**Policy title: Smoke Free Policy**



**Policy Control**

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| **Policy reference:** | CS21 |
| **Title of Policy:** | Smoke Free Policy |
| **Version:** | 4 |
| **Directorate / Departmental ownership:** | Corporate Services/ Safety, Health and Emergency Planning |
| **Officer responsible:** | Kelly McNiff |
| **Date of ratification:** | 3 July 2017 |
| **Review date:** | April 2026 |
| **Equality screening and Rural Needs Impact Assessment completed by:** | C Moffett & K McNiff  |
| **Equality screening and Rural Needs Impact Assessment date:** | 20 June 2022 |
| **Location where document is held and referenced:** | Responsible Department [ ] Corporate Policy repository [x]  |

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| **1.** | **Title of policy** |
|  | Smoke Free Policy |
| **2.** | **Statement** |
|  | Smoking is prohibited throughout all Newry, Mourne and Down District Council (NMDDC) premises (workplaces and vehicles) with no exceptions and is only permitted at the designated smoking areas. |
| **3.** | **Aim** |
|  | The aim of this policy is to comply with the Smoking (Northern Ireland) Order 2006 in providing a smoke free environment for all employees, customers and visitors in all enclosed council facilities and vehicles within NMDDC and provide support to Elected Members and employees who smoke and/or wish to stop smoking. The use of Electronic cigarettes/vapourisors (e-cigarettes) is prohibited in Council premises and vehicles. |
| **4.** | **Scope** |
|  | The policy covers ALL users of Council premises and vehicles and the duties that apply to them in relation to compliance and enforcement of this policy. |
| **5.** | **Related policies and legislation** |
|  | NMDDC – Corporate Health and Safety PolicyNMDDC - Disciplinary & Dismissal Procedure December 2017 (came into effect July 2018) The Northern Ireland Local Government Code of Conduct for Councillors |
| **6.** | **Definitions** |
|  | * Vehicles – council owned ‘fleet’ vehicles
* Users – include Elected Members, employees and those who hire or use Council facilities including contractors, agency workers, visitors and customers
* Electronic cigarettes (e-cigarettes)/ vapourisors – can be used as an aid to reduce or stop smoking, however they are not prescribed by the NHS. The activity of using an e-cigarette can also be referred to as ‘vaping’.
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| **7.** | **Department and Officer responsible** |
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| Directorate / Department | **Corporate Services/ Safety, Health and Emergency Planning** |
| Officer(s) responsible for developing the policy | **Kelly McNiff** |

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| **8.** | **Policy approval process** |
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| **Meeting** | **Date** |
| Strategy, Policy and Resources Committee  | 15 June 2017 |
| Monthly Council Meeting  | 3 July 2017 |

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| **9.** | **Review Date** |
|  | The policy will be reviewed in line with the Council’s agreed policy review cycle i.e. every 4 years (as per Council’s Equality Scheme commitment 4.31), or sooner to ensure it remains reflective of legislative developments. |
| **10.** | **Procedures and arrangements for monitoring the implementation and impact of the policy** |
|  | A separate procedure document is in place to ensure the on-going monitoring and implementation of this Policy and includes arrangements for the following:* Council premises and vehicles;
* Use of Nicotine Replacement Therapies (NRTs), Electronic Cigarettes (e-cigarettes)/ Vapourisors;
* Duties of all users; and
* Assistance for Elected Members/ Employees who smoke and/or wish to stop smoking.
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| **11.** | **Enforcement of this Policy**Breaches of the Policy by employees will be addressed through the relevant Council Disciplinary Policy and Procedures.Breaches of the Policy by Elected Members will be addressed through the Northern Ireland Local Government Code of Conduct for Councillors.Customers or Visitors who breach this policy will be asked to stop smoking or using an e-cigarette/ vapouriser will be asked to leave the premises if they fail to comply with this request. All breaches of this policy will be recorded in writing by the Council. In addition to action taken under this policy, the Council, as enforcers of the Smoking (Northern Ireland) Order 2006, may take legal action against individuals (employees, Elected Members, customers and/or visitors) who smoke in designated smoke-free places and/or vehicles.  |
| **12.** | **Equality Screening** |
|  | The policy has been equality screened and the outcome is that it not be subject to an EQIA (with no mitigating measures required) |
| **13.** | **Rural Needs Impact Assessment** |
|  | Due regard to rural needs has been considered and a rural needs impact assessment has been completed. |