



<u>Policy Title</u>	No Smoking
<u>CCMT Sponsor</u>	Director of Resources
<u>Department/Area</u>	Human Resources
<u>Section/Sector</u>	Headquarters

1.0 Rationale

Thames Valley Police (TVP) recognises its responsibility to provide a safe and healthy workplace. The Force accepts the medical evidence that lung cancer, heart disease and other serious diseases are directly linked to smoking and the concerns raised of the effects of passive smoking on non-smokers.

The Health Act 2006 requires all enclosed and partially enclosed work places and premises open to the public to be smoke free by the 01 July 2007.

The Health and Safety at Work Act 1974 requires TVP to take reasonable steps to ensure the health, safety and welfare of their employees at work.

2.0 Aim

The aim of this policy is to:

Achieve a healthy and safe working environment for all members of TVP, our visitors and detainees under our custody and control.

3.0 General Principles

3.1

TVP operates a no smoking policy within all police premises and vehicles.

3.2

Scope

This policy applies to all Police Officers, Police Staff, Special Constabulary Officers, Volunteers, detained persons and visitors to TVP premises.

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4.0 Challenges & Representations

Head of Human Resources, Thames Valley Police, Headquarters,
Kidlington. OX5 2NX.

5.0 Guidance, Procedures & Tactics

5.1

With effect from 01 July 2007, there will be a total smoking ban within **all police premises and property**, including:

- Building entrances and their immediate vicinity. Smoking in doorways and areas where smoke may affect people entering, leaving or occupying police property is not permitted.
- Vehicles
Smoking is not permitted in any vehicle owned, hired, loaned, commandeered or used by the Force.
- Training facilities.
- Social clubs.
- Custody Suites
No persons are permitted to smoke in custody suites. This includes cells, holding areas, processing areas, interview rooms, fingerprint areas, washing and toilet facilities, exercise yards, van docks, and consultation or other rooms within custody suites.

Detainees

On arrival in the Custody Suite, as per normal arrangements, the Custody Officer will conduct a risk assessment, which will direct the initial care and supervision regime of the detainee. Where appropriate, the Force Medical Examiner (FME) or Health Care Professional (HCP) will advise on the effects of nicotine withdrawal. The Custody Officer will be guided by the advice of the FME or HCP. More details can be found in the [Smoking in Custody Suites policy](#)

5.2

The only exceptions to the above are:

5.2.1

Police premises which are occupied and used as living quarters – personal rooms in single quarters.

5.2.2

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Outside, designated smoking shelters may only be used if they comply with the Heath Act 2006 i.e. they are not enclosed or substantially enclosed (has a ceiling or roof, and except for doors, windows or other fittings which can be opened or shut, there are openings in the wall which are less than half of the total area of the walls).

For further advice on the specification of smoking shelters contact the Property Services Department.

5.3

Members of staff do not have a right to smoke. Breaks in which staff chose to smoke should be reasonable and arranged in agreement with the individual's Line Manager. Any working time lost must be made up. Only designated smoking areas are to be used.

It is not acceptable for, on duty, uniformed officers and staff to smoke in public places or when dealing with members of the public.

5.4

Members of the public who attend police premises as witnesses, or victims may express the desire to smoke. In such circumstances reasonable arrangements should be made to facilitate this. In practice, this may mean providing regular breaks. Only designated smoking areas are to be used.

5.5

Responsibilities

5.5.1

Managers and individuals are responsible for ensuring that this policy is adhered to at all times.

All members of staff are responsible for advising visitors (including prisoners) of this policy.

5.5.2

Health and Safety/Business Managers and Vehicle Operators are responsible for displaying no smoking signage within smoke-free premises and vehicles, in accordance with the Health Act 2006.

Signs may be downloaded free of charge from www.smokefreeengland.co.uk/resources.

5.5.3

Business Managers, with guidance from the Health and Safety and Property Services Depts., are responsible for, where appropriate, providing and maintaining smoking shelters.

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5.6

There is an expectation that staff will comply with this policy. Any breaches will be dealt with under the appropriate disciplinary procedures.

5.7

TVP recognises that some smokers will need to adjust to this policy and may welcome some support. Further information, advice and support on giving up smoking can be obtained by contacting:

National Health advice and services are available by accessing <http://www.givingupsmoking.co.uk> or calling the NHS Smoking Helpline on 0800 169 0 169.

Confidential advice for both employers and employees is also available from Voluntary organisations such as Ash (Action on Smoking and Health).

6.0 Communication

6.1 Links to Police National Legal Database Other

There are no links.

6.2 Communications Strategy

This policy will be published on the Policy and Procedures intranet site and internet site. It will be advertised in Manager's Briefing and an All User E-mail.

7.0 Compliance and Certification

7.1 Human Rights Certification

(i) Legal Basis

Health Act 2006
Health and Safety at Work Act 1974
The Workplace (Health, Safety and Welfare) Regulations 1992

(ii) Human Rights Articles Engaged

The Articles of the convention this policy has the potential to engage are:

Article 3 – Prohibition of torture, inhuman and degrading treatment and punishment.

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Audited by: Alison Clements
Audited on: 20 March 2007

7.2 Diversity Impact Assessment

Completed April 2007. Impact rated as low.

7.3 Diversity (Human Resources)

In the application of this policy, the Force will not discriminate against any persons regardless of their gender, sexual orientation, race or ethnic origin, religion, age or disability.

7.4 Data Protection

7.5 Freedom of Information Act

This policy is suitable to be made available to the public and can be published on the TVP FOI internet website.

7.6 Protective Markings

This policy has been assessed as NOT PROTECTIVELY MARKED.

7.7 Health & Safety at Work

This policy is to be read in conjunction with the Force Health and Safety Management Policy and Manual, which sets out the requirement for documented risk assessment by a competent person, when exposure to a particular hazard arising from workplace or pre-planned Policing work activity can be said to be reasonably foreseeable.

8.0 Monitoring and Review

8.1 Links to PPAF/Priorities/Performance Indicators

8.2 Review Process

A full policy review will be conducted, by the policy author, on a 2 yearly basis or whenever relevant legislation changes, whichever is sooner. The review will examine:

- Changes in legislation
- Court rulings – Domestic, European and Human Rights

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- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Developments with ACPO Policy Unit
- Representations made by individuals and relevant organisations
- Relevant Equality data

The policy will be due for its next review in May 2009.

For use by the Policy Management Unit Only

<u>Policy Authorisation</u>	
Policy signed off by:	
_____	_____
(Director of Resources)	Date

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