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Smoking at Work

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Policy:	Health, Safety and Wellbeing Policy
Owning Department:	People and Development
Version Number:	3.00
Published Date:	01/04/2019
Theme(s):	Your health, safety and wellbeing Our standards and expectations

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Compliance Record

Equality Impact Assessment: Date Completed/Reviewed:	25/04/2018
Information Management Compliant:	Yes
Health and Safety Compliant:	Yes
Publication Scheme Compliant:	Yes

Version Control Table

Version	History of Amendments	Date
1.00	Initial Approved Version	10/08/2016
2.00	Under the direction of DCC Johnny Gwynne the amendments noted in this SOP are in relation to grammatical changes only from the wording 'police office' to 'police station'.	17/07/2017
3.00	Policy Simplification	01/04/2019

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1 Overview

1.1 What is this about?

- 1.1.1 We want to ensure a safe and healthy working environment for our officers and staff. The information contained here aims to help us reduce the effects of passive smoking (and possible effects of e-cigarettes) in the workplace and set out the rules we ask our officers and staff to adhere to.
- 1.1.2 This information is in line with Scottish legislation, which prohibits smoking in the workplace.
- 1.1.3 When we talk about cigarettes and smoking, this includes e-cigarettes.

1.2 Who is this for?

- 1.2.1 This is for officers and authority/police staff. It also applies to contractors, visitors, and anyone using police premises or travelling in police vehicles.

1.3 Key information

- Smoking in police buildings is not allowed under any circumstances.
- Smoking in police cars (marked or unmarked) and hire cars is not allowed under any circumstances.
- Where we provide designated smoking areas, these will be accessible and clearly marked. These will have smoking bins, which must be used for the disposal of cigarette ends.
- Breaches of this procedure may be considered under the disciplinary or misconduct procedures.

2 Officer/Staff

2.1 What you need to do:

2.1.1

- Don't smoke in police buildings or vehicles (or any vehicles hired by SPA/Police Scotland).
- If you smoke, use the designated smoking areas, where provided. If there is no designated smoking area, you can only smoke once you have left both the building and any Police Scotland/SPA grounds.
- Smoking should not impact on your work and any time away should be kept to a minimum.
- Don't smoke directly outside or beside public entrances to SPA/Police Scotland buildings.
- Let visitors to the premises know where they can/cannot smoke. Show them where the smoking area is, if there is one.
- Don't allow anyone else to smoke in police buildings or vehicles.
- Report any breaches of this procedure to a line manager or supervisor.

2.2 General information

2.2.1

Smoking is harmful to our health. This is true whether we are smoking ourselves, or inhaling the smoke from someone else's cigarette.

2.2.2

As we want to protect the public from passive smoking, you are not allowed to smoke directly outside or at the public entrances to our premises.

2.3 Smoking at work

2.3.1

If you are a smoker, there are designated smoking areas where you can smoke on some of our premises. If there are no designated smoking areas and you want to smoke, you can only do this once you have left the building(s) and premises. If you are leaving the premises to smoke, remember the personal safety advice. Speak to local management to find out the local arrangements where you are.

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2.3.2 Smoking in your own private vehicle is not permitted when parked on police premises or when carrying a passenger on work related business. It is also not permitted when you are a passenger in another individual's private vehicle and you are on police premises or being driven on work-related business.

2.3.3 If you use an e-cigarette, you can use the designated smoking areas, where they are provided. Or you can ask local management if a separate e-cigarette smoking area can be arranged (there may be one already).

2.4 Other premises

2.4.1 Smoking on other premises or sites while carrying out your duties is not allowed, e.g. private homes or crime scenes. You may smoke on meal breaks and in your own time. If you are at a location with its own smoking policy, you must adhere to this. If you wish to smoke and are at a location which provides a designated smoking area, you must smoke only in this area.

Although we have a duty of care to protect you from second hand smoke while on duty, we can't control the smoking habits of the communities we serve.

2.4.2 You might be exposed to second hand smoke when attending a crime scene or a private home, for example. If, while carrying out your duties you feel exposed to second hand smoke, remember that it is reasonable for you to ask someone:

- not to smoke while you are there;
- to open windows or doors; and/or
- to go to a police office/station or police vehicle, where smoking is not allowed (depending on the circumstances).

If the above suggestions are not possible or don't work, and you feel that you are exposed to extreme levels of second-hand smoke, speak to your line manager for guidance. But it is important that you understand that in the context of keeping people safe, you may have to deal with operational matters while exposed to cigarette smoke. We will do what we can to mitigate related risks, but this will not always be possible.

2.5 Stopping smoking

2.5.1 We are supportive of officers and staff members trying to stop smoking and understand that this is both physically and psychologically challenging. If you want to stop smoking, you can get

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advice and support from the Employee Assistance Programme. In addition, you will find sources of information and support in the Resources section.

3 Managers

3.1 What you need to do:

3.1.1

- Make sure that your team members understand what the contents of this Smoking at Work procedure mean for them.
- Make sure that they don't breach the rules outlined in the Smoking at Work procedure.
- Ask local management if they can arrange for a separate smoking area for users of e-cigarettes, if someone asks for one. The area should be far enough away from the tobacco smoking area that the e-cigarette smokers don't have to inhale the cigarette smoke.
- Dynamically risk assess all situations where members of your team will be working in an environment where they are exposed to cigarette smoke (including stale smoke). Take any steps you can to mitigate the risks for you and your team.
- Be supportive if a team member tells you they want to or are trying to stop smoking. Remind them that the Employee Assistance Programme can offer emotional and practical help with this too.
- If a complaint relating to smoking is made against one of your team members, take it seriously.

3.2 Smoking at work

3.2.1 If you see anyone smoking within our vehicles or outwith any of the designated smoking areas around our premises, remind them of the rules of Smoking at Work. Ask them to stop smoking and extinguish the cigarette, or to move to the smoking area to continue smoking. This also applies if an individual reports a breach of the procedure to you, even if you don't see the breach.

If they won't do as you ask, consider if disciplinary action is required. If it is, follow the appropriate procedure. (See the Disciplinary procedure [staff] or the Police Service of Scotland [Conduct] Regulations 2014 for more information and guidance.)

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- 3.2.2 Smoking outside of any of our designated areas is a breach of the Smoking at Work procedure, and may constitute disciplinary or misconduct action in some circumstances.

3.3 Other premises

- 3.3.1 If a team member complains of being exposed to second hand smoke at a crime scene or at a private home whilst on duty, remind them that these places are outwith our control. Remind them that they can ask the individual to stop smoking or open windows while they are there. Or the officer/staff member may be able to invite the individual back to a police office (where smoking is not allowed) to continue their discussion (if appropriate).

If a team member tells you that they feel that they are being exposed to extreme levels of second-hand smoke, you should dynamically risk assess the situation and look at alternative ways of working that will minimise exposure/impact. You may have to remind the team member that, in the context of keeping people safe, they may have to deal with operational matters while exposed to cigarette smoke. We will do what we can to mitigate related risks, but this will not always be possible.

4 Resources

Reference Documents

- Health, Safety and Wellbeing Policy
- Smoking at Work – Divisional Commander/head of department Responsibilities

Related Procedures

- Complaints about the Police SOP
- Disability in Employment SOP
- Disciplinary SOP

Useful Links

- Cancer Research UK – ‘You can be Smoke Free’ leaflet
- Employee Assistance Programme (AXA PPP)
- NHS Choices – ‘Stop Smoking’
- NHS inform – ‘Stop Smoking Groups across Scotland’ (video)
- Police Service of Scotland (Conduct) Regulations 2014
- Scottish Government – ‘Enforcement Guidance and Protocols for Smoke Free Public Places’
- The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006
- The Smoking, Health and Social Care (Scotland) Act 2005
- Trying to Stop Smoking – Brian’s Story (video)

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Appendix A

Smoking at Work:

Divisional Commander/Head of Department Responsibilities

If you are a Divisional Commander or head of department, you will have extra responsibilities in relation to the Smoking at Work procedure. This document explains what these are.

Divisional Commanders and heads of department (for departments within the building in question) have joint responsibility for deciding on whether designated smoking areas should be provided, and managing these areas.

If smoking areas are provided, make sure that these are located in areas that are not directly beside public entrances, and that they are not too close to doors, windows or vents through which smoke could drift back into the building. Make sure that they are clearly marked with universally recognised symbols, and have smoking bins. You must also make sure that they are accessible to people who have a disability.

Make sure that appropriate, universally recognised 'no smoking' signs are displayed around the buildings and vehicles you are responsible for. Estates and the National Fleet Manager will be able to help you by providing signage, smoking bins, and advice.

Make sure that the 'no smoking' signs say who/where individuals should report it to if someone is smoking where they should not be. For signs in and around police buildings, this should be a supervisor. For marked police vehicles, this should be a contact centre, via 101.