

CALNE TOWN COUNCIL

SMOKEFREE POLICY

BACKGROUND

As from Sunday 1st July 2007 a new law is being introduced to protect employees and the public from the harmful effects of secondhand smoke.

Secondhand smoke is a serious health hazard, and there is no safe level of exposure. Everytime someone breathes in second hand smoke, they breathe in over 4,000 chemicals. Many are highly toxic. More than 50 are known to cause cancer.

Medical and scientific evidence shows that exposure to secondhand smoke increases the risk of serious medical conditions, such as lung cancer, heart disease, asthma attacks, childhood respiratory disease, sudden infant death syndrome (SIDS) and reduced lung function.

Scientific evidence also shows that ventilation does not eliminate the risks to health of second hand smoke in enclosed places. The only way to provide effective protection is to prevent people breathing in secondhand smoke in the first place. This is why the Government is introducing the new smokefree law.

It is estimated that the new law will save thousands of lives over the next decade, prevent serious diseases and help create cleaner and healthier enclosed environments for everyone to work in or visit.

The new law will be enforced by Local Councils, who will have the authority to appoint enforcement officers.

Failure to comply with the new law will be a criminal offence. Penalties and fines for smokefree offences are as follows:-

Smoking in smokefree premises or work vehicles

A fixed penalty notice of £50 imposed on the person smoking. Or a maximum fine of £200 if prosecuted and convicted by a court.

Failure to display no-smoking signs

A fixed penalty notice of £200 imposed on whoever manages or occupies the smokefree premises or vehicle. Or a maximum fine of £1,000 if prosecuted and convicted by a court.

Failing to prevent smoking in a smokefree place.

A maximum fine of £2,500 imposed on whoever manages or controls the smokefree premises or vehicle if prosecuted and convicted by a court.

ACTIONS REQUIRED TO COMPLY WITH THE LAW

To ensure compliance with the Law, Calne Town Council is required to:-

- Ensure no-smoking signs which meet the requirements of the new law are prominently displayed at all entrances to smokefree premises.
- Display no-smoking signs to all company vehicles.
- Ensure that all staff, customers, members or visitors are aware that the premises are legally required to be smokefree.
- Issue the Smoke Free Policy to all new employees at Induction.

ENFORCEMENT OF THE LAW

The Town Clerk will be responsible to ensure that the all premises owned by the Town Council become and remain smokefree areas.

This will be achieved by:-

- Informing all staff of the Smokefree Policy.
(Note: All Staff will be required to read and confirm they understand the Smokefree Policy – no staff members will be exempt on the grounds they are non-smokers).
- Adequate signage.
- Monitoring and recording that signage is in place and in good order.

However, if an employee or visitor smokes in any of the smokefree premises or vehicles, the following steps should be taken:-

- Draw the person's attention to the no-smoking signs and ask them to stop smoking.
- Point out they are committing a criminal offence by smoking in a smokefree premises or vehicle.
- Remind the person that under the law you have responsibilities to prevent smoking and that you could both receive a fine .
- If the person smoking continues to smoke, you can ask them to leave your premises. If an employee breaks the law, disciplinary action may be taken.
- Keep records of all smoking-related violations.

Frequently Asked Questions

Does the law just apply to cigarettes?

No, it covers all substances that a person can smoke. These include manufactured, hand-rolled and herbal cigarettes, pipes, cigars and water pipes. (including shisha, hookah and hubble-bubble pipes).

I share a work vehicle with another smoker, can we still smoke?

No, the law is designed to protect smokers and non-smokers from secondhand smoke.

Can I still have a staff smoking room?

No, but you can have an outdoor smoking shelter, although there is no requirement for you to do so. If a shelter is to be provided it must not be an 'enclosed' or 'substantially enclosed' structure.

At Calne Town Council, the Courtyard area at the rear of the building may still be used by smokers.

Stop Smoking Support

- Local NHS Stop Smoking Services – to find your local service call the NHS Smoking Helpline free on 0800 1690 169, visit gosmokefree.co.uk, text 'GIVE UP' and your full postcode to 88088 or ask at your local GP practice, pharmacy or hospital.