

Smoke Free Policy

Inmind Reference:	OPS02
Category:	Operational Policies
Version Number:	1.3
Reviewed on:	February 2019
Next review date:	February 2020
Lead Officer:	Operations Director
Equality Impact Assessment completed:	Yes

Applicable Legislation/Regulations:

The Health Act 2006
 The Health and Safety at Work Act 1974
 Management of Health and Safety at Work Regulations 1999
 Public Health England (PHE) 2014

Codes of Practice:

Essential Standards of Quality and Safety *Outcome 4 – Care and welfare of people who use services*
 Health & Social Care Act *Regulation 9 – Care and Welfare of Service Users*

Purpose:

This policy has been developed to protect all employees, service users and visitors from exposure to second hand smoke and to assist compliance with the Health Act 2006. Exposure to second hand smoke increases the risk of lung cancer, heart disease and other serious illnesses.
 Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.
 The policy is to ensure that all parties have a clear understanding of their rights and responsibilities and ensure that Inmind Healthcare Group complies with relevant legislation.

Version Control Table

Date Ratified	Version Number	Status
July 2017	1.2	Closed
February 2019	1.3	Live
Date	Key Revision	
June 2018	Full policy rewrite to encompass vaping/e-cigarettes	
February 2019	Merged with Waterloo Manor Hospital policies and inserted e-cig contract	

Please check to ensure this is the most current electronic copy of this document as it is updated and published in electronic format only (hard copies may become out of date).

Equality Impact Assessment for this policy

Protected Characteristic (domain)	Area of conflict	Resolution
Age	Nil	N/A
Disability	Nil	N/A
Gender Reassignment	Nil	N/A
Pregnancy & Maternity	Nil	N/A
Race	Nil	N/A
Religion or Belief	Nil	N/A
Sex	Nil	N/A
Sexual Orientation	Nil	N/A
Marriage and Civil Partnership	Nil	N/A

All relevant persons are required to comply with this policy and must demonstrate sensitivity and competence in relation to diversity in race, faith, age, gender, disability and sexual orientation. If you feel you are disadvantaged by this policy, please contact the Registered Manager and the service will actively respond to the enquiry.

1.0 POLICY

- 1.1 It is the policy of the service that all our workplaces are smoke-free, and all employees have a right to work in a smoke-free environment.
- 1.2 Smoking is prohibited in all enclosed and substantially enclosed premises in the workplace. This includes company vehicles.
- 1.3 This policy applies to all service users, employees, contractors, and visitors.
- 1.4 Inmind Healthcare will comply with its duties under The Health Act 2006 which sets the requirement for smoke free workplaces and public places across England.
- 1.5 Under the Health and Safety at Work Act 1974 Inmind has a duty as an employer 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”.

- 1.6 Inmind has a legal responsibility and a duty of care to provide a safe and healthy environment for staff, service users and visitors. Inmind acknowledges the right of staff and service users to work or be treated in an environment which has not been polluted by tobacco smoke.
- 1.7 Inmind recognises that a smoke free policy may be an effective means of encouraging smokers to quit and of protecting others from the harmful effects of second-hand smoke.
- 1.8 Inmind recognise that a smoke free policy may also help reduce the risk of fire.

2.0 THE PROCEDURE

- 2.1 Smoking is not permitted by any person within any Inmind Building or work vehicle.
- 2.2 The smoke free policy covers all types of burnt and smoked products including cigarettes, tobacco and non-tobacco cigarette products. To avoid confusion, electronic-cigarettes and similar devices are also included within this policy and must be treated in the same manner as other smoked products. (In addition to this, e-cigarettes belonging to employees must not be placed on charge within Inmind premises.)
- 2.3 As a provider of in-patient care, Inmind acknowledge that some service users may choose to smoke, so to support their freedom of choice, designated outside smoking areas are available at each locality.
- 2.4 Employees are not permitted to smoke during working hours and should not smoke when observing/supporting service users in their care.
- 2.5 Employees wishing to smoke may do so only during their normal breaks, and only in the designated smoking area.
- 2.6 Disciplinary action may be taken against any employee who fails to adhere to this policy. See *Disciplinary Policy. Check policy*
- 2.7 Those who do not comply with the legal requirements of the Health Act 2006 may be liable to a fixed penalty fine and possible criminal prosecution.
- 2.8 Smokers who wish to quit may benefit from help and advice from the NHS Smoke free service; <http://www.nhs.uk/smokefree>
- 2.9 Service users should be given support to access stop-smoking services where required.
- 2.10 Service users should be informed at the pre-admission assessment stage of Inmind’s position in relation to access to smoking. Where the service user says they do smoke, referral to smoking cessation services and nicotine replacement therapy should be offered.
- 2.11 If a service user is found to be smoking in the building, this should be addressed, as appropriate with the individual and raised with the named nurse/Hospital Manager/MDT.

- 2.12 If a service user has a specific risk relating to smoking in the building, it would be expected that this be individually risk assessed and an appropriate care plan/management plan implemented. This may involve formally notifying the service user of the potential consequences on their placement if they continue to smoke within the building.
- 2.13 The named nurse/Hospital Manager/MDT should act to minimise the individual's risk, which may also include a review of the environment.
- 2.14 If the service user continues to smoke within the building, or the risk becomes too great, it may be appropriate for notice to be served. In such instances the Hospital Manager would discuss this with senior colleagues and any actions agreed.
- 2.15 Staff members are expected to inform temporary staff, service users and visitors, including contractors and deliverers of this policy as required, however they are not expected to enter any confrontation that may put their personal safety at risk.
- 2.16 Overall responsibility for policy implementation rests with the Registered Manager/Hospital Manager at each service.

2.0 IMPLEMENTATION

- 2.1 Overall responsibility for policy implementation and review rests with the Registered Manager. However, all staff are obliged to adhere to, and support the implementation of the policy.
- 2.2 The Registered Manager shall inform all existing employees, and contractors of the policy and their role in the implementation and monitoring of the policy. They will also give all new personnel a copy of the policy on recruitment/induction.
- 2.3 Appropriate 'no-smoking' signs will be clearly displayed at the entrances to and within the premises, and in all smoke-free vehicles.

3.0 NON-COMPLIANCE

- 3.1 Disciplinary procedures will be followed if a member of staff does not comply with this policy.
- 3.2 Those who do not comply with the smoke-free law may also be liable to a fixed penalty fine and possible criminal prosecution.

4.0 HELP TO STOP SMOKING

- 4.1 The NHS offers a range of free services to help smokers give up. Visit www.gosmokefree.co.uk 0800 022 4332 or call the NHS Smoking Helpline (7am-11pm) on 0800 169 0169 for details. Alternatively, you can text 'GIVE UP' and your full postcode to 88088 to find your local NHS Stop Smoking Service.

Vaping Protocol

Smoking is a uniquely harmful activity and under the Health Act 2006 is prohibited in enclosed public places and workplaces; in 2015 this legislation was extended to secure hospitals and prisons. Waterloo Manor went through a 'stop-smoking' countdown to ensure the secure buildings and grounds became smoke-free including emphasis on education and cessation.

Smoking remains the leading cause of preventable illness and premature death, with damage spreading beyond smokers to those around them. Smoking is defined clinically and, in the law, and e-cigarette use does not meet the definition in either context.

Smokers use cigarettes and smoke. Vapers use E-cigarettes and Vape.

Vaping is not covered by the smoke-free legislation as E-cigarettes do not burn tobacco or create smoke. Public Health England (PHE) in 2014, found in an independent review that 'there is no harm to bystanders from exposure to e-cigarette vapour and the risks to health are likely to be extremely low'. In 2015, PHE also found that 'vaping is around 95% safer for users than smoking'.

Inmind Healthcare Group fully supports the smoke-free policy and actively offers 1:1 smoking cessation advice, G.P. referrals and individual plans to use Nicotine Replacement Therapy to aid the stop-smoking process.

2.8 million adults in Great Britain use E-cigarettes and they have become the most popular stop smoking aid in England.

Following the evidence provided by PHE 2016, and guidance from 'E-cigarettes in public places and workplaces: a 5-point guide to policy making' (July 2016) and 'use of E-cigarettes in public places and workplaces, advice to inform evidence-based policy' (July 2016); Inmind Healthcare Group, would like to offer service users E-cigarettes as an option for smoking cessation.

At Inmind, use of E-cigarettes will form part of an individual's care plan to stop smoking as an NRT option.

Vaping will be individually risk assessed by the Multi-Disciplinary Team (MDT) to ensure the benefits outweigh risks of use and that an individual management plan is put in place.

Electronic Cigarette- Ward Expectations

- Electronic cigarettes remain the responsibility of the owner and we ask that they are not left unattended
- Charging and storage will take place in the office until individual risk assessment has taken place and individual plans made
- Vaping will be permitted In the courtyard area during the times of 6am-11pm (12pm weekends)
- Please do not use electronic cigarettes inside, including bedroom spaces
- Vaping is considered less harmful than smoking, the full effects are yet unknown please respect non-vapers and refrain from making vape clouds in their presence
- Please do not allow others the use of your electronic cigarette or equipment
- If you would like help reducing nicotine levels or help with budgeting, please ask in ward round or your named nurse for support. Regular cessation will be discussed.
- Safe brands and products from licenced vendors only
- No costs for Vaping will be incurred by Waterloo Manor

Breach of Expectations

- Behaviour posed an increase in the patient’s vulnerability to exploitation or exploitation of others.
- Behaviour is a specific feature of a concern for the individual patient.
- Self-harm using the electronic cigarette (immediate risk only).

Individual risk identifiers and plan of action:

Where will electronic cigarette charge?

Electronic cigarette handed in at set time of

Notes:

I _____ understand the breach of expectations discussed with my named nurse.

I _____ agree to the ward expectations.

I _____ am happy with my plan of action if my electronic cigarette is needed to be removed.

DATE: _____

Service user signature _____

Nurse Signature _____