



POLICY AND RESOURCES SCRUTINY COMMITTEE – 15TH APRIL 2014

SUBJECT: NO SMOKING POLICY

**REPORT BY: ACTING DIRECTOR OF CORPORATE SERVICES AND SECTION 151
OFFICER**

1. PURPOSE OF REPORT

- 1.1 To seek recommendations and comments from Policy and Resources Scrutiny Committee on the Council's revised No Smoking Policy prior to referral to Cabinet for final approval.

2. SUMMARY

- 2.1 The Council has had a No Smoking Policy for a number of years. The Policy has been amended to take account of the introduction, and usage, of electronic cigarettes into the UK and to make it an employment policy. As a matter of urgency a new Smoke Free Premises policy will be developed.

3. LINKS TO STRATEGY

- 3.1 The new Policy links to the People Management Strategy and therefore to all other strategies, including all equality strategies, policies and procedures, that relies on employees to deliver the strategy and service provision.

4. THE REPORT

- 4.1 For a number of years the Council has had a No Smoking Policy. It is proposed to amend the current Policy to take account of the introduction, and usage, of electronic cigarettes in the UK.
- 4.2 In view of the lead established by Welsh Government and Aneurin Bevan Health Board and in line with the stance taken by other local authorities, Caerphilly has decided to treat electronic cigarettes in the same way as conventional cigarettes and prohibit their use on Council premises and in Council vehicles. In fact, Welsh Government has recently announced its intention to bring forward legislation in the near future to treat electronic cigarettes in the same way as conventional cigarettes.
- 4.3 This stance is supported by the Corporate Health and Well-being Group and the Corporate Health and Safety Manager. In amending the policy in this way it also supports the Council's position as a Gold Standard award winner of the Welsh Government's Corporate Health Standard.

- 4.4 Furthermore officers have also taken the opportunity, at this time, to undertake a thorough review of the current policy with a view to making it an employment policy to prevent smoking by Council employees and Agency Workers. There is an urgent need to amend the current policy because of a number of incidents with employees wishing to use electronic cigarettes within Council premises. Colleagues within Public Protection and Health and Safety have been consulted on the introduction on this new policy. In addition a new Smoke Free Premises Policy will be developed as a matter of urgency by colleagues from within Public Protection, in conjunction with all other relevant interested parties.
- 4.5 The Council's recognised trade unions have been consulted and they were supportive of the decision to include electronic cigarettes within the Policy.

5. EQUALITIES IMPLICATIONS

- 5.1 The draft Policy has been equality impact assessed and no issues have been identified.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no financial implications of introducing this Policy.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications of introducing this Policy.

8. CONSULTATIONS

- 8.1 The Report reflects the views of the Consultees listed at the end of the Report.

9. RECOMMENDATIONS

- 9.1 That Scrutiny members consider the contents of the Report and Draft No Smoking Policy, and make a recommendation to Cabinet for adoption of the Policy.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 The introduction of a revised No Smoking Policy will
- help ensure a healthier work environment for the Council's employees
 - ensure compliance with legislation
 - help meet the Council's stated objective of being a good employer.

11. STATUTORY POWER

- 11.1 Local Government Act 1972
Local Government Act 2000
Employment Act 2008

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HR Service Manager (Customer Services)
HR Service Manager (Strategy and Operations)

HR Managers
Acting Director of Corporate Services
Interim Monitoring Officer
Environmental Health Manager
Senior Policy Officer (Welsh Language and Equalities)
Council's Recognised Trade Unions
Corporate Health and Safety Manager

Appendices:

Appendix 1 Draft No Smoking Policy