on five core principles:  
The LSW is committed to: -

- Tackling smoking and reducing the burden of smoking-related death and illness within the NHS and across our wider communities;
- Protecting the health of all its staff, patients and visitors by ensuring a smoke-free working environment;

- Promoting the health of its staff, including the health of smokers by providing opportunities and support for any staff who wish to give up smoking.
- Providing a model of good practice for other NHS services and other partner organisations in implementing policies on smoking;
- Reducing the burden of premature death and illness in the wider community by promoting a comprehensive approach to tackling smoking.

### **3. Ensuring Smoke-Free Environments**

No smoking is to be generally permitted in any LSW building, grounds or vehicles by staff, patients or visitors.

#### **3.1 Staff**

Staff may not smoke in any part of the LSW premises or grounds, including offices, corridors, toilets and car parks. When attending meetings or other events at venues where smoking is permitted, staff are expected not to smoke, both because they are representing the LSW and therefore its strategy on tackling smoking, and because it is important not to expose others to passive smoke. For similar reasons staff should not be seen smoking in public while wearing uniform or LSW badges.

To help staff that smoke to comply with this policy, a program of support is offered for those who would like help to stop smoking, as outlined in Section 5. For staff smokers who do not presently want to quit, support from the Smoking Advice Service will also be available to help them manage their smoking during working hours.

#### **3.2 Patients**

Coming into hospital presents many patients with an opportunity to stop smoking. The LSW is committed to providing practical help, support and advice to patients who wish to take advantage of this opportunity. This policy applies to all patients of the LSW, including mental health. Patient information leaflets will be updated to reflect this advice.

Patients who smoke will be asked their smoking status on assessment and if they wish to quit, be referred to the Smoking Advice Service. (In Glenbourne, an in-house service is available). Those who wish to quit will also be offered Nicotine Replacement Therapy (NRT), if appropriate, in accordance with NICE Guidance (March 2002)

Smokers who are unable to leave their ward to smoke and are suffering severe withdrawal symptoms may be offered (NRT) for the duration of their stay.

Breaches of the smoking policy by patients will be reported to the Line Manager, (or their representative), of the relevant clinical/non clinical

area. If applicable, the clinical area may be asked to provide an escort to return the patient to their own ward or department. The Clinical Manager and the Patient Care Team should be informed of the event and decide upon appropriate action.

### **3.3 Patients receiving care at home**

Staff visiting clients in their own homes should not be exposed to second hand smoke. Clients and other occupants in the home should be requested verbally to refrain from smoking during the visit. It should be explained that this is LSW policy. This information should be made available in appointment letters where possible.

Where the patient (or their relatives) wish, a quit smoking referral can be made to the local stop smoking service.

If the client and/or other occupants do not respect the policy the line manager should be informed. An alternative venue can be arranged where this is reasonably practical. Otherwise, the line manager should request in writing that the LSW Policy is adhered to. Persistent non-compliance will mean that the Head of Service will use their discretion based on clinical need to decide appropriate further action. If all options have been pursued withdrawal of care may be considered in some cases as a last resort.

### **3.4 Visitors**

Visitors may not smoke in any part of the LSW premises or grounds, including offices, corridors, toilets and car parks.

### **3.5 Contractors**

Contractors working on site are subject to these conditions where their work is carried out on the LSW site – they must be notified of these conditions prior to employment and/or commencement of work.

Where a Contractor has been given total control of a section of the LSW site, ultimate responsibility for the smoking policy for that area rests with them. In such cases the contractor should be asked to abide by the smoking policy of the LSW as far as is reasonably practicable.

### **3.6 Vehicles**

LSW vehicles:-

LSW vehicles must be smokefree at all times and display smokefree signage according to the Health Act 2006.

Leased vehicles:-

Where lease vehicles are primarily used for business use they must be smokefree at all times and display smokefree signage according to the Health Act 2006.

Where existing lease vehicles are primarily used for private use smoking is not permitted in business hours on LSW sites. Leases arranged after 1<sup>st</sup> July 2007 should stipulate that the car should be smokefree at all times.

Private vehicles:-

Smoking is not permitted in business hours on LSW sites.

### **3.7 Sale of tobacco products**

The sale of tobacco products is not permitted in any of the Primary Care LSW's premises.

## **4. Exceptions**

Exceptions are to be made in accordance with the HDA Guidance for Smoke free Hospital LSWs document 2005. That is, no exceptions will be made for staff or visitors. For some patients, however, there will be circumstances where special arrangements need to be made for a patient to smoke.

Granting an exception is a clinical decision and will rest with the named nurse/care co-ordinator in charge of the ward or unit and be formally recorded in the patient's care plan.

Exceptions should always be made on a case-by-case basis and written into the patient's care plan. There are no blanket exceptions for categories of patients. In addition, there should be evidence that smoking cessation has been considered as part of the patient pathway. Every effort must be made to minimize staff exposure to smoke. Where exceptions are given, smoking is only permitted outdoors, in designated areas. For some units outside smoking areas will be provided which will enable patients to smoke if they choose to. Individual units will be assessed on their need for outside smoking areas according to the patients capacity and vulnerability and these will be provided where it is reasonable to do so.

## **5. Smoking Cessation Support**

There is now a strong evidence-base for the effectiveness of smoking cessation interventions in helping people give up smoking. The Smoking Advice Service is the LSW's smoking cessation service based in primary care and other community locations.

This comprehensive service includes:

- advice from general practitioners and other health care staff,
- specifically trained practice-based smoking cessation advisors,
- dedicated Quit Smoking Adviser specialist help and support and

- the availability on prescription of Bupropion (Zyban) and Nicotine Replacement Therapy (NRT), effective aids to smoking cessation.
- The LSW is committed to providing opportunities and support for staff and patients who wish to give up smoking. Help to stop smoking is available to any staff member. Anyone interested in stopping smoking can get help by:
- Ringing the local Smoking Advice Service on 0845 155 80 80 (internal ext 41040)
- Information should also be available from General Practitioners and the Advisors in the general practice.
- NHS Smoking Helpline 0800 169 0169
- Nicotine Replacement Therapy is available free of charge for staff. Staff may have their first appointment in work time to help with the quitting process.
- Help to manage smoking during working hours is available from the Smoking Advice Service.

## 6. E-Cigarettes

- Whilst E-cigarettes are being reviewed in the workplace please refer to Appendix A “PHE advice on use of E-cigarettes in workplaces”.

## 7. Policy Implementation

This policy is intended to benefit all staff, patients and visitors, and so all staff are responsible for its continued implementation. Overall responsibility for ensuring the policy is implemented, monitored and reviewed rests with the LSW Human Resources Department, Individual Line Managers and the LSW Tobacco Control Lead (Smoking Advice Service). Information on the policy will be:-

- circulated to all staff
- provided to all new employees;
- included in the Health & Safety Policy
- included in Human Resources policy
- included in Primary Care LSW handbooks, information packs and the website.

In the unlikely event of a member of staff not respecting the policy, their line manager will attempt to resolve the situation informally in the first instance. Ultimately, repeated breaches of the policy will result in disciplinary procedures.

## 8. Monitoring the Policy

### 7.1 Staff

The policy will be monitored and reviewed annually by the LSW's Human Resources Department and the LSW Tobacco Control Lead. Individual members of staff are encouraged to take any questions, complaints or concerns about the policy to HR.

## **7.2 Patients**

Breaches of this policy by patients will be addressed initially by the head of the appropriate department.  
Discretion may need to be applied in cases where patients are severely restricted from moving out of LSW venues etc.

## **9. Complaints**

Staff complaints should be addressed to Livewell Southwest Human Resources Dept, 1<sup>st</sup> Floor , Windsor House, Tavistock Rd, Plymouth PL6 5UF.

Patient complaints should be addressed to Complaints and Litigation, Livewell Southwest, 1<sup>st</sup> Floor , Windsor House, Tavistock Rd, Plymouth PL6 5UF.

**All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.**

**The Lead Director approves this document and any attached appendices. For operational policies this will be the Locality Manager.**

**The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification.**

**Signed:**

**Date:**

Appendix A

**PHE advice on use of E-cigarettes in workplaces”.**

<..\Correspondence\PHE-advice-on-use-of-e-cigarettes-in-public-places-and-workplaces.pdf>