



| POLICY/PROCEDURE INFORMATION (Policy no HR011) | |
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| Subject | Smoking Policy <i>(This policy is non-contractual and is subject to periodic review and will be amended according to service development needs).</i> |
| Applicable to | All staff and volunteers of Nottinghamshire Hospice |
| Target Audience | Others such as agents, consultants and other representatives of Nottinghamshire Hospice may be required to comply with the policy as a condition of appointment. |
| Date issued | 30 Jan 2024 |
| Next review date | 30 Jan 2026 |
| Lead responsible for Policy | Director of People Services |
| Policy reviewed by | Director of People Services & Director of Care |
| Notified to (when) | Strategy and Corporate Governance Committee 30 Jan 2024 |
| Authorised by (when) | Strategy and Corporate Governance Committee 30 Jan 2024 |
| CQC Standard if applicable | Caring, Well-led |
| Links to other Hospice Policies | Disciplinary Policy and Procedures HR024 Substance Misuse and Patients SOP022 |
| Links to external policies | |
| Summary | This policy aims to explain to all staff, visitors, patients and contractors their responsibilities under the Hospice's no-smoking policy. |
| This policy replaces | Smoking Policy HR011 2023 |

| VERSION CONTROL | | |
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| Status | Date | Reviewed date |
| Original policy written by Angela Bloomfield, HR Manager / Donna Payne, Director of Operations – Clinical Services | June 2015 | June 2017 |
| Policy reviewed by Donna Roberts, HR Manager | Nov 2017 | Nov 2019 |
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| Updated control sheet and published on Policy Doc App | Feb 2019 | |
| Updated staff and volunteers throughout policy | June 2020 | |
| Logo updated and uploaded to website | March 2021 | |
| Updated on Hospice website | Dec 2022, Jul 2023, Feb 2024 | |

| INDEX | | |
|----------------|---|-------------|
| Section | Contents Title | Page |
| 1. | Introduction | 4 |
| 2. | Definition | 5 |
| 3. | Policy Statement | 5 |
| 4. | Hospice Responsibilities | 5 |
| 5. | Staff, contractors, volunteers, patients and visitor responsibilities | 6 |
| 6. | Implementing the Policy | 6 |
| 7. | Patients who smoke and attend Day Therapy | 7 |
| 8. | Caring for patients who smoke in their own home | 7 |

| APPENDICES | | |
|-------------------|---------------------------------|-------------|
| Appendix | Appendix Title | Page |
| 1. | Retail Smoking Procedures | 10 |
| 2. | Designated Smoking Area Signage | 11 |

1. **Introduction**

There is irrefutable evidence that passive smoking can cause an increase in the risk of lung cancer and has acute irritant effects on the eyes, throat and respiratory tract, and can aggravate asthma. Research also suggests a possible link with heart disease and dangers to the unborn child. Evidence shows that ventilation does not provide a solution to eliminating the health risks associated with secondhand smoke. From 1 July 2007, the Health Act 2006 protects all people in virtually all enclosed or substantially enclosed public places, workplaces, public vehicles and work vehicles, from the harmful effects of secondhand smoke.

Although electronic cigarettes (e-cigarettes, vapourisers, vapes, Mods) contain nicotine but no tar, it is assumed that they are less harmful than tobacco products. However, until extensive long-term research proves conclusively that e-cigarettes / vaping are not harmful to the user, or to other persons who may inhale the expired vapour, the use of electronic / vapour cigarettes shall be treated the same as smoking cigarettes or other tobacco products. Users will need to use electric cigarettes in line with this policy.

From 1 July 2007 it is an offence:-

- To smoke in smoke-free premises and vehicles
- For those who control or manage smoke-free premises or vehicles to fail to prevent smoking in the premises of vehicles; or
- For people who occupy or manage smoke-free premises or vehicles to not display the required no-smoking signs at the premises or within the vehicle.

The Health Act 2006 gives local councils and port authorities' powers to issue penalties and fines to employers and staff and volunteers/visitors if they commit an offence.

2. **Definitions**

Enclosed public spaces – Premises will be considered to be enclosed if they have a ceiling or roof and, except for doors, windows or passageways, are wholly enclosed, whether on a permanent or temporary basis.

Substantially enclosed public spaces – Premises will be considered to be substantially enclosed if they have a ceiling or roof, but have an opening in the walls, which is less than half of the total area of the walls. The area of the opening does not include doors, windows or any other fittings that can be opened or shut.

Smoking – the inhalation of the smoke of burning tobacco or other substances (legal and illegal) encased in cigarettes, e-cigarettes, cigars, pipes and other means of inhaling tobacco, nicotine or other herbal materials.

3. **Policy Statement**

This policy applies to all persons on Nottinghamshire Hospice sites, or places where the Hospice runs its businesses.

Nottinghamshire Hospice operates a strict no-smoking policy including e-cigarettes. Smoking is absolutely prohibited inside any of its premises or in its immediate vicinity or any company vehicles and applies to staff, volunteers, visitors and contractors. Staff that fail to comply with this policy will be treated as misconduct and as such may lead to formal action in accordance with the Hospice's disciplinary policy and procedure.

Due to the nature of the life limiting conditions of our patients, Nottinghamshire Hospice recognises that prohibiting their ability to smoke may also remove their access to Hospice Wellbeing and Therapy Services. Therefore adjustments have been made to allow these individuals to smoke/vape outside the building without impacting on others.

This policy has been developed to protect all staff and volunteers, service users and visitors from exposure to second-hand smoke and to ensure the hospice is compliant with the Health Care Act 2006.

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| <p>4.</p> | <p>The Hospice’s Responsibilities</p> <p>Nottinghamshire Hospice will:</p> <ul style="list-style-type: none"> • Communicate the smoking policy to all staff and volunteers and visitors at any Hospice premises • Display the appropriate signage at all entrances to Hospice premises and in any company vehicle • Take disciplinary action against any staff and volunteers that does not comply with this policy • Give full consideration to offering support to staff who wish to give up smoking. • Make arrangements within the Hospice grounds for patients who continue to smoke/vape |
| <p>5.</p> | <p>Staff, Volunteers, Contractors, Patients and Visitor’s Responsibilities</p> <ul style="list-style-type: none"> • You must comply with the legislation • It is your duty to report to the employer anyone who is breaking the law, irrespective of who they are • All vehicle owners who volunteer the use of their vehicles for transportation of patients will not smoke in them, or allow anyone else to smoke • Staff will not smoke in their own car on Hospice premises. |
| <p>6.</p> | <p>Implementing the No Smoking Policy</p> <p>A statement regarding the Hospice’s no-smoking policy will be included in all job adverts and job descriptions. New starters will be reminded about the location of the Smoking Policy via the Website and the N Drive policies and procedures folder.</p> <p>Smoking facilities are only provided on-site for patients and are clearly signposted</p> |

(Appendix 1).

Smoking breaks are permitted whilst on duty but they must be out of sight of the front of any Hospice premises.

Staff are expected to have consideration for local neighbours, and the community when smoking away from hospice premises. This includes where and how cigarettes are discarded.

When staff smoke in a public place (including in a car) they must ensure that they do not display a uniform, badge or any other means that they are associated with Nottinghamshire Hospice.

Appendix 2 summarises the guidance for Retail staff.

Staff that smoke should make every effort to not smell of smoke whilst on duty.

All staff and volunteers are expected to politely reinforce the Hospice's no-smoking policy in circumstances where they feel comfortable to do so.

Alternatively, they can refer any situation of smoking to a manager.

7. **Patients who Smoke & Attend the Hospice Site for Groups or Therapies Including Bereavement Services**

All patients and carers are made aware of the Hospice's no-smoking policy at the point of referral.

During assessment patients should be asked if they smoke. If they do, advice and support should be offered to help them abstain from smoking while receiving the Hospice's services.

If a patient breaches the no-smoking policy (by smoking in a non-designated area) the nurse or therapist responsible for the patient should be informed and the patient asked to stop smoking immediately. If the patient refuses the situation should be escalated to the Director of Care or their Deputy in their absence.

Patients who repeatedly breach the no-smoking policy will not be able to receive a service on the Hospice site.

Patients Smoking Provision

Patients who smoke/vape are identified at initial assessment and informed of the Hospice Policy.

If the patient wishes to smoke/vape while they are at the Hospice this will be outside, either in the garden or in the Summerhouse. (Smoking Shelter).

A risk assessment must be completed prior to the patient being taken outside.

Staff/volunteers will not stay in the smoking shelter with the patient due to the risks of passive smoking/vaping.

All smoking/vaping waste must be disposed of appropriately.

8. Caring for Patients who Smoke in Their Own Home

As an employer we have an obligation to provide and maintain a working environment that is, so far as is reasonably practical, safe and without risks to health.

Staff and volunteers working in the community have the right to work in a smoke-free environment.

Assessment of community patients includes identifying aspects of their lifestyle that is likely to place a challenge on the Hospice's service delivery of care e.g., smoking, pets and behaviours.

The Hospice cannot prevent or insist a patient and/or their family refrains from smoking in their own home. Patients and their families should be advised if their smoking is impacting on them receiving services and an offer should be made to discuss changes, they could make that will ensure their home is suitable for them to receive care e.g., not smoking prior to and during a visit by staff caring for them.

For people who are smoking in their own homes - Patients (or their families/carers) must ensure that rooms are ventilated for at least 20 minutes prior to staff attending to deliver care.

If smoking continues and/or rooms are not ventilated staff must remove themselves to a safe space and contact the clinical on call for advice.

A risk assessment may be required for homes where smoking takes place. Staff can contact the registered nurse on duty for advice.

The HNSS service can be utilised for sessional visits following a risk assessment.

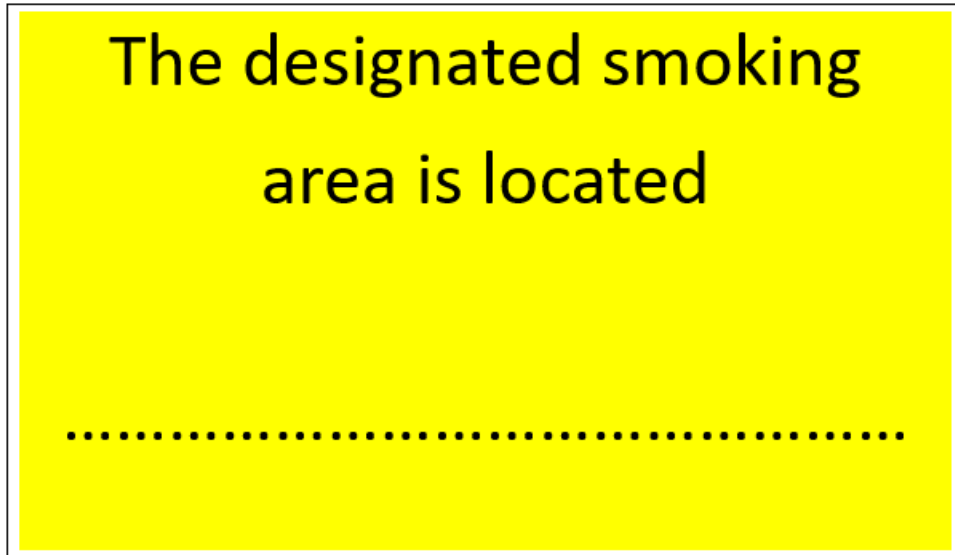
If a member of staff suspects that illegal substances are being smoked in the patient's home then advice from the clinical on call must be taken immediately.

[Substance Misuse and Patients SOP022](#)

Staff working in a patient's home have the right to refuse to care for a person in a house where smoking is or has taken place. Staff must also take responsibility to discuss this on a pre-visit call where there is likely to be a refusal to provide services by a staff member.

Staff and volunteers have the right to choose to provide services to smokers in their own home; they should be reminded that there are risks and that they are responsible for the outcome of their decisions.

Designated Smoking Area Signage





Nottinghamshire Hospice Retail Smoking Procedures

We all have a responsibility to comply with the Hospice smoking policy, please see attached copy. To facilitate a safe environment, we are putting some additional Shop procedures in place.

- Smoking breaks are permitted whilst on duty, but they must be out of sight of the front of any Hospice premises.
- Shops will have a designated smoking area and a sign will be on display in the shop, detailing where this is.
- Staff are expected to have consideration for local neighbours, and the community when smoking away from hospice premises. This includes where and how cigarettes are discarded.
- Cigarettes must be disposed of in a safe manner to ensure there is no risk of fire and a metal container filled with sand will be supplied. Shop managers are responsible for ensuring this is kept clean and restocked with sand.
- Where staff smoke in a public place (including in a car) they must ensure that they do not display a uniform, badge or any other means that they are associated with Nottinghamshire Hospice.
- Staff that smoke should make every effort to not smell of smoke whilst on duty.