

Smoke Free Policy

Lead Policy Author & Job Title:	Gerard Rocks Assistant Director Promoting Wellbeing & Lynne Smart Head Health Improvement
Directorate responsible for document:	Older People & Primary Care
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Policy Checklist

Policy name:	Smoke Free Policy
Lead Policy Author & Job Title:	Gerard Rocks Assistant Director Promoting Wellbeing & Lynne Smart Head Health Improvement
Director responsible for Policy:	Older People & Primary Care
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Version History			
Version	Notes on revisions/modifications and who document was circulated or presented to	Date	Lead Policy Author
V1_0	Policy developed in line with the Smoking Order to prohibit smoking within Trust premises 2006 (Northern Ireland)	01/03 2008	Gerard Rocks Lynne Smart Smoke free steering group
V2_1	Policy revised in line with implementation of Smoke free sites Shared with Smoke Free steering group	01/12/2015	Gerard Rocks Lynne Smart Smoke free steering group
V2_2	Policy reviewed	01/03/2017	Gerard Rocks Lynne Smart Smoke free steering group

V2_3	Policy reviewed	01/03/2019	Gerard Rocks Lynne Smart Smoke free steering group
V2_4	<p>Policy revised in line with: Updated population data re smoking rates 2019/2020;</p> <p>New smoking and vaping regulations NI 2022</p> <p>Addition of reference to RQIA guidance on Smoking in Residential Nursing and care Home settings.(2017) and</p> <p>Appendix 3 updated in relation to amended fines;</p>	01/03/2022	Gerard Rocks Lynne Smart

1.0 Introduction

The Southern Health and Social Care Trust recognises that smoking is the most prominent cause of preventable deaths in Northern Ireland, with 1 in 6 deaths attributable to smoking related illnesses including cancer, heart disease, bronchitis and emphysema.

Approximately 17% of the population in Northern Ireland smoke (2019/2020) with analysis showing that smoking prevalence remains 2-3 times higher in areas of greater deprivation. To address this public health issue smoking legislation came into effect in Northern Ireland in April 2007 to protect people from exposure to smoke in buildings and on transport. It is incumbent on the Trust as a Health and Social Care provider to promote a safe and healthy environment for all staff, service users, and visitors to our sites and those who come into contact with our services.

The Tobacco Control Strategy NI sets out the vision of creating a tobacco-free society by discouraging people from starting to smoke, protecting people from tobacco smoke and supporting people to stop smoking. The strategy includes a call to HSC Trusts to show leadership in implementing smoke-free sites to communicate that every visit to HSC is an opportunity to promote and improve people's health.

In Northern Ireland the Western HSCT became the first Smoke Free HSC Trust on the 12th March 2014, National No Smoking Day. In July 2014, the Chief Medical Officer wrote to the Chief Executives and Directors of HR in all of the HSC Trusts across Northern Ireland, stating :

“It is vitally important that HSC organisations demonstrate leadership on important public health issues such as tobacco control. The introduction of smoke free healthcare campuses across Northern Ireland will challenge social norms around tobacco use and provide further impetus for reducing smoking prevalence. I would therefore strongly recommend that all HSC Trusts in Northern Ireland follow the example set by both the Western Trust and the HSE by introducing smoke free policies on Trust campuses.”

Further to this, on No Smoking Day, 11th March 2015, the Health Minister announced smoking was not permitted in the grounds of any HSC Trust facility from March 2016.

A Midterm Review of the Tobacco Control Strategy, undertaken by the Institute of Public Health in 2021, highlights that Smoke-free legislation and smoke-free policies within institutions are effective in reducing second-hand smoke exposure and improving health outcomes for children and adults.

2.0 Purpose and Aims

One of the Trust's key corporate objectives is to “support people and communities to live long healthy active lives.”

This commitment to health improvement for the whole population requires the Trust, along with its commissioners, to demonstrate leadership in creating environments that support people to make decisions that benefit not only their own health and wellbeing but also that of others.

The aims of this policy are as follows:

- To protect all employees, service users and the public from exposure to second hand tobacco smoke
- To ensure ongoing compliance with both the Smoking (NI) Order 2006 and with the Trust's statutory duty under the Health and Safety at Work (N.I.) Order 1978, to ensure the health, safety and welfare of its employees and those affected by its activities, so far as is reasonably practical
- To show leadership in implementing policies that support public health and address inequalities in health
- To set out the duties and responsibilities of all SHSCT staff in the implementation and ongoing management of smoke free sites
- To contribute to the management of fire prevention across the Trust
- To contribute to the maintenance of a clean, litter free environment for staff, service users and visitors to our Trust sites
- To uphold the legal requirements placed on the Trust

This policy replaces the Trust's Smoke Free Policy from 2008 and all other revised versions.

3.0 Objectives of this Policy

The Policy Objectives are to:

- Provide a Smoke Free environment across all Trust sites to protect staff, volunteers, patients, and all visitors to Trust sites from harmful effects of exposure to second hand tobacco smoke and electronic cigarette vapour;
- To promote the health and wellbeing of Trust staff, patients and visitors by establishing a Smoke Free environment.
- To comply with the Smoking (Northern Ireland) Order 2006.
- To promote a culture of non-smoking within Southern Trust's population.

- To ensure that all patients, staff and visitors are informed of the Smoke Free policy and the expectation to comply.
- To provide assistance for staff, volunteers, patients and clients who wish to stop smoking.
- To improve the environment and reduce littering that is associated with smoking.

4.0 Policy Statement

This policy designates all Trust workplace buildings, exits and entrances, grounds and vehicles on those grounds as Smoke Free areas, with some very limited exemption arrangements which are consistent with current legislation and regulation.

- Smoking is not permitted by any person, at any time, on any site that is owned or managed by the Southern Trust
- This includes indoor areas and outdoor areas. This also includes within any vehicle parked on Southern Trust sites. From 1 February, 2022 it is illegal to smoke in a private vehicle where children or young people under the age of 18 are present, when there is more than one person in the vehicle, and the vehicle is enclosed.
- The use of Electronic Nicotine Devices (E Cigarettes and vaping) are currently prohibited on Trust premises and grounds, car parks and in Trust vehicles by Trust staff, patients and visitors. This is inline with PHA current guidance.
- The sale or provision of tobacco products or e-cigarettes is not permitted within Trust buildings

5.0 Scope of Policy

5.1 This policy applies to all employees of the Trust as well as to patients, clients, volunteers, visitors, contractors, and members of the public accessing Trust facilities, grounds and services.

The Smoke Free Policy also applies to staff from other Trusts or organisations based in or using South Health and Social Care Trust facilities.

5.2 Exemptions

This policy is not intended to prevent individuals from smoking in areas or premises which are considered to be their private residential space. In certain types of residential accommodation balance is needed between allowing people to smoke in their own residential space, and protecting others from exposure to second-hand

smoke, including those people who call the premises home, and the people who work there.

Designated smoking areas can be provided within the following Trust facilities :

- Residential / Nursing Care for adults;
- Supported Living Schemes where the accommodation is the service users home and rented by the service user;

Designated smoking areas must comply with criteria detailed in appendix 2 and be available for inspection by an Environmental Health Officer at any time.

Friends and family visiting patients or clients in residential facilities as listed above are not permitted to smoke in the designated smoking areas. These are for use by residents only. This also applies to Trust staff who work in residential facilities.

6.0 Responsibilities

6.1 Trust Board

The role of the Trust Board is to take corporate responsibility for ensuring the organisation is able to deliver on the implementation of this policy.

6.2 Chief Executive

The Chief Executive has responsibility for ensuring that there is a clear structure for implementing and monitoring this policy, that there is ongoing levels of compliance and appropriate measures in place to address issues of non-compliance.

The Chief Executive has appointed the Medical Director as Lead Director with responsibility for establishing and monitoring the implementation of the Smoke Free Policy.

6.3 Medical Director

The Medical Director will provide strategic leadership, direction and oversight of this policy and chair a Smoke Free steering group to support Policy implementation and monitoring.

6.4 Managers

The Chief Executive requires all managers within the Trust to establish and monitor the implementation of this policy within their service areas of responsibility.

Specifically, it will be the responsibility of line managers to:

- Ensure that all staff reporting to them are aware of and adhere to this policy;
- Ensure that any staff wishing to quit smoking will be allowed to access Trust Stop Smoking Services during work time;

- Ensure that employees are fully supported in accessing brief intervention training, and in reminding patients, members of the public and visitors of the Smoke Free Policy;
- Comply fully with the policy and act as a suitable role model for staff and patients;
- Ensure reference to the policy features on all relevant documentation;
- Monitor and maintain the Smoke Free policy within their area;
- Respond appropriately to issues of non-compliance.

6.5 Employees and volunteers

Employees and volunteers are required to familiarise themselves with this policy and comply with its provisions.

Southern Trust employees, volunteers and contractors are not permitted to smoke on Trust sites including all buildings, doorways/entrances, grounds, car parks and vehicles. All Trust owned or leased vehicles must be smoke free. Drivers, other Trust staff and service users are not permitted to smoke in a Trust vehicle at any time.

Staff must not smoke whilst on duty. If employees choose to smoke during designated breaks, then they must do so off site and not be identifiable as Trust employees. The Trust does not provide any official smoking breaks.

Staff who experience difficulty in adjusting to the Smoke Free policy should discuss the issue with their line manager. All employees and volunteers (of both the Trust and contractors) can access the Trusts Stop Smoking Service for support to quit smoking (see Appendix 1 for details).

Trust staff and volunteers are not permitted to purchase tobacco products for patients or service users and are not required to accompany patients off hospital sites to smoke.

Any Trust employee who breaches the Smoke Free Policy will be reported to their line manager and may be disciplined in accordance with the Trust's Disciplinary Procedures.

6.6 Patients and service users

There are no designated smoking areas or shelters provided on Hospital sites. Patients being admitted for planned treatment should be informed of the Trust's Smoke Free Policy prior to admission. Patients must refrain from smoking whilst receiving their care and should be offered Nicotine Replacement Therapy to support them to abstain and comply with the policy. All patients who are smokers should be offered referral to the Stop Smoking Service.

It is recognised that attendance at hospital can be very stressful. Any person who smokes admitted to an inpatient ward should be offered nicotine replacement therapies as soon as possible. Where patients insist on smoking and/or are unwilling

to accept support then they must not smoke on Southern Trust sites. If a patient is advised not to leave the ward / department but chooses to do so this should be recorded in the patient's notes. All patient's leaving the ward should complete a smoke free patient disclaimer.

Trust staff and volunteers are not permitted to purchase tobacco products for patients or service users and should not accompany patients off hospital sites to smoke.

6.7 Visitors

Visitors are not allowed to smoke in any areas of the Trust including all buildings, doorways/entrances, grounds, car parks and vehicles. Visitors can access the Trust Stop Smoking Service for support to quit smoking (see Appendix 1 for details)

6.8 Domiciliary Visits

Staff are not expected to enter a smoking environment during the course of their work and should ask patients/clients/carers not to smoke for the duration of their visit. On initial assessment and on an on-going basis, staff delivering home-based services should inform patients/clients/ carers of the Trust's Smoke Free Policy, and should require them to refrain from smoking for 1 hour before the visit and in their presence for the duration of the visit. (See Appendix 2)

6.9 Foster Carers/Formal Carers

Foster Carers and other formal Carers engaged by the Trust are encouraged to provide smoke free homes or to take adequate steps to ensure, as far as is reasonably possible, that the children, young people and vulnerable adults in their care are not exposed to second-hand tobacco smoke.

6.10 Services commissioned by the Trust

The Trust's Duty of Care also extends to services commissioned by the Trust from external organisations on behalf of patients, clients and carers. All such organisations are expected to comply with the provisions of The Smoking (Northern Ireland) Order 2006.

7.0 Legislative Compliance, Relevant Policies, Procedures and Guidance

This Policy is consistent with the Trust's legal obligations with respect to the Smoking (Northern Ireland) Order 2006 and also the Health and Safety at Work (Northern Ireland) Order 1978, Article 4 of which states that employers "have a duty to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees".

New Tobacco Regulations, came into effect in Northern Ireland on 1 February, 2022 making it illegal to smoke in a vehicle when a child is present with penalties applying to both the smoker and the driver of the vehicle for breaching the new law.

The regulations also prohibit the sale of nicotine inhaling products or e-cigarettes to children and make it an offence to purchase, or attempt to purchase, such products on behalf of a child.

The Smoke free sites policy contributes to fire prevention and should be read in conjunction with the Fire safety and Arson prevention policy 2021

The policy is also informed by the following strategies:

- The Ten-Year Tobacco Control Strategy for Northern Ireland (2012)
[Ten year tobacco control strategy for Northern Ireland | Department of Health \(health-ni.gov.uk\)](https://www.health-ni.gov.uk/publications/ten-year-tobacco-control-strategy-for-northern-ireland-2012)
- Making Life Better- A Whole System Strategic Framework for Public Health 2013-2023
[Making Life Better - A Whole System Framework for Public Health 2013-2023 \(health-ni.gov.uk\)](https://www.health-ni.gov.uk/publications/making-life-better-a-whole-system-strategic-framework-for-public-health-2013-2023)
- Smoking and Vaping regulation NI
[Smoking and vaping regulations in Northern Ireland | nidirect](https://www.nidirect.gov.uk/articles/smoking-and-vaping-regulations-northern-ireland)

8.0 Equality & Human Rights Considerations

This policy has been screened for any equality implications for the 9 equality categories as required by Section 75 of the Northern Ireland Act 1998. The Trust has also taken into account the disability duties and its Human Rights obligations. No significant equality implications have been identified. As such the Policy has been screened out from necessitating a full equality impact assessment.

Any interference with the ability of smokers to smoke in the workplace is likely to be justified under paragraph 8(2) of the NI Human Rights Act – the Trust has also provided for exemptions in line with current legislative provisions and mitigating measures.

9.0 Sources of Advice & Further Information

Further advice and information regarding this policy document can be obtained from the Assistant Director of Promoting Wellbeing and the Head of Health Improvement. Guidance on the implementation of this policy is given in Appendix 2

Resources are available to support staff with the implementation of smoke free on SharePoint and the SHSCT website

[We Are Smoke Free | Southern Health & Social Care Trust \(hscni.net\)](https://www.hscni.net/We-Are-Smoke-Free)

[Smoke Free - Home](#)

These resources can be ordered by contacting Promoting wellbeing
PWB.Resources@southerntrust.hscni.net

Further information on the SHSCT Stop smoking services is available on the Trust website:

[Stop Smoking Services | Southern Health & Social Care Trust \(hscni.net\)](#)

Appendix 1

Stop Smoking Service

Free help to quit smoking is available for staff, patients, service users and the public through the Trust Stop Smoking Service. Clinics are offered across the Trust area.

See the Trust website for further information:

[Stop Smoking Services | Southern Health & Social Care Trust \(hscni.net\)](#)

[We Are Smoke Free | Southern Health & Social Care Trust \(hscni.net\)](#)

Stop Smoking Service:

Promoting Wellbeing Division

St Luke's Hospital

71 Loughgall Road, Armagh, BT61 7NQ

028 37564400

stop.smoking@southerntrust.hscni.net

Stop Smoking Service Referral Form

PATIENTS DETAILS:

Patient's Name:

Address & Postcode:

Home Telephone Number:

Mobile:

Date of Birth:

First Language:

Interpreter Required: YES/NO

GP Practice:

REFERRED BY:

Referrers Name:

Job title:

Work Address including Postcode:

Contact number:

Date of referral:

Additional Information

Please add any additional information which may be relevant for this referral

General Data Protection Regulation (GDPR)

I agree to be contacted and I understand that the information given is confidential and will only be used by the smoking cessation service.

Signed

Please return form to:

Stop Smoking Service

Promoting Wellbeing Department

St Luke's Hospital

71 Loughgall Road, Armagh, BT61 7NQ

t: 028 37 564400

e: stop.smoking@southerntrust.hscni.net

Appendix 2

Guidance for Managers and Staff

The Southern Health and Social Care Trust Smoke Free Policy applies to all staff.

1.0 GENERAL GUIDELINES

1.1 The Smoke Free Policy applies to patients, volunteers, residents, clients, service users, visitors and contractors. The Policy also applies to staff from other Trusts or organisations based in or using Southern Health and Social Care Trust facilities.

1.2 Staff are not permitted to smoke on SHSCT sites including all buildings, doorways/entrances, grounds, car parks and Trust vehicles and may only smoke during designated breaks in line with the current Trust arrangements. They should not be visible smoking in their uniforms.

1.3 Staff who experience difficulty in adjusting to the Smoke Free Policy should:

- Discuss the issue with their immediate line manager
- Access further support through the Specialist Smoking Cessation staff delivering Smoking Cessation Services.

1.4 Staff who wish to stop smoking can access appropriate support provided by the smoking cessation services funded by the Public Health Agency.

Refer to appendix 1 for contact details of the smoking cessation team.

1.5 The Smoke Free Policy must be brought to the attention of patients and relatives pre-admission (where possible) and following admission.

Patients' motivation to stop smoking should be assessed as soon as possible on or following admission.

1.6 Staff should use appropriate Brief Intervention skills to encourage patients to stop smoking. Training on these skills is provided by the Trust's Promoting Wellbeing Division.

1.7 The Stop Smoking pathway should be used to support assessment of smoking status and offer of Nicotine Replacement Therapy and stop smoking advice. Referral can now be made via email, telephone, electronic referral and the NI Electronic Care Record.

1.8 Patients wishing to quit smoking should be referred and signposted to the Stop Smoking Service (see contact details in Appendix 1).

1.9 Patients who wish to remain quit beyond discharge should be encouraged to engage with the Stop Smoking Service (see contact details in Appendix 1.)

2.0 DELIVERING SERVICES IN PATIENT/CLIENT HOMES

2.1 It is imperative that the Trust ensures that staff delivering services within patients/clients' homes are protected from second-hand tobacco smoke.

2.2 Staff delivering home-based services should inform clients of the Trust's Smoke free Policy and ask the client and/or carers to refrain from smoking for the duration of the visit and up to one hour prior to their visit where possible.

2.3 Staff should contact their line manager if difficulties arise should the patient/client continue to smoke whilst they are present.

3.0 GUIDANCE ON SMOKING IN RESIDENTIAL NURSING AND CARE HOME SETTINGS

Refer to RQIA guidance on Smoking in Residential Nursing and care Home settings.(2017)

3.1 RQIA Guidance on Service Users Smoking in Residential Care and Nursing Homes (2017) outlines the following principles that should be adopted for service users who wish to smoke:

- a. A risk assessment must be carried out for each service user who wishes to smoke;
- b. Service users must only smoke in rooms or areas which are designated for that purpose;
- c. The safety of service users must take precedence over stated preferences;
- d. Smoking arrangements for staff and members of the public must comply with the Smoke Free Regulations (Northern Ireland) 2007.

3.2 Risk assessments:

- a. Must be carried out for each service user who wishes to smoke;
- b. Must be carried out by someone with sufficient understanding of the service user's needs and of the wider impact on fire and health and safety;
- c. Must be carried out in partnership with the service user and any other relevant persons, including families, relatives and visiting friends. Their involvement and cooperation is key in the effective management of safe smoking practices;
- d. Must consider the service user's physical ability and mental capacity to undertake smoking activities safely.

- e. Must give particular consideration to service users with specific needs, including those with dementia or a learning disability, who smoke, as they may be at increased risk;
- f. Must consider the interaction between service users who smoke, and the potential for the sharing of smoking materials;
- g. Must consider the risks to other service users and other occupants of the building, including staff;
- h. Must identify the physical precautions as well as the management arrangements such as appropriate level of supervision necessary to ensure that the service user can smoke without presenting danger to themselves or others;
- i. Must be reviewed regularly i.e. when there is a change in needs, and at least annually

3.3 Smoking areas in Residential Nursing / Care Homes:

Any designated rooms provided in Residential nursing of Care home settings need to meet certain criteria:

- a. Has been designated in writing by the person in charge of the premises in which the room is situated as being a room in which smoking is permitted;
- b. Has a ceiling and, except for doors and windows, is completely enclosed on all sides by solid, floor-to-ceiling walls;
- c. Does not have a ventilation system that ventilates into any other part of the premises (except any other designated room) or other premises;
- d. Does not have any door that opens onto smoke-free premises which is not mechanically closed immediately after use; and
- e. Is clearly marked as a room in which smoking is permitted;

4.0 Supported Living settings

Within supported living settings balance is needed between allowing people to smoke in their own residential space and protecting others from exposure to second-hand smoke, including other residents and the people who work in the facility. Individual risk assessment should be undertaken with residents wishing to smoke. considering the health and safety risks to other occupants of the building, including staff.

A room may be designated as a smoking area provided it meets the following criteria:

- a. Has been designated in writing by the person in charge of the premises in which the room is situated as being a room in which smoking is permitted;

- b. Has a ceiling and, except for doors and windows, is completely enclosed on all sides by solid, floor-to-ceiling walls;
- c. Does not have a ventilation system that ventilates into any other part of the premises (except any other designated room) or other premises;
- d. Does not have any door that opens onto smoke-free premises which is not mechanically closed immediately after use; and
- e. Is clearly marked as a room in which smoking is permitted;

Appendix 3 Penalties and Fines

Penalties for not complying with Smoke Free Legislation are outlined within the smoking and Vaping Regulations for Northern Ireland:

[Smoking and vaping regulations in Northern Ireland | nidirect](#)

Since 1 February 2022, to further protect children and young people from the dangers of second-hand smoke, it is an offence to smoke in a 'smoke-free' private vehicle. A private vehicle is smoke-free if all of the following conditions are met:

- it is enclosed

and

- more than one person is in the vehicle

and

- someone under the age of 18 is in the vehicle

A vehicle is still enclosed even if the windows are down and/ or the doors are open.

The fixed penalty notices and maximum fines for each offence are:

- Smoking in smoke-free premises, work vehicles or smoke-free private vehicles: a fixed penalty notice of £50 (reduced to £30 if paid in 15 days) for the person smoking, or a maximum fine of £1,000 if prosecuted and convicted by a court
- Allowing smoking in a smoke-free place or work vehicle if you have management responsibilities: a maximum fine of £2,500 if prosecuted and convicted by a court
- A driver allowing smoking in a smoke-free private vehicle: a fixed penalty notice of £50 for the driver, or a maximum fine of £2,500 if prosecuted and convicted by a court

- Failure to display no-smoking signs: a fixed penalty notice of £200 (reduced to £150 if paid in 15 days) for whoever manages or occupies the smoke-free premises or work vehicle, or a maximum fine of £1,000 if prosecuted and convicted by a court
- Selling tobacco products or nicotine inhaling products (including e-cigarettes/vapes) to a person under the age of 18: a fixed penalty notice of £250, or a maximum fine of £5,000 if prosecuted and convicted by a court
- An adult buying, or attempting to buy, tobacco products or nicotine inhaling products (including e-cigarettes/ vapes) on behalf of a person under the age of 18: A fixed penalty notice of £250, or a maximum fine of £5,000 if prosecuted and convicted by a court

Local councils are primarily responsible for giving advice and enforcing the smoke-free regulations and tobacco/ nicotine age of sale restrictions in Northern Ireland.