

Human Resources

**SWH 01140**  
**Smoke Free Trust Policy**

---

The Trust's Intranet holds the current approved guidance documents.

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

Staff must ensure that they are using the most up-to-date document to guide their practice and must check that the version number of the paper copy matches that of the one on the Intranet.

<b>Version</b>	1.1
<b>Job Title of Responsible Manager</b>	Senior Human Resources Manager
<b>Replacing Document</b>	SWH 01140 Smoke Free Trust Policy v1.0
<b>Ratifying 'Body'</b>	Policy Review Group
<b>Date Ratified</b>	July 2015
<b>Date for Review</b>	July 2018
<b>Relevant Standards:</b>	Health and Social Care Act 2008 (Regulated Activities) [Amendment] Regulations: Regulation 09, 23

## Document History

Issue Status e.g. Draft or Final	Catalogue and Version Number	Document Title	Date	Actioned by: (Job Title)	Page/Section/ Paragraph	Comments
Draft	SWH 01140 V1.0	Smoke Free Trust Policy	July 2015	Joint Negotiating and Consultation Committee (JNCC)	Whole document	Approved document.
Final	SWH 01140 V1.0	Smoke Free Trust Policy	July 2015	Policy Review Group	Whole document	Ratified document.
Draft	SWH 01140 V1.1	Smoke Free Trust Policy	August 2016	Joint Negotiating and Consultation Committee (JNCC)	Section 6.7.	Clarify section on Prohibition of electronic cigarettes. Approved addition.
Final	SWH 01140 V1.1	Smoke Free Trust Policy		Policy Review Group	Section 6.7	Ratified document.

---

## Table of Contents

To access a section directly from the Table of Contents – ‘hover’ the mouse over the section you require and then press Ctrl and click the mouse.

<b>DOCUMENT HISTORY</b> .....	<b>2</b>
<b>1 INTRODUCTION</b> .....	<b>4</b>
1.1 DAMAGE AND COST OF SMOKING.....	4
1.2 DUTY OF CARE .....	4
1.3 DEFINITIONS .....	5
<b>2 PURPOSE</b> .....	<b>5</b>
<b>3 AUDIENCE</b> .....	<b>5</b>
<b>4 ASSOCIATED TRUST DOCUMENTS</b> .....	<b>5</b>
<b>5 RESPONSIBILITIES / DUTIES</b> .....	<b>6</b>
5.1 BOARD OF DIRECTORS .....	6
5.2 CHIEF EXECUTIVE OFFICER (CEO).....	6
5.3 DIRECTOR OF NURSING/ HUMAN RESOURCES DIRECTOR .....	6
5.4 LINE/ SERVICE/ WARD MANAGERS.....	6
5.5 ALL STAFF/ EMPLOYEES .....	6
5.6 SUB-CONTRACTORS .....	7
<b>6 GENERAL PRINCIPLES</b> .....	<b>7</b>
6.1 STAFF .....	7
6.2 VEHICLES.....	7
6.3 IMPLEMENTATION .....	7
6.4 NON-COMPLIANCE BY PATIENTS AND VISITORS .....	8
6.5 REFUSAL BY THE SMOKER TO COMPLY WITH THIS POLICY .....	8
6.6 CARE IN PRIVATE HOMES .....	8
6.7 ELECTRONIC CIGARETTES/ ELECTRONIC VAPING DEVICES .....	8
6.8 SALES OF SMOKING MATERIALS .....	9
6.9 SUPPORT FOR SMOKERS.....	9
6.10 COMPLAINTS.....	10
<b>7 MONITORING COMPLIANCE</b> .....	<b>10</b>
<b>8 EQUALITY IMPACT ASSESSMENT</b> .....	<b>10</b>
<b>9 AUTHOR</b> .....	<b>10</b>
<b>10 CONTRIBUTORS</b> .....	<b>11</b>
<b>11 REFERENCES</b> .....	<b>11</b>
<b>12 APPENDICES</b> .....	<b>11</b>
<b>13 APPENDIX A: COPING WITH RESTRICTIONS ON SMOKING AT WORK</b> .....	<b>12</b>
<b>14 APPENDIX B: MONITORING COMPLIANCE FORM</b> .....	<b>13</b>
<b>15 APPENDIX C: EQUALITY IMPACT ASSESSMENT FORM</b> .....	<b>14</b>

## 1 Introduction

As a major provider of health care, South Warwickshire NHS Foundation Trust should lead the way and set an example in providing a totally smoke free environment to help aid patients' recovery, promote health and wellbeing and minimize the risks of complications attributed to smoking tobacco and second hand smoke.

### 1.1 Damage and Cost of Smoking

Smoking harms nearly every organ of the body and dramatically reduces both quality of life and life expectancy. About half of all lifelong smokers will die prematurely and it is the single greatest cause of preventable death in the UK, leading to over 100,000 premature deaths.

It is estimated that the cost of smoking to the NHS is in the region of £2.7bn every year with the wider economic costs around £13bn taking into account factors such as lost productivity, tobacco litter and smoking related house fires.

### 1.2 Duty of Care

Direct smoking and second-hand smoke is a proven carcinogen and apart from cancer causes a range of other diseases including heart disease and respiratory infections and due to this the Trust has a duty of care under the "Health and Safety at Work Act 1974" to protect its employees and others from the effects of tobacco smoke.

In November 2013 the National Institute for Clinical Excellence published new recommendations in the "Smoking Cessation in Secondary Care: Acute, Maternity and Mental Health Services" public health guidance paper 48. This publication details that secondary care providers have a duty of care to protect the health and safety and promote healthy behavior among people who use or work in their services. This duty of care includes providing them with effective support to stop smoking or to abstain from smoking while using or working in secondary care services.

The main recommendations are as follows:

- Strong leadership and management to ensure secondary care premises (including grounds, vehicles and other settings involved in delivery of secondary care services) remain smoke free – to help promote nonsmoking as the norm for people using these services
- All hospitals to have onsite "Smoking Cessation Services"
- Processes should be put in place to identify people who may smoke at the first opportunity, advise them to stop, provide pharmacotherapy to support abstinence, offer and arrange intensive behavioral support and then follow up with them at the next opportunity
- Continuity of care should be ensured by integrating "stop smoking" support in secondary care with the support provided by community based and primary care services
- Staff should be trained to support people to stop smoking while using secondary care services
- All staff should be supported to stop smoking or to abstain while at work
- Trusts should ensure that there are no designated smoking areas and no exceptions for particular groups

By implementing these recommendations, the Trust can expect shorter hospital stays, lower drug doses, fewer complications, higher survival rates, better wound healing and tissue viability, decreased infections and fewer re-admissions after surgery.

### 1.3 Definitions

#### **Smoking:**

The action or habit of inhaling and exhaling the smoke of tobacco, emitting smoke or a visible vapour.

#### **Second Hand/Passive Smoking:**

Second-hand smoke (SHS) is also known as environmental tobacco smoke (ETS). SHS is a mixture of the following from burning tobacco:

- Side stream smoke - Smoke from the lighted end of a cigarette
- Main stream smoke – the smoke exhaled by a smoker

Passive smoking is the inhalation of smoke by persons other than the intended active smoker. It occurs when tobacco smoke permeates the environment causing its inhalation by people within that environment. Exposure to this SHS can cause disease, disability and lead to death.

## 2 Purpose

The implementation of this policy supports South Warwickshire Foundation Trust (SWFT) and Warwickshire Public Health's ambition to improve the health and wellbeing of staff, contractors, patients and visitors. SWFT understands that smoking can have a detrimental effect on an individual's health and that second hand smoke adversely affects the health of all those who come into contact with it. SWFT acknowledges the individual's choice to smoke, and is not forcing people to quit, but it has a duty to promote health and prevent the adverse effects of smoking to all individuals on Trust property.

## 3 Audience

This policy applies across SWFT and includes all staff, volunteers, contractors, affiliated services, external agencies, students, patients and visitors to any Trust property, acute or community health care setting and to staff providing care within the patient's own home

## 4 Associated Trust Documents

SWH 00021	Health and Safety Policy
SWH 00042	Safe and Secure Environment Policy
SWH 00097	Conflict Resolution Policy
SWH 00239	Professional Presentation Policy
SWH 00295	Fire Safety Policy
SWH 00298	Staff Car Parking Policy
SWH 00353	Management of Concerns and Complaints Policy
SWH 00607	Grievance Policy
SWH 00734	Disciplinary Policy

## **5 Responsibilities / Duties**

### **5.1 Board of Directors**

The Board of Directors is responsible for determining the governance arrangements of the Trust including effective risk management processes. It is responsible for ensuring that the necessary Health & Safety policies, procedures and guidelines are in place to safeguard patients and reduce risk. In addition they will require assurance that health and safety policies, procedures and guidelines are being implemented and monitored for effectiveness and compliance.

### **5.2 Chief Executive Officer (CEO)**

The CEO has overall responsibility for patient and staff safety and ensuring that there are effective risk management processes within the Trust which meet all statutory requirements and adhere to guidance issued by the Department of Health. This includes the latest NICE guidelines on smoke free site and current health and safety legislation.

### **5.3 Director of Nursing/ Human Resources Director**

The Director of Nursing is the Executive with delegated responsibility for implementation of Governance arrangements within the Trust.

The Director of Nursing and the Director of Human Resources are responsible for overseeing the implementation of this Smoke Free Trust policy.

### **5.4 Line/ Service/ Ward Managers**

All managers will act as champions for this policy and encourage full compliance by all staff / team members.

Managers will:

- Ensure that this document is made available to all staff within their department and that they have read it.
- Support staff members by directing them to smoking cessation services for advice and guidance
- Follow the Trust's Disciplinary Policy (SWH 00734) when managing issues of non-compliance with this policy.
- Ensure that staff are appropriately trained in how to approach individuals about not smoking on site and the stop smoking / cessation services that are available.

### **5.5 All Staff/ Employees**

All staff/ employees will be expected to read and understand this policy and where possible and safe to do so, encourage compliance from other staff, contractors, affiliated services, external agency staff, students, patients and visitors.

SWFT recognises that at times this will / can be difficult and it is emphasised that staff should not put themselves at risk of harm or abuse in this or any situation. If required, staff should contact a senior member of staff or, where available, security staff and follow the guidance in the trusts Conflict Resolution Policy (SWH 00097) and Safe and Secure Environment Policy (SWH 00042).

Appropriate support will be provided to allow front-line clinical staff to provide brief interventions and other advice and support to patients, including referral to Warwickshire NHS Stop Smoking Service. This will mainly be done via the Making Every Contact Count (MECC) training. (see **Appendix A** Coping with Restrictions on Smoking at Work)

## **5.6 Sub-Contractors**

The requirements of the policy will be communicated in contractual documentation for contractors and suppliers.

# **6 General Principles**

## **6.1 Staff**

The policy applies to all buildings and grounds across all sites.

Staff will be informed of the Trust's Smoke Free Trust Policy as part of the recruitment corporate induction processes and also at local induction. Job advertisements and all job descriptions will include reference to this Policy.

The Trust's Professional Presentation for All Staff Policy (SWH 00239) and Cross Infection Principles clearly state that staff must not smoke whilst in uniform on or off the Trust's site, if they are wearing an identity badge or are representing the Trust in any form.

It is not acceptable for staff to congregate to smoke outside Trust premises or to smoke within a 15 metre exclusion zone of Trust premises. Staff are not permitted to smoke at any time in public when representing the Trust and when attending meetings on behalf of the Trust, wherever these are held.

## **6.2 Vehicles**

Smoking by staff is prohibited in vehicles owned or leased by the trust. Staff who use their own vehicles for trust business journeys should not smoke in them during work hours or when they are parked on trust property this also applies to staff who are passengers. Infringing this may result in the removal of parking permits or action being taken under the Trust's Disciplinary Policy.

## **6.3 Implementation**

All staff have a role in supporting the effective implementation of the policy both in terms of their own behaviour and to communicate the policy to patients and visitors.

All members of staff have the right to bring this policy to the attention of any other staff member who they find smoking on trust grounds / premises. Members of staff found smoking should be reminded of the trust policy and asked politely to stop smoking or to move off trust property.

If a member of staff is reported to his or her manager for smoking on Trust premises, the manager should initially talk with them, remind them of the policy and refer them to the Trusts Stop Smoking team to seek advice. If a member of staff refuses to stop smoking when asked, or if there is more than one breach of this policy, despite counselling by the manager, the matter will be addressed through the Trust's Disciplinary Policy (SWH 00734).

If a member of staff is reported to his or her manager for being aggressive or abusive when asked to stop smoking on the Trust's premises, the matter will be addressed through the Trust's Disciplinary Policy.

If a member of staff is found to tamper with fire safety equipment i.e. smoke alarms to avoid detection of smoking, the matter will be addressed through the Trust's Disciplinary Policy.

In the event that a member of staff from another organisation is found to be in breach of the policy, the appropriate organisation will be advised in writing.

#### **6.4 Non-compliance by patients and visitors**

All members of staff have the right to bring the policy to the attention of anyone they find smoking on a Trust site. Patients or visitors found smoking should be informed of the Trust's policy on smoking, made aware of the no smoking signage situated around the grounds and be encouraged to be referred into the Trusts Smoking Cessation Services should they require further advice about going smoke-free or to help abstaining.

If after being asked politely to stop smoking they continually refuse to comply with the Trust's new stance, all members of staff should either enlist the assistance of a more senior member of staff or, where appropriate, contact security who have the authority to escort that person off site if its deemed necessary and safe to do so. Staff should have regard to their own personal safety at all times and if the person who is smoking becomes aggressive either verbally or physical or refuses to extinguish the cigarette, staff should disengage with that individual and report the incident either to the manager of the area or the onsite security staff.

#### **6.5 Refusal by the smoker to comply with this policy**

At a last resort this may lead to treatment being withdrawn. This action is at the discretion of the Trust's senior management if non-compliance is deemed to be having a negative effect on an individual's treatment or recovery plan. Any complaint relating to this policy from or on behalf of patients should be dealt with under the Trust's Management of Concerns and Complaints Policy (SWH 00353).

#### **6.6 Care in Private Homes**

Staff have the right to work in a smoke free environment. Patients or their carers who smoke in their own homes should be aware via an appointment letter or asked in advance by telephone to refrain from smoking for the duration of the visit.

A verbal request can also be made at the time of the visit and the client should be respectfully asked not to smoke whilst the employee is working within the environment. If the patient, carer, relative or friend chooses to continue to smoke, despite being advised that further home visits could cease, then the appropriate consultant or GP will be informed

#### **6.7 Electronic Cigarettes/ Electronic Vaping Devices**

Electronic Nicotine Delivery Systems (ENDS), also known as electronic cigarettes, e-cigs or vaporising units, are battery-powered devices delivering nicotine by heating and vaporising a solution that typically contains nicotine, propylene glycol and/or glycerol, and flavourings.



**There are two main forms of ENDS products:**

Disposable - single use products which are self-contained, non-rechargeable/non-refillable and last for approximately 30-40 tobacco cigarettes.

Rechargeable - multiple use products with rechargeable batteries which are re-fillable.

Due to risks of poor quality chargers, the exposed heating element being run without a guard and the toxicity of the nicotine solution "capsules", rechargeable units are banned from Trust premises. The charging of these devices (or any similar device) is not permitted on Trust premises in accordance with the Fire Safety (SWH 00295) and Health and Safety (SWH 0021) Policies.

**ENDS use at SWFT:**

The Trust has reasonable concerns that if staff, visitors and patients are allowed to use electronic cigarettes in places where the law prohibits smoking, or where no-smoking policies are in place, individuals may be mistaken for smoking a cigarette. Consequently this may lead to the belief that smoking cigarettes is permitted or that no action will be taken if they are caught smoking. SWFT has therefore taken the decision to prohibit the use of electronic cigarettes to support compliance with smoke free legal requirements and its own smoke free trust policy.

**In-Patients** – Only where it is deemed to be clinically appropriate (where nicotine replacement therapy is found not to be appropriate to manage the patient's nicotine addiction) in-patients who are already using an ENDS product on admission may be able to use it outside buildings away from entrances and exits but cannot use it inside Trust buildings. Patients cannot charge ENDS products on Trust premises.

**Out-patients/community patients** - cannot use ENDS products on Trust sites. Patients seen in their own home will be asked to refrain from using their ENDS product shortly before and during the visit.

**Visitors** - cannot use ENDS products on Trust sites.

**Staff** - cannot use or charge ENDS products on Trust sites.

## **6.8 Sales of smoking materials**

No sales of tobacco or associated products including lighters and matches for instance, will be allowed on any Trust premises, including the provision of vending machines.

## **6.9 Support for Smokers**

Advice and support to stop smoking is available via Warwickshire NHS Stop Smoking Service – free services in a wide range of premises across the county, contact 0800 085 2917, text free "LIFE" to 80800, [www.smokefreewarwickshire.org](http://www.smokefreewarwickshire.org)

All Stop Smoking Services provide the following:

- Advice on the options available before making a commitment
- An individual programme over 12 weeks, including regular appointments and stop smoking medication at prescription rates (free if you don't pay for prescriptions)

There is also a free specialist NHS Stop Smoking in Pregnancy Service for pregnant smokers and their families which is delivered at their home. Nicotine Replacement Therapy is free for all pregnant women. Support is from initial contact to a post natal visit so is more intensive and longer than the general service and partners/other family members can be supported at the same time. The contact number is as above - 0800 085 2917.

NHS Stop Smoking Service will provide advice and support to any smokers interested in stopping smoking, including Trust staff. All initial paperwork completed with patients will include a question on smoking status and if the patient is a smoker they will be advised on the policy and the options for stopping smoking. To ensure that everyone entering the Trust sites understands the smoking policy clear signs will be displayed.

Tenders and contracts with the Trust will stipulate adherence to this policy as a contractual condition. Elective patients will be advised of the new policy prior to admission and others on admission to Trust premises. GP practices will also be informed of the policy. Existing patients will also be advised through a series of information sessions via electronic media and promotion by staff in patient and ward areas, with the support of Warwickshire NHS Stop Smoking Service as appropriate.

Appointment letters and patient related information will include reference to the smoke free policy. PALS will also give support in signposting visitors and patients to stop smoking advice.

## 6.10 Complaints

Any complaints relating to this policy from or on behalf of staff should be dealt with under the Trust's Management of Concerns and Complaints Policy (SWH 00353).

## 7 Monitoring Compliance

All Disciplinary/Grievances Hearings related to staff non-compliance with this policy will be monitored through HR Department and reported every six monthly to the JNCC.

Members of the Health and Well-Being group and Patient Forum will carry out six monthly audits on the main hospital sites to measure compliance. The results of the audits will be reported to the Health and Well-Being group and any actions need to improve compliance will be identified.

Where monitoring has identified deficiencies, recommendations and an action plan will be developed to improve compliance with the document. See **Appendix B** for specific details.

## 8 Equality Impact Assessment

All Trust documents are required to have a preliminary Equality Impact assessment (EIA) performed on them in order to establish whether any group of people will be impacted on unfairly by the document. An EIA has been performed on this document and the outcome is shown in **Appendix C**.

## 9 Author

Maggie O'Rourke                      Senior HR Manager  
Sue Pike                                  Chair of Staff Side



## 13 Appendix A: Coping with Restrictions on Smoking at Work

Having a smoke free policy in the workplace ensures that all staff are protected from the harmful effects of second hand (passive) smoke. Most smokers want to quit and a smoke free policy can be a good opportunity to do so, possibly with the support of others at work.

### NHS Stop Smoking Services

You are up to 4 times more likely to quit with NHS help. A Stop Smoking Advisor will see you regularly for up to 12 weeks and will organise for you to have a stop smoking product for the cost of prescription (free if you don't pay for prescriptions).

### You can access an NHS Stop Smoking Service at:

Out-patients pharmacy at Warwick Hospital

Or for services in your local area contact NHS Warwickshire Stop Smoking Service:

☎ 0800 0852917

☎ Text free "LIFE" to 80800

🌐 [www.smokefreewarwickshire.org](http://www.smokefreewarwickshire.org)

---

### If you are not ready to stop smoking, but are concerned about coping without cigarettes during the working day you may want to consider:

- Try to go without cigarettes during the working day **before** the restrictions come in – many people find it easier than they think to cope without cigarettes (most people manage without cigarettes on a long-haul flight).
- Buy some nicotine replacement therapy such as lozenges, mouth spray, strip to take to work and use it about 20 minutes before you would have had a cigarette.
- Change your smoking pattern so you smoke just before you get to work to help avoid cravings during work hours.

## Alternatives to Smoking

---

Cravings for cigarettes usually only last for a few minutes and lessen over time. Here are some ideas to tackle cravings:

- ✓ Take a few long, deep breaths
- ✓ Sip slowly on a glass of water or fruit juice
- ✓ Use nicotine lozenges, mouth spray or strips
- ✓ Chew a glucose tablet
- ✓ Give your hands something to do – play with a stress toy or pencil
- ✓ Go for a walk
- ✓ Talk to someone
- ✓ Speak to a Stop Smoking Advisor 0300 123 1044
- ✓ Out of work Facebook others at <https://www.facebook.com/NHSSmokefree>

## 14 Appendix B: Monitoring Compliance Form

<b>Title of Document</b>	Smoke Free Trust Policy	
<b>Relevant Standards</b>	<b>Health &amp; Social Care Act</b>	<b>Other e.g. West Midlands Quality Review Service, Peer Reviews etc</b>
	Regulations 9, 23	

### Monitoring/Audit Plan

Process / minimum requirement to be audited / monitored	Lead	Tool/How	Written Reporting Frequency	Written Reporting Arrangements
All grievances related to the application of this policy will be monitored	Senior Operational HR Lead	Review of Grievance caseload report	Quarterly	Reported to JNCC
All complaints associated with the application of this policy	Senior HR lead and the PALs officer.	Review of reported Complaints	Quarterly	Health and Well-Being group
Measuring Compliance	Chair of health and Well-Being group	Audit of main hospital sites	Six monthly	Health and Well-Being group

The above Table outlines the minimum requirements to be audited/monitored; additional audits will be commissioned in response to deficiencies identified within the service through morbidity and mortality reviews/benchmark data provided by CHKS or in response to national initiatives e.g. NICE, RCOG guidelines and CNST standards.

Lessons learnt and action plans will be shared with all the relevant stakeholders.

<b>Name:</b>	Maggie O'Rourke	<b>Job Title:</b>	Senior HR Manager	<b>Date:</b>	July 2015
--------------	-----------------	-------------------	-------------------	--------------	-----------

**15 Appendix C: Equality Impact Assessment Form**

Has an Equality Impact Assessment been carried out?	<b>YES</b>
<b>Preliminary Stage 1 Equality Impact Assessment (must be completed if required*)</b>	
What date was Stage 1 completed and published?	<b>05.06.15</b>
Has a Full Assessment Stage 2 Equality Impact Assessment Tool been undertaken*?	<b>No</b>
If yes, what was the date of assessment and publication of Stage 2 and action plan?	<b>NA</b>