

Smoke Free Trust	Policy Register No: 07033 Status: Public
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Developed in response to:	Providing lead in health promotion Compliance with National Guidance. 'Choosing Health White Paper ' Health & safety requirements
Contributes to CQC Regulation:	20

Consulted With	Individual/Body	Date
Nona Stevenson	HR Manager	May 2016
Professionally Approved By	Bernard Scully, Director of Human Resources	May 2016

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Next Review Date	May 2019
Author/Contact for Information	Nicole Stephenson
Policy to be followed by (target staff)	All MEHT Staff, Visitors and Patients
Distribution Method	Intranet & Website
Related Trust Policies (to be read in conjunction with)	Violence & Anti-Social Behaviour Policy Health & Safety Policy Disciplinary Policy Substance Misuse Policy Uniform Policy

Document Review History

Review No	Reviewed by	Active from Date
1.0	Rob Jarvis	September 2005
2.0	Jan Mumford	April 2007
3.0	Angela Hickling	June 2010
4.0	Nicole Stephenson	7 June 2016

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1. Purpose of the Document

- 1.1 Government legislation came into effect in June 2007. The NHS has an undertaking to make all sites smoke free. The Trust has a clear leadership role in promoting health for patients, staff and the community it serves. The Trust is required to ensure that all legislation relating to the minimum Health and Safety requirements for work is observed in those premises owned or operated by Mid Essex Hospital Services Trust. The most relevant are:
- The Health & Safety at Work Act 1974 which places a duty on employers to 'provide and maintain a safe working environment'.
 - The Management of Health and Safety at Work Regulations 1999, under the scope of General Principles of Prevention.
- 1.2 The Trust also has a duty to protect the same from the effects of second hand smoke, which has been shown to cause lung cancer and heart disease in non-smokers, as well as many other illnesses.
- 1.3 Supporting patients to give up smoking will reduce the risk of complications and delays in their recovery, giving improved patient outcomes and better utilisation of public resources.
- 1.4 Staff can refer to Occupational Health for support and advice.

2. Aims

- 2.1 Mid Essex Hospital NHS Trust undertakes to comply with its health promotion leadership role and related legislation. Ensuring a smoke free environment reduces a risk that may prove hazardous to health for the public and employees. The policy will reduce the presence of carcinogenic substances in NHS environments.
- 2.2 The purpose is to give clear direction that people will not be allowed to smoke anywhere whilst on Trust premises.

3. Scope

- 3.1 The effects of breathing other people's smoke is a public health hazard and will apply to smoking at all Mid Essex Hospital NHS Trust properties. This includes:
- All buildings, grounds and construction sites
 - Cars, car parks and bus stations
 - Hospital transportation including delivery vehicles.

4. Roles and Responsibilities

- 4.1 The Trust Board is responsible for the implementation of this policy and for overseeing the Health, Safety and Welfare of patients, staff and visitors to the Trust.
- 4.2 The Chief Executive is the accountable officer, responsible to the Trust Board for implementing this policy.

- 4.3 It is the responsibility of all employees to adhere to the policy and ensure peers, colleagues, patients and visitors are asked to adhere to this whilst on Trust premises.
- 4.4 Employees are expected to inform smokers that MEHT is a smoke free organisation and ask them to stop smoking. If they refuse, follow the standard operational procedure as shown in Appendix 1.
- 4.5 The policy will apply to all staff, patients, visitors, contractors and other persons entering Mid Essex Hospitals NHS Trust buildings, property, grounds and construction sites.
- 4.6 Existing contracts with contractors will be modified to include adherence to this policy. All future tenders and contracts will include adherence to this policy as a contractual condition.

5. Equality and Diversity

MEHT is committed to the provision of a service that is fair accessible and meets the needs of all individuals

6. Enforcement

- 6.1 There will be zero tolerance of verbal or physical abuse to staff requesting a person to stop smoking. Staff will be subject to disciplinary action under the Trusts Disciplinary Policy and stakeholders will be managed under the Violence and Anti-Social Behaviour Policy.
- 6.2 A risk event form (Datix form) must be completed when anyone is found smoking giving as much detail as possible.
- 6.3 Staff continuing to infringe this Policy after being offered support, will invoke the Disciplinary Policy.
- 6.4 Stakeholders continuing to infringe this policy will invoke the Violence and Anti-Social Behaviour Policy.

7. Signage & Communication.

- 7.1 Patient information will contain details stating that smoking is not allowed anywhere on site.
- 7.2 Clear signage will be on display at entrances and car parks.
- 7.3 GP practices and Primary Care Trusts will be informed of the policy.
- 7.4 Job advertisement will include reference to the Smoke Free Trust policy and indicate that adherence will be contractual.

8. Monitoring

- 8.1 Record on the Risk Event Reporting system (Datix) names of those involved, dates and outcome. Report taken from the Risk Event Reporting system (Datix) and initially

highlighting cases at least quarterly to the Health and Safety Committee and the Governance Committee.

- 8.2 Feedback received from all users (managers and members of staff) will be collated by Human Resources in order to review the Policy together with any Employment Law updates regularly.

9. Communication & Implementation

- 9.1 Staff will be made aware of this policy through reference at Corporate Induction, dissemination via Staff Focus and HR Focus. The document will be stored for access to all on the MEHT Intranet under HR Policies.

10. Breaches of Policy

- 10.1 Where there is a significant breach of this policy, the HR Operations Team must consider whether that breach should be reported under the Trust's Datix reporting procedure.

11. Audit and Monitoring

- 11.1 The policy will be monitored annually by the Human Resources Operations Team with areas of exception being highlighted.
- 11.2 A yearly audit of all breaches of this Policy will be carried out and submitted to JCNC. This will be completed by the Human Resources Operations Team.

12. Communication and Implementation

- 12.1 Staff will be made aware of this policy through reference at Corporate Induction and dissemination via Staff Focus. The document will be stored for access to all on the MEHT Intranet under HR Policies and will be available also on the Trust website.

13. Review

- 13.1 This policy and procedure will be reviewed within 24 months of its agreement and bi-annually thereafter. Any additional amendments will be made in accordance with any changes in legislation.