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**Policy:** **No Smoking**  
**Policy number:** **11.02**

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### ***1. Policy Statement***

The subject of Smoking is a highly contentious issue. This policy has been developed to protect our workforce and all of those who visit our premises and use our services from the well-known detrimental effects of exposure to second hand smoke. We also want to make sure we are complying with the requirements of the Health Act 2006<sup>1</sup>. Smoking and exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Given the nature of our work we are keen to offer help and support to any member of our workforce and patients to help them give up smoking.

The use of e-cigarettes and vapes falls outside the scope of “smoke free” legislation. However, we consider the use of e-cigarettes and vapes as smoking and whilst the long-term health risks of e-cigarettes are still unknown, we intend to make every effort to promote a healthy environment by restricting the use of e-cigarettes to Ward patients only.<sup>2</sup>

For safety reasons (theirs and ours) ***patients can't smoke tobacco anywhere***, but we will make provision for patients to use e-cigarettes in their rooms.

Some people may consider this a deprivation of rights and dignity but the law is clear that the rights of the workforce are paramount and this **must and will** outweigh the rights and autonomy of any one individual, even a patient.

To clarify, this policy of No Smoking extends to the entire Hospice in the Weald estates and premises internally and externally and includes all tobacco and nicotine based products, including vapes and e-cigarettes.

#### Applicable areas

The smoke free legislation covers all areas of Hospice in the Weald<sup>3</sup>, this includes the hospice building and grounds in Pembury, the Cottage Hospice, shops, warehouses and any hospice vehicles including vans. Sitting rooms, dining areas, reception areas, corridors and all other communal areas which are enclosed places and structures which are ‘substantially enclosed’ are legally required to be smoke free. In addition, work vehicles used by more than one person also must be smoke free. ***There is only one exception***, the shelter (in the front car park at Pembury and the shelter in the grounds of the Cottage Hospice) which is signposted “**Visitors Designated Smoking Shelter**”, all other areas are no smoking areas. People in our workforce cannot use these shelters. Only those visiting a patient ***on the ward*** or Cottage Hospice may use the shelter and this is because of the lengthy visiting times they may spend there.

## **2. Related policies, guidelines and procedures**

Fire Safety	9.02
Risk Management	9.08

## **3. Responsibility and Accountability**

Policy review:	Hospice Leadership Team
Approval:	Chief Executive
Compliance:	All staff and volunteers

## **4. Relevant Dates**

Policy originated:	August 2003
Date of last review:	July 2015
Date of this review:	January 2024
Date of next review:	January 2025 (Due to legislation changes)

## **5. Patients**

We want to do everything to promote a healthy environment at HitW. We do understand some patients who come into our care either in the Ward, Cottage Hospice or in the Living Well or HOS services may be smokers. However, because we want to consider the majority and because we know smoking is detrimental and harms other people, ***we do not permit patients under our care and in our buildings to smoke***. We will make every effort to prepare and support our patients by working with their GPs if needed in providing prescriptions for nicotine replacement therapies (NRT) e.g. nicotine patches. These forms of treatment can be routinely offered to all patients who need them at their first Hospice Appointment.

Patients on the ward or at Cottage Hospice can use e-cigarettes in their bedroom. Their visitors cannot. Since the long-term effects of secondhand inhalation from e-cigarettes are not known, the patient's room must be well ventilated before the provision of their care.

Prior to admission to the ward, cottage hospice or their introductory day in the Hospice Living Well, patients who smoke must be informed by the HOS nursing staff of this policy.

## **6. Staff and volunteers working in HOS**

Smoke free legislation covers place of work and any vehicles used for work. A private dwelling is not considered to be a workplace and is exempt from workplace legislation. However, we have a duty to protect the health of our workforce and must rely on the full understanding of the patient and their family. If a staff member or volunteer is concerned about exposure to secondhand smoke and their health, they must tell their manager or volunteer coordinator who will take steps to reduce their exposure.

Patients and their families must be informed about our no smoking policy and why staff and volunteers need to work in a smoke free environment. They must be made aware that they will need to provide a well-ventilated smoke free space in the home, and not smoke during any visits by HitW staff or volunteers. If they are not able to do this, then the staff member or volunteer must inform their manager

or volunteer coordinator who will negotiate with the patient and their family how best to meet their needs<sup>4</sup>.

## **7. The Visitors Designated Smoking Shelter**

Smoking is not permitted anywhere within the Hospice or its grounds apart from the visitors' designated smoking shelter in the car park or at the Cottage Hospice. Patients cannot use this shelter whilst under our care as they would require supervision by a member of the workforce. The workforce must not be exposed to cigarette smoke. Those family members or carers who are attending HDS are not to use this shelter. If Ward or Cottage Hospice visitors are staying overnight they should be respectfully reminded that they should restrict, whenever possible, the amount of times they go outside to smoke as they need to be let in and out of the building by a member of the workforce. If necessary, visitors can be reminded that we have a statutory duty to prevent smoking in a smoke free place. The same rules apply to the use of e-cigarettes.

## **8. Workforce**

We have a firm commitment to creating and maintaining a healthy environment and strongly believe that we should promote this to others by making sure no members of the workforce are seen smoking or using e-cigarettes where they can be identified as working for HitW.

1. We do recognise that some of our workforce wish to smoke or use e-cigarettes and we respect this – but we have very clear rules in place to make sure that, if they are smoking, they are not on or in Hospice premises (including fleet cars) or identifiable as someone who works for the Hospice (including own cars). Also, smoking and the use of e-cigarettes is only permitted during meal breaks: staff can manage their own break times in liaison with their manager, but additional smoking breaks are **NOT** permitted.
2. Staff and volunteers working for HOS who are visiting patients must not smoke or use e-cigarettes when on duty.

**All staff or volunteers who wear HitW uniform or wear HitW Lanyards need to be aware that they are ambassadors for the Hospice and therefore should not be seen smoking or using e-cigarettes**

Staff should note that breaches of these rules will be investigated and could result in disciplinary action being taken.

### **Support for the workforce**

Evidence suggests that nearly 70% of smokers would like to be able to give up smoking. We are very keen to provide support to any member of staff or volunteer who would like to give up smoking.

There is very useful guidance available via this link: <http://www.nhs.uk/smokefree> or by phone on 0300 123 1044. We are also able to access help and support through our Occupational Health provider.

**Managers, Heads of Service or Department, and Directors must take an active role in enforcing this policy and also talk to anyone who is looking for support.**

## **9. Electronic cigarettes (e-cigarettes)**

Electronic cigarettes are battery-operated products designed to deliver nicotine and flavour. They turn chemicals, including highly addictive nicotine, into an aerosol that is inhaled by the user.

Currently in the UK, smoke free law applies only to substances that are lit and can be smoked. As electronic cigarettes do not create smoke, they do not fall under this legislation however Hospice in the Weald has decided to treat e-cigarettes in the same way as ordinary cigarettes. Their use is not permitted outside of the Visitors Designated Smoking Shelter, except by patients in their own room as highlighted above and not in the Hospice buildings or vehicles.

The use of e-cigarettes or vapes that are of a single use plastic will be illegal in the coming months (as of writing Jan 2024) through sustainability legislation on the inappropriate use and disposal of single use plastics.

## **10. References**

1. Health Act 2006 Accessed at [www.legislation.gov.uk/ukpga/2006/28/contents](http://www.legislation.gov.uk/ukpga/2006/28/contents) (27.07.20)
2. The regulation of e-cigarettes and vaping Accessed at [/www.gov.uk/government/collections/e-cigarettes-and-vaping-policy-regulation-and-guidance](http://www.gov.uk/government/collections/e-cigarettes-and-vaping-policy-regulation-and-guidance) (27.07.20)
3. Smoke free England. Accessed at <http://www.smokefreeengland.co.uk> (27.07.20)
4. NHS. Giving up smoking. Accessed at <http://www.nhs.uk/smokefree> (27.07.20)