



CITY OF ELY COUNCIL

Smoking & Vaping Policy

1. OBJECTIVE

- 1.1 The City of Ely Council will provide a safe working environment for its employees and Councillors and recognises and accepts the responsibilities placed upon it by:-
 - **The Health & Safety at Work Act 1974.** This places a duty on employers to: 'provide and maintain a safe working environment which is, so far as is reasonably practicable, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.'
 - **The Health Act 2006.** This makes provision for the prohibition of smoking in certain premises, places and vehicles. Section 2(2) states that premises must be smoke-free if they are used as a place of work including vehicles.
- 1.2 This Smoking & Vaping Policy aims to protect and improve the health of employees, Councillors and people who visit Council premises by preventing workplace exposure to tobacco smoke and to also ensure a working environment free of the vapours and chemical emissions of e-cigarettes and other electronic nicotine delivery products (ENDS);
- 1.3 The Policy is to seek to eliminate smoking & vaping at work, not to stop people smoking or vaping altogether. However, to support staff wanting to quit smoking the Council encourages employees to attend local Stop Smoking Services.

2. THE POLICY

- 2.1 This policy will apply to all Council offices and workspaces and to other Council premises open to the public.
- 2.2 No council employee may smoke or vape whilst 'at work'. This means that smoking and vaping is banned while employees are carrying out their duties and responsibilities as an employee of the Council.
- 2.3 In addition, smoking and vaping will be prohibited in all areas including:
 - all Council-operated public buildings
 - all Council lobby areas
 - all Council-owned vehicles
- 2.4 Smoking or vaping will not be permitted by councillors, customers, visitors, contractors or agency workers on council premises. Non-employees who smoke or vape on Council premises will be asked to stop smoking or leave the premises.

- 2.5 No council employee may smoke or vape during working hours. This means that smoke/vape breaks during working hours will not be allowed. Council employees who wish to smoke or vape may do so only in their own time and during contracted breaks off the premises.
- 2.6 Smoking and vaping is not permitted in Council building doorways or access areas before or after working hours or during lunch breaks.
- 2.7 Signage will be erected requesting the public not to smoke or vape in building doorways or access areas.
- 2.8 All new employees will be provided with a copy of the Smoking & Vaping policy when their contract is issued.

3. THIRD PARTY PREMISES

- 3.1 Some Council employees are required to visit other premises. Employees are not expected to smoke or vape while on Council business visiting other premises as part of their duties where smoking is permitted.

4. POLICY MONITORING

- 4.1 In the unlikely event of an employee not complying with this policy, the employee's line manager will attempt to resolve the situation informally in the first instance (unless such smoking presents a health and safety hazard e.g. when working with chemicals, fuel etc, when it will be viewed as gross misconduct).
- 4.2 Any member of staff who continues to refuse to observe the policy by smoking or vaping in unauthorised areas, or during 'work time' will be liable to disciplinary action in accordance with the Disciplinary Procedure.

5. SUPPORT FOR THOSE WISHING TO STOP SMOKING

The Council encourages staff and councillors to seek information on stopping smoking with support from local cessation services. Information regarding these services are available from local GP Practices and:-

<https://healthyyou.org.uk/services/stop-smoking/>

<https://www.nhs.uk/better-health/quit-smoking/>

This Policy will be reviewed on an annual basis.

Approved and adopted 22nd May 2023

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Cllr C Phillips – Chairman of the Council