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**SMOKE FREE POLICY**  
**Version: 3.2**

Designation of Policy Author(s)	Patient Facilities Manager
Policy Development Contributor(s)	Head of Audit and Effectiveness, Head of Patient Experience, Matron for Maternity
Accountable Director(s)	Director of Nursing and Midwifery
Ratified By (Committee / Group)	Safety Senate
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Target audience	Trust Wide

The Trust is committed to a duty of candour by ensuring that all interactions with patients, relatives, carers, the general public, commissioners, governors, staff and regulators are honest, open, transparent and appropriate and conducted in a timely manner. These interactions be they verbal, written or electronic will be conducted in line with the NPSA, 'Being Open' alert, (NPSA/2009/PSA003 available at [www.nrls.npsa.nhs.uk/beingopen](http://www.nrls.npsa.nhs.uk/beingopen) and other relevant regulatory standards and prevailing legislation and NHS constitution)

It is essential in communications with patients that when mistakes are made and/or patients have a poor experience that this is explained in a plain language manner making a clear apology for any harm or distress caused.

The Trust will monitor compliance with the principles of both the duty of candour and being open NPSA alert through analysis of claims, complaints and serious untoward incidents recorded within the Ulysses Risk Management System.

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## **1 Executive Summary**

### **1.1 Policy Scope**

- i. This policy is relevant to all Liverpool Women's Hospital NHS Foundation Trust employees, contractors, volunteers, students, work experience participants, patients and visitors.

## **2 Introduction**

- i. Smoking is not permitted inside any of the Trust buildings; in addition staff, contractors, volunteers, visitors or patients are not permitted to smoke anywhere on Trust Premises, including grounds, car parks and out-based Community locations. This includes the use of nicotine containing products including electronic cigarettes. The Trust is committed to ensuring a safe and healthy environment for its employees and service users and acknowledges that breathing other people's tobacco smoke is both a public health hazard and a welfare issue.

## **3 Policy Objectives**

- i. Comply with legislation effective 1st July 2007
- ii. Prevent the nuisance and health risks associated with tobacco and all other products used when smoking.
- iii. Support the government's strategy for smoke-free hospitals
- iv. Promote Liverpool Women's NHS Foundation Trust and its staff as leaders in good health promotion practice.
- v. Support a cleaner environment.
- vi. Actively promote the health of children in a smoke free environment.
- vii. Assist staff members to stop smoking
- viii. Comply with NICE guidance on workplace interventions to promote smoking cessation

## **4 Duties / Responsibilities**

### **4.1 The Trust**

- i. The Trust has a responsibility to comply with smoke-free legislation introduced 1st July 2007, to promote healthier lifestyles and provide a healthy working environment for all employees. Alongside other NHS Service providers we are committed to maintaining a smoke free site for everyone. In addition the Trust is responsible for ensuring the policy is reviewed periodically in conjunction with Staff Side Colleagues.
- ii. The Trust has a responsibility to be responsive to individual needs and preferences. Where feasible, and where there is sufficient demand the Trust will provide stop smoking support.
- iii. Cigarettes and other smoking materials will not be sold on Trust premises.
- iv. E-cigarette batteries will not be charged on Trust premises, Incidents have been reported across the country involving electronic cigarettes that have exploded or ignited while re-charging.

## 4.2 Managers

- i. Managers are responsible for the day to day implementation of this policy and ensuring that there are no breaches of the policy or relevant Smoke Free or Health and Safety Legislation.
- ii. It is important that Managers make staff aware that breaches (see appendix 1) of the Smoke Free Policy will lead to disciplinary action and that breaches of Smoke Free legislation could lead to a local authority fine or potential criminal prosecution. Furthermore breaches in Health and Safety Legislation could incur penalties from the Health and Safety Executive.
- iii. Managers should encourage employees to access stop smoking services whilst maintaining trust business and activities.
- iv. Managers should allow time off, at a suitable time, to attend on site smoking cessation sessions. This will be agreed at the discretion of each individual's line manager.
- v. All Managers will be expected to comply and promote this policy in all areas of the Trust grounds, this includes car parks and entrances.

## 4.3 Trust employees

- i. All staff, contractors, and volunteers are expected to fully adhere to the policy. Non-smoking members of staff are asked to be supportive of their colleagues who may be affected by the enforcement of this policy. Failure to adhere to this policy will be treated seriously and will lead to disciplinary action.
- ii. Smoking breaks are not provided by the Trust. Employees who choose to smoke may only do so during unpaid breaks, and must leave Trust premises. Staff who do smoke off site within working hours must have their uniform fully covered and not visible and their ID badge must be fully covered or this will lead to disciplinary action. This includes staff who smoke electronic cigarettes within working hours off site. All staff must take responsibility for appropriate disposal of cigarette butts in litter bins provided.
- iii. All staff has a role as health educators particularly those involved in clinical care and should lead by example by being a positive role model to patients.
- iv. All staff, contractors and volunteers will be expected to comply and promote this policy in all areas of the Trust grounds this includes car parks and entrances.
- v. Trust employees should inform people that the Trust has a smoke free policy and that smoking is not permitted anywhere at any time. It is not expected that staff, contractors and volunteers should put themselves at any risk of abuse by someone who is smoking by doing this. It is therefore suggested that people's attention is merely drawn to the large number of no smoking signs in place around the Trust. See appendix 1
- vi. Should any member of staff have a complaint made against them for pointing out the Trust's smoke free policy to anyone who is smoking, they will have the Trust's full support for taking such action, which will be in compliance with this policy.
- vii. Employees are not permitted to smoke whilst in their own vehicle on Trust premises. This includes the use of electronic cigarettes and the charging of electronic cigarettes.

#### **4.4 Security team**

- i. The security team will be expected to comply, promote and support Trust staff in implementing the Smoke free policy in all areas of the Trust grounds, this includes car park and entrances
- ii. Should any member of the security staff have a complaint made against them for pointing out the Trust's smoke free policy to anyone who is smoking, they will have the Trust's full support for taking such action, which will be in compliance with this policy

#### **4.5 Patient Concierge**

- i. The Concierge team and volunteers will play a pivotal role in promoting the smoke free policy in particular at the main entrances.
- ii. Should the concierge or any of the volunteers have a complaint made against them for pointing out the Trust's smoke free policy to anyone who is smoking, they will have the Trust's full support for taking such action, which will be in compliance with this policy

### **5 Smoke Free Policy Information**

- i. The Trust grounds and premises are to be smoke free at all times, this include the use of electronic cigarettes, and the charging of electronic cigarettes.
- ii. All patients, parents, families, visitors, volunteers and staff must comply with this policy. Patients are informed on trust letter templates and advertised on social media sites including the trust website.
- iii. The Trust will endeavour to promote the Stop Smoking service as widely as possible using posters, leaflets etc.
- iv. Patients, parents, visitors, volunteers and contractors on site will be required to observe the requirements of this policy at all times.
- v. Signage that the trust is a Smoke Free organisation will be displayed at main entrances of the site.
- vi. This policy also applies to Liverpool Women's NHS Foundation Trust employees working at premises not owned by the Trust.
- vii. Staff are advised not to smoke whilst on duty in paid time anywhere on Trust premises including grounds, car parks and out-based community locations. This includes the use of electronic cigarettes, and the charging of electronic cigarettes.
- viii. Staff wishing to smoke must leave the Trust premises, including entrances to the Trust and ensure that their uniforms and identity badges are completely concealed from public view.
- ix. Staff who is seen smoking on site will be dealt with in accordance with Trusts disciplinary procedures. This includes the use of electronic cigarettes and the

charging of electronic cigarettes. An initial breach of the policy will be dealt with informally with Occupational Health, to allow the individual employee to stop smoking during working hours. Subsequent breaches of the policy may lead to formal disciplinary action being taken in line with the Trust's Disciplinary and Health and Safety Procedures; particularly if the offer of support to stop smoking has been rejected. Whilst staff are encouraged to draw people's attention to No Smoking signs and ask them to put any cigarettes out, they should not put themselves at any risk of abuse by someone who is smoking. Staff will not be disciplined for failure to inform patients, clients and visitors, including contractors that the Trust has a smoke free policy and that smoking is not permitted anywhere and at any time.

- x. This policy will be brought to new employees' attention in job advertisements, job descriptions and be referred to during the induction programme. It will also form part of Trust contracts of employment.
- xi. Information concerning the health and anti-social aspects of smoking and passive smoking together with advice for smokers who wish to give up will be provided at all opportunities during health promotion awareness events, additional information can also be found on the Intranet.
- xii. This policy will be made available on the intranet site for all staff to access.
- xiii. The Trust will support smokers who wish to give up via Smoke Free Liverpool – telephone number 0151 374 2535
- xiv. The Trust will support patients who wish to stop smoking by offering the following help The Trust will offer support via the Liverpool Stop Smoking Service (SUPPORT). This will be in the form of home, inpatient visits, or clinic appointments if preferred. Patients can ask their midwife, GP, Health Visitor or Pharmacist for a referral, or they can directly contact the Stop Smoking midwife, on 07887581749 (Monday am or Wednesday pm), to access this service. The Stop Smoking midwife for Sefton can be contacted on 0786 755 4793. Advice and support will be offered to patients including the Hypnotherapy, NRT (Nicotine Replacement Therapy - subject to certain medical conditions)
- xv. Advice and support will be offered to staff including the following: Time off to attend Stop Smoking Support Sessions should be agreed in liaison with the line manager. This may require attendance at several sessions, during which hypnotherapy and acupuncture maybe on offer. Cost of NRT on prescription for up to eight weeks
- xvi. Smoking Cessation Support is available to Staff in accordance with Nice Guidance PHI5 (2007) Workplace Intervention to Promote Smoking Cessation<sup>5</sup> and to Vulnerable groups including children, pregnant mothers and visitors in guidance NICE PHO10 (2008).
- xvii. Smoking Cessation information from Fagends is available in the following languages. Urdu – 0800 169 0 881, Punjabi – 0800 169 0 882, Hindi – 0800 169 0 883, Gujarati – 0800 169 0 884, Bengali – 0800 169 0 885.

The cultural needs of the clients are taken into account by the Smoking Cessation Advisor, sessions are held in various locations should a person feel more comfortable accessing services within their own community.

The sessions are held in the Trust at a place and time arranged in partnership with the client and is convenient for them, the Trust is wheelchair accessible. If for some reason access is not available the advisor will arrange to meet in a suitable location which is accessible to the client.

## 6 Key Reference

- i. Free Agenda For Liverpool. Chester: Jon Dawson Associates
- ii. Christakopoulou, S., Dawson, K. (2004) Survey Of Second-Hand Tobacco Smoke In Liverpool Workplaces A Report For SmokeFree Liverpool Chester.: Jon Dawson Associates
- iii. ASH (2004) Factsheet No 7: Smoking, Sex And Reproduction. London
- iv. Hrubá, D, Katchlik, P. (2000) Influence Of Maternal Active And Passive Smoking
- v. Misra, P, Nguyen, R. (1999) Environmental Tobacco Smoke And Low Birth Weight: A Hazard In The Workplace? Environmental Health Perspectives Vol 107 pp 897-90
- vi. Statistics on NHS Stop Smoking Services in England, April 2005 to March 2006, the Information Centre.2006
- vii. Department of Health (1998). Smoking Kills: A White Paper on Tobacco. London:The Stationery Office.
- viii. Department of Health (2000). Coronary Heart Disease: National Service Framework for Coronary Heart Disease. London: Department of Health
- ix. www.smokefreeliverpool.com
- x.
- xi.

### 6.1 Main Enforcing Legislation

- i. Health Act 2006:
  - The Smoke-free (Premises and Enforcement) Regulations,
  - The Smoke-free (Signs) Regulations,
  - The Smoke-free (Exemptions and Vehicles) Regulations,
  - The Smoke-free (Penalties and Discounted Amounts) Regulations

## 7 Associated Documents

- i. Reporting and Managing Incidents Procedure
- ii. Health and Safety Policy
- iii. Disciplinary Policy and Procedure
- iv. Risk Management Strategy

## 8 Training

- i. Training will be required for managers on raising the issue of smoking with their staff.
- ii. Training for staff will also be required to support referrals for smoking cessation for patients, parents, families and visitors to the Trust.
- iii. Training will be required for Security/Concierge staff in delivering brief intervention messages to visitors, patients, and families regarding smoking
- iv. All trust staff receive training as part of mandatory training from the Stop Smoking Services.



## 9 Consultation, Communication and Implementation

Consultation Required	Authorised By	Date Authorised	Comments
Impact Assessment	C Farmer	12/10/16	
Have the relevant details of the 2010 Bribery Act been considered in the drafting of this policy to minimise as far as reasonably practicable the potential for bribery?	Yes		
External Stakeholders			
Trust Staff Consultation via Intranet	Start date: 11.01.2016		End Date: 31.01.16

Describe the Implementation Plan for the Policy (and guideline if impacts upon policy) (Considerations include; launch event, awareness sessions, communication / training via CBU's and other management structures, etc)	By Whom will this be Delivered?
This policy will be uploaded to the staff intranet and communicated via what's on this week and the Meditech Bulletin Board	Policy Officer

### Version History

Date	Version	Author Name and Designation	Summary of Main Changes
July 2017	V3.2	Patient Facilities Manager	Changes made by Experience Senate on 11.07.17 to remove reference to challenging to include advise people this is a no smoking site. Also, reference to community staff asking patients not to smoke in their homes 30 minutes before a visit Remove paragraph 5.xxi.
June 17	V3.1	Patient Safety Programme Manager	Changes to some text and punctuation
Jan 16	V3	Matron for Maternity	Policy updated for a Trust wide smoke free site, in line with smoke free guidance
Aug 08	V2	Patient Quality Manager	Policy review
Aug 07	V1	Patient Experience Manager	Policy Creation

## 9.1 Monitoring Compliance with the Policy

Describe Key Performance Indicators (KPIs)	Target	How will the KPI be Monitored?	Which Committee will Monitor this KPI?	Frequency of Review	Lead
Staff, Patients and Visitors to not breach this policy	100%	Incident Forms	Local Divisional Committees	Annual	Risk Lead for the Division
No Smoking Shelters on Trusts grounds	100%	Incident Forms	Local Divisional Committees	Annual	Risk Lead for the Division

## 9.2 Performance Management of the Policy

Who is Responsible for Producing Action Plans if KPIs are Not Met?	Which Committee Will Monitor These Action Plans?	Frequency of Review (To be agreed by Committee)
Author of the Policy	Patient Experience Senate	Annual

## 10 Appendices

### 10.1 Appendix 1

Breaches of the policy by staff	Breaches of the policy by visitors	Breaches of the policy by patient
<p>Staff wishing to smoke must leave the Trust premises including entrances to the Trust and ensure that their uniforms or identity badges are concealed from public view.</p> <p>1. Approach the person and inform them in a calm and pleasant manner that following Smoke free legislation introduced on 1<sup>st</sup> July 2007 the Trust is a no smoking site; this includes the use of electronic cigarettes. This includes our car park and grounds as smoke can be blown into ward areas and affect our patients</p> <p>2. Request that the person stop smoking, ask for their name and ward / dept, where they work.</p>	<p>1. If you feel safe and confident to do so, Approach the person and inform them in a calm and pleasant manner that following Smoke free legislation introduced on 1st July 2007 the Trust is a no smoking site, this includes the use of electronic cigarettes This includes our car park and grounds as smoke can be blown into ward areas and affect our patients</p> <p>2. Request that the person stop smoking and give directions to the nearest exit off site if they want to continue to smoke.</p> <p>3. If they continue to smoke on Trust Property, you can politely ask them to leave the premises. Continued non compliances should be reported to the Security Desk. Security to obtain details of which area/department they are attending / staying and report to ward</p>	<p>1. If you feel safe and confident to do so, Approach the person and inform them in a calm and pleasant manner that following Smoke free legislation introduced on 1st July 2007 the Trust is a no smoking site, this includes the use of electronic cigarettes. This includes our car park and grounds as smoke can be blown into ward areas and affect our patients</p> <p>2. Request that the patient stop smoking and return to the ward / dept.</p> <p>3. If they continue to smoke, explain that this is a Trust policy that they must comply with, and emphasise that the aim is to protect the health of patients, visitors and staff.</p> <p>4. Discuss with patient regarding a referral to Smoking Cessation Young Person's advisor for</p>

<p>3. Details of the incident should be reported to your Line Manager, Staff Health and Wellbeing Lead and Governance Facilitators using the Trust's Incident Reporting Procedure.</p> <p>4. The Manager of the member of staff breaching the policy will advise the staff member that this will now result in disciplinary action against them.</p>	<p>Manager.</p> <p>4. Details of the incident should be reported to your Line Manager, and Governance Facilitators using the Trust's Incident Reporting Procedure.</p> <p>5. In addition if at any time the person(s) become verbally abusive or aggressive, security and/ or the police should be notified as soon as possible. The police should only be called by security if they believe that the situation may lead to aggression.</p> <p>6. The ward manager will liaise with security to achieve outcomes</p> <p>7. Health promotion practitioner/Head of Patient Experience to speak to family with support from security/ward manager. A letter from the executive team will be given to the person involved and the health promotion practitioner will complete an incident form outlining processes taken.</p> <p>8. If the situation further persists a nominated Trust senior office will meet with the family to agree action.</p>	<p>additional support.</p> <p>5. If the person becomes verbally abusive or aggressive, the Violence &amp; Aggression Policy must be followed.</p> <p>6. Details of the incident should be reported to your Line Manager and Governance Facilitators using the Trust's Incident Reporting Procedure.</p> <p>7. The Consultant/Doctor of the patient should be informed to consider the most appropriate action, through discussion with the individual patient and parents.</p>
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## 11 Initial Equality Impact Assessment Screening Tool

<b>Name of policy/ business or strategic plans/CIP programme:</b> <b>SMOKE FREE POLICY</b>	<b>Details of policy/service/business or strategic plan/CIP programme, etc.:</b> Smoking is not permitted inside any of the Trust buildings; in addition staff, contractors, volunteers, visitors or patients are not permitted to smoke anywhere on Trust Premises, including grounds, car parks and out-based Community locations. This includes the use of nicotine containing products including electronic cigarettes. The Trust is committed to ensuring a safe and healthy environment for its employees and service users and acknowledges that breathing other people's tobacco smoke is both a public health hazard and a welfare issue.	
<b>Does the policy/service/CIP/strategic plan etc. affect (please tick)</b> Patients <input type="checkbox"/> Staff <input type="checkbox"/> Both <input checked="" type="checkbox"/>		
<b>Does the proposal, service or document affect one group more or less favourable than another on the basis of:</b>	<b>Yes/No</b>	<b>Justification/evidence and data source</b>
Age	No	This policy applies to patients, visitors and staff to the Trust regardless of their possession of one or more protected characteristic.
Disability: including learning disability, physical, sensory or mental impairment.	No	
Gender reassignment	No	
Marriage or civil partnership	No	
Pregnancy or maternity	No	
Race	No	
Religion or belief	No	
Sex	No	
Sexual orientation	No	
<b>Human Rights – are there any issues which might affect a person's human rights?</b>		<b>Justification/evidence and data source</b>
Right to life	No	Article 1 of the UK Human Rights Act of 1998 states that: <i>"everyone's right to life shall be protected by law."</i>  The Charter of Fundamental Rights of the European Union, signed in 2000, states that: "every worker has the right to working conditions which respect his or her health, safety and dignity."  Article 8 of the Universal Declaration of
Right to freedom from degrading or humiliating treatment	No	
Right to privacy or family life	No	
Any other of the human rights?	No	

		<p>Human Rights provides for the right to a private life. This is referred to as a 'qualified right', meaning it does not override the protection of the health and freedom of others.</p> <p>Tobacco smoke is a Class A carcinogen, and exposure to second-hand smoke causes direct harm to non-smokers. Therefore, under the legislation the right to work or be treated in a hospital (or community centre) that has not been polluted by a Class A carcinogen outweighs any perceived right to smoke</p>
<p>EIA carried out by: Jaqueline Parry</p> <p>Quality assured by: Cheryl Farmer</p>	<p>Date 22.09.2016</p> <p>12/10/16</p>	<p>Contact details of person carrying out assessment. Jacqueline Parry Clinical Audit and Effectiveness Facilitator</p>