



# Wilkins Safety Group

## H & S Guidance - Smoking Policies

### INTRODUCTION

The acceptance of smoking restrictions by an increasing number of businesses reflects a change in the climate of public opinion against smoking. Employees are less and less willing to work in smoky conditions and be exposed to the risk of 'passive' smoking.

There are two phases of tobacco smoke:-

|                         |  |
|-------------------------|--|
| <b>Mainstream smoke</b> | Smoke inhaled and then exhaled into the air by smokers                   |
| <b>Sidestream smoke</b> | Smoke released from the burning tip of the cigarette etc. between puffs. |

Eighty five percent of smoke from a cigarette is sidestream smoke.

Tobacco smoke contains a large number of toxic chemicals and substances including nicotine, ammonia, tar, carbon monoxide and hydrogen cyanide. Some of these substances can cause acute irritation - people with **respiratory problems** and allergies can experience a worsening in their condition as a result of passive smoking. Passive smoking can also cause lung cancer in non-smokers and it has been estimated that passive smoking may be causing several hundred **lung cancer** deaths a year in the U.K.

With careful consultation and presentation, a smoking policy is a declaration of an enterprise's commitment to the best interests of all its employees. The negative reactions, which are often expected from smokers, often do not materialise. Indeed, many smokers welcome clear rules that may reduce their consumption of tobacco.

### BENEFITS AND COSTS

Potential benefits of a smoking policy include:-

- reduced absenteeism
- improved safety performance (fewer fires)
- lower maintenance costs (litter and decoration)
- lower ventilation and air-conditioning costs
- improved morale among non-smokers
- fewer accidents
- lower risk of losing key employees



# Wilkins Safety Group

Potential **costs** of developing and implementing a policy include:-

- negotiation/consultation time
- time for a co-ordinator to implement, monitor and evaluate the policy
- publicising and promoting the policy
- purchase and placing of notices
- rearrangements to working/rest areas
- provision of help to smokers wanting to stop

## **LEGAL ISSUES**

Relevant law which may support the introduction of a non-smoking policy includes:-

1. Section 2 of the Health and Safety at Work etc. Act 1974 which places a **general duty** on employers to ensure, so far as is as reasonably practicable, the health, safety and welfare of their employees.
2. Management of Health and Safety at Work Regulations 1999 which require employers to **assess the risks** to workers and any others who may be affected by their undertaking.
3. Workplace (Health, Safety and Welfare) Regulations 1992, which require employers to **protect non-smokers** from discomfort caused by tobacco smoke in rest rooms or rest areas.
4. **Civil Law** relating to personal injury

## **INTRODUCING A SMOKING POLICY**

Action on smoking should be approached in an informed and systematic way. Suggested steps include:-

1. Set up a representative working party to
  - review current practice
  - gather information
  - plan an information campaign
  - define objectives
  - explore options
  - conduct a survey
2. Survey staff, using a suitable questionnaire (model questionnaires are contained in some of the published guidance)



## Wilkins Safety Group

3. Establish general principles behind the policy.
4. Agree options on practicalities covering
  - working areas
  - communal areas
  - compliance
5. Consultation
6. Submit (revised) policy and supporting information to appropriate internal decision- making body for endorsement/approval.
7. Distribute policy to every employee
8. Implement the policy. This may involve such considerations as follows:
  - timing
  - responsibilities
  - briefing employees
  - publicising the policy
  - signage
  - help for smokers
  - administering the policy

### **SOURCES OF INFORMATION**

The publications listed in the References/Further Details section of this element contain extensive advice and guidance on the practicalities and experiences of introducing smoking policies.



# Wilkins Safety Group

## CHECKLIST - SMOKING POLICIES

Have you considered the benefits of introducing a smoking policy?

- on health grounds

YES /NO

- on safety grounds

YES /NO

- in view of the increasing potential for criminal or civil litigation?

YES /NO

- on moral/public opinion grounds?

YES /NO

If so, have you thought about the best way of approaching the task, of establishing a suitable policy and of implementing it in your premises?

YES /NO

Do you know where to go for information, advice, support or resources on the development of smoking policies in the workplace?

YES /NO

Do you protect non-smokers from discomfort caused by tobacco smoke in restrooms or rest areas?

YES /NO

## REFERENCES/FURTHER DETAILS

1. **HSE: Advice on smoking at work**
2. Video Signposts for health and safety Part 3. HSE. ISBN 0 717 61961 3