Policy 40: Smoking Arrangements

Last updated by: SH, JM, RS

Links to policies: 30, 40, 56, 73

<table>
<thead>
<tr>
<th>Version</th>
<th>Changes</th>
<th>Policy Date</th>
<th>Next Review</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td>July 19</td>
<td>Oct 20</td>
</tr>
</tbody>
</table>
1. Introduction
i) Age UK York (AUKY) and the Board of Trustees (the Trustees) recognise that some service users, staff and volunteers, smoke cigarettes, cigars and e-cigarettes;

ii) The Trustees do not intend to, and cannot, impose a total ban on smoking and vaping;

iii) The Trustees have a duty of care towards their staff and volunteers and recognise that smoking and the inhalation of 'second-hand' or 'passive' smoke, that is, the smoke resulting when other people smoke, can be harmful, unpleasant and result in asthma and other illnesses including fatalities due to cancer;

iii) Aside from legislative controls, the Trustees are also responsible for:
- The health and comfort of non-smokers;
- The working conditions of staff and volunteers in all service-providing venues;
- Adequate staffing, supervision and care of service users, in particular in day clubs;
- Advising and informing staff, volunteers and service users about the importance and courtesy of not leaving cigarette ends in public places.

2. Definition
i) ‘Premises’ and ‘venues’ are locations where services are provided by AUKY staff and volunteers. For the purposes of the services that AUKY offers its service users, ‘premises’ also includes the private homes of service users where a service user, or other resident or visitor to that home, is smoking or has smoked so as to create a smoky atmosphere;

ii) ‘Premises’ includes the areas immediately outside all buildings and windows within the curtilage of Age UK York property or service-providing venue where tobacco smoke could cause a nuisance or distress to occupants;

iii) Buses and cars in use for AUKY service provision are included in this definition.

3. Legislation and responsibilities
i) The Trustees have overall responsibility for the operations of AUKY and have devolved day to day responsibility on the Chief Officer (CO);

ii) All staff and volunteers are required to adhere to policies and must obey legislative requirements. In any case of doubt, all workers should refer to their line manager or supervisor;


4. Related policies
This policy is to be read in association with the policies on Health and Safety (Policy 30); Transport (Policy 40); Office Best Practice (Policy 56); and Outings and Day Clubs (Policy 73).

5. Duties and arrangements regarding smoking and vaping
i) Short ‘smoking breaks’ can be taken by volunteers providing there is arranged and adequate support and staff cover. These breaks must be taken away from the premises and venues. Cigarette ends and any other litter and packaging must be removed by the volunteer at the time. Littering is not tolerated at any time;

ii) Occasional short smoking and vaping breaks can be taken by staff providing there is arranged and adequate support and staff cover. These breaks must be taken away from the premises and venues. Cigarette ends and any other litter and packaging must be removed at the time. Littering
is not tolerated at any time. Frequent and lengthy breaks will not be tolerated. Staff needing to take lengthy and frequent smoking and vaping breaks must discuss this with their line manager or supervisor;

iii) When using day clubs and in similar situations, service users who wish to do so may smoke off the premises. Staff and volunteers will no longer accompany them;

iv) All service users will receive a letter explaining this arrangement and if they wish to smoke whilst at a day club or any premises other than their own home, they will be required to sign a disclaimer that they leave the premises at their own risk. The registration form has also been changed to ask if a new client is a smoker and it makes it clear this is at their own risk and won't be supervised. These changes come into effect on 1st August 2019. This letter and disclaimer are included as an appendix to this Policy and can be changed by the service manager, in association with the Chief Officer, as necessary and without requiring approval by the Trustee Board;

v) There are specific arrangements regarding smoking areas at each day club venue. These are included in this policy as an appendix and can be changed by the service manager, in association with the Chief Officer, as necessary and without requiring approval by the Trustee Board.

6. Health and safety concerns

i) Individuals who choose to smoke do so at their own health risk. However, the danger of passive smoking is well recognised in NHS and other reports;

ii) No volunteer will be requested to carry out their role in a venue where there is a risk of inhaling ‘passive’ smoke. Volunteers may also request not to carry out their role in any such venue;

iii) There are situations where staff may have duties which call for working in a smoke-laden atmosphere. This is likely to be in a service user's home. Staff may be offered medical masks to wear or may discuss with their line manager any other arrangement that could be made. The Chief Officer will take a view, in situations where a service user has an unreasonably smoke-laden premises, that the relevant service cannot be offered;

iv) In any such situation, the Chief Officer will explain the reason for the withdrawal of the service, in writing, to the service user. The Chief Officer will be guided by considerations of the health of the relevant staff member;

v) Where clothing or uniforms become tainted with smoke, all workers will arrange a change of clothing if they then carry out their work in a different venue where other service users are present.

7. Guidance for volunteers

i) No volunteer will be requested to carry out their role in a venue where there is a risk of inhaling ‘passive’ smoke. Volunteers may also request not to carry out their role in any such venue;

ii) Volunteers may experience particular concerns in the case of service users who smoke. Volunteers are motivated by a desire to be of service when visiting a service user and may be confronted by concerns for their own health; a wish to be of assistance; and embarrassment that, having arrived at a service user’s home, they find that they cannot stay but might be thought rude if they leave;

iii) This situation would be covered in the Induction sessions that all workers, including volunteers, receive. However, when coming face to face with the situation for the first time, a volunteer may feel unprepared;

iv) A service user may ask if the AUKY worker minds if s/he smokes and the worker can certainly ask that the service-use does not smoke;
v) A worker arriving for the first time at a home where the atmosphere is smoky and unpleasant, and regardless of whether a paid staff member is present, can immediately explain that the worker is not able to help the service user because of the smoky atmosphere, say that a line manager will contact the service user and then leave; The worker will then contact the line manager and explain the situation;

vi) Finally, service users have the right to make their own choices about whether or not they smoke.
Appendix One

Permitted smoking areas and arrangements at each club/venue
St Hilda’s: St Hilda’s Mews footpath at end of the grass. Not on the church path or outside the front/back door
Acomb Methodist: Front Street footpath. Not in the car park, outside the front entrance or in the back garden
Honeysuckle House: Herdman Road footpath: Not in the car park or the back garden/patio
Alex Lyon House: Fifth Avenue footpath. Not in the car park, outside the front entrance or in the back garden
St Lawrence: Lawrence Street footpath. Not the car park, driveway or gardens/cemetery
Marjorie Waite Ct: Evelyn Crescent or Crombie Avenue footpath: Not the car park, outside the front entrance or in the gardens.

Appendix Two

The disclaimer and letter to the service user

Disclaimer: Smoking at Age UK York Day Clubs

I ____________________________ [name] wish to smoke during my time at an Age UK York day club and agree to do so off the premises. I agree to do so at my own risk and I will not be escorted by a member of Age UK York staff.

Signed ____________________________ Date _________________
Print Name ____________________________
If signed on behalf of the day club member, state your relationship ____________________________

[date]

Dear Club Member,

Smoking Policy

We have reviewed our policy on smoking for people who attend our day clubs and have made the following changes from 1st August, 2019.

Club members who wish to smoke must do so away from the club venue, and not in the car parks, near the entrance or gardens. Many of the venues we use to run our clubs are places where people live and we need to respect they may not wish smoking to occur in communal areas.
Our staff will no longer be escorting members to have a cigarette as this takes them away from supporting the other members in the club.

If you are a smoker and wish to continue during your time at the club, you will be asked by the day club organiser to sign a disclaimer that you agree to take responsibility for your safety whilst off the premises.

If you wish to discuss this further, or have any questions, please do not hesitate contacting me.

Kind regards

Jane Morris
Manager of the Day Club Service

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