



HUMBERSIDE FIRE AND RESCUE SERVICE

Health, Safety & Environment

Smoking on Service Premises

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1. INTRODUCTION

Humberside Fire and Rescue Service (HFRS) recognises the drive to a smoke free workplace and the responsibilities imposed by the Health and Safety at Work Act 1974, and the Health Act 2006 and the Smoke-free (Signs) Regulations 2012. The rights of employees to a smoke free work place will take precedence over the needs of the smoker and applies apply to all employees.

Policy Statement

The Chief Fire Officer and members of the Strategic Leadership Team (SLT) of Humberside Fire and Rescue Service (HFRS) are personally committed to constantly improving health and safety throughout the Service as we believe that good safety is good business and should be given equal status to other business objectives.

2. EQUALITY AND INCLUSION

HFRS has a legal responsibility under the Equality Act 2010, and a commitment, to ensure it does not discriminate either directly or indirectly in any of its functions and services nor in its treatment of staff, in relation to race, sex, disability, sexual orientation, age, pregnancy and maternity, religion and belief, gender reassignment or marriage and civil partnership. It also has a duty to make reasonable adjustments for disabled applicants, employees and service users.

3. AIM AND OBJECTIVES

Humberside Fire and Rescue Service (HFRS) recognise that the health, safety and welfare of its employees is an integral and fundamental part of its function. Consequently, best practice will be adopted where possible to ensure that the Service complies with its legal duties and fulfils its moral obligations to its employees and other people who may be affected by its activities.

Associated documents

- Health Act 2006
- The Smoke-free (Signs) Regulations 2012

4. GUIDANCE INFORMATION

Smoking Areas

Internal – all areas will be No-smoking

It is illegal and against Service policy to smoke or allow smoking in any enclosed service premises or vehicle; all such areas require suitable no-smoking signage.

External – permitted smoking in designated open-air areas only

All access/egress routes to premises must be maintained smoke free at all times. Smoking may be permitted locally within designated open-air areas which must be clearly identified and recorded within the premises Health, Safety and Environmental Plan which is at each site.

Employees may be at risk from smoking emissions whilst visiting premises during their day to day activities (i.e. home visits, as domestic properties are exempt from the requirements of the legislation). However, the duty of care imposed by the Health and Safety at Work Act 1974 still applies and any employee with the potential to be exposed during their day to day activities should be identified by section management. A risk assessment should be carried out to assist in producing a safe system of work to manage the risk.

5. CONTROL OF POLICY

The manager of the station/section is responsible for the control of the policy, all line managers have a duty and legal responsibility to ensure that the policy is implemented and adhered to.

Employees may be at risk from smoking emissions whilst visiting premises during their day to day activities (i.e. home visits, as domestic properties are exempt from the requirements of the legislation). However, the duty of care imposed by the Health and Safety at Work etc. Act 1974 still applies and any employee with the potential to be exposed during their day to day activities should be identified by section management. A risk assessment should be carried out to assist in producing a safe system of work to manage the risk.

Adherence to Policy

Any Service personnel found smoking in areas not designated may be subject to legal and/or Conduct and Performance proceedings.

Further Information

Humberside Fire and Rescue Service HFRS recognise the health risks associated with smoking and will through its Occupational Health Section, publish and circulate information on this matter.

Personnel who require advice on how to give up smoking are encouraged to approach the Occupational Health Practitioner.

Employees Duties

Regulation 14 of Management of Health and Safety at Work Regulations 1999 places the following duties on all employees:

- Using the equipment, safe systems of work and procedures provided by the Service in accordance with training and instruction given.
- Informing their line manager without delay of any situation which may present a serious and imminent danger.
- Notifying their line manager of any shortcoming in the health and safety arrangements.

6. THE HEALTH ACT 2006 – SMOKE FREE PREMISES, PLACES AND VEHICLES

The Health Act 2006 requires:

- Premises and vehicles are smoke free if they are used as a place of work or open to the public, with certain exceptions.
- Any person who occupies or is concerned with the management of smoke free premises or vehicles must ensure that no smoking signs comply with the requirements of No smoking signs in premises - at each entrance to smoke-free pre "the Act" The Smoke-free (Signs) Regulations 2012:
 - Smoke free premises - at least 1 legible no-smoking sign must be displayed prominently in smoke-free premises.
 - Smoke free vehicles - at least 1 legible no-smoking sign must be displayed prominently in smoke-free vehicles.

This is covered within the HSEP Monthly Safety Inspection.

- Premises there shall be displayed in a prominent position at least one no smoking sign which:
 - is of A5 size
 - displays the no smoking symbol (In Colour)
 - Contains, in characters that can easily be read by persons using the entrance, the words - "No Smoking. It is against the law to smoke in these premises".

No smoking signs in vehicles - any person with management responsibilities for a smoke-free vehicle shall ensure that at least one no smoking sign is displayed in a prominent position in each compartment of their vehicle. This must show the international no-smoking symbol no smaller than 70mm in diameter.

It is envisaged that Service Stores Facilities Management will make available signage for premises via normal channels and Internal Services/Fleet and Equipment will supply signage for vehicles.

7. ELECTRONIC CIGARETTES (“E-CIGARETTES”)

E-cigarettes or similar devices will be treated the same as ‘cigarettes’ and are, therefore, applicable under this policy and are only permitted in designated smoking areas.

E-cigarettes are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user.

The British Medical Association (BMA) has published a briefing on e-cigarettes (available on the BMA website. It states that the BMA believes that existing smoke-free legislation should be extended to e-cigarettes. While admitting that electronic cigarettes may help some smokers to give up, the BMA points to the lack of evidence on the health risks that they pose to the individual using them and those in close proximity.

There are also issues around our image as a professional and health conscious Service and how managers ensure that our smoking policy is adhered to.

It is for these reasons that E-cigarettes or similar devices will be treated the same as ‘cigarettes’ and only permitted in currently designated smoking areas. The relevant areas of the above policy must be adhered to.

**If you require further guidance on this document, please contact the Health,
Safety & Environment Section**