



MALVERN TOWN COUNCIL

SMOKE-FREE POLICY

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1. Introduction

- 1.1. The Health Act 2006 made it illegal to smoke in all enclosed workplaces and public spaces in England with effect from 1 July 2007.

2. Definition

- 2.1. For the purpose of this policy, smoking is defined as anything that is smoked including manufactured and hand rolled cigarettes, pipes, cigars, herbal cigarettes and shisha pipes. Electronic cigarettes (e-cigarettes) and other vapour-producing products are also included.

3. Purpose

- 3.1. The purpose of this policy is to protect employees and councillors of Malvern Town Council (hereafter known as 'The Council') and people who visit council premises from the effects of smoking and second-hand smoke exposure.
- 3.2. All of the Council's workplaces are smoke-free and vape-free, and all employees have a right to work in a smoke-free environment. Smoking is prohibited in all enclosed and substantially-enclosed premises in the workplace, including company vehicles, and in the close vicinity of other employees and members of the public. This policy applies to all employees, councillors, contractors, volunteers and visitors.

4. Implementation

- 4.1. Employees who wish to smoke should do so in their own time i.e. within flex-time arrangements or during breaks agreed with their line manager. Employees must ensure that they smoke off site and that they always maintain a reasonable distance (e.g. more than 5 metres) from exits, entrances and open windows to ensure that they do not expose others to tobacco smoke or vapour.
- 4.2. Overall responsibility for policy implementation and review rests with the Town Clerk. However, all employees are obliged to adhere to, and support the implementation of the Policy. The Health and Safety Officer (Town Clerk) shall inform all existing employees, councillors, volunteers and contractors of the policy and their role in the implementation and monitoring of the policy. All new personnel will be issued with a copy of the policy on recruitment/induction.

5. Non-compliance

- 5.1. Local disciplinary procedures will be followed if a member of staff does not comply with this policy. Those who do not comply with the smoke free law may also be liable to a fixed fine and possible criminal prosecution.