

PTHB Smoke-Free Policy

Document Reference No:	PTHB/ EWP 010	
Version No:	9	
Issue Date:	May 2024	
Review Date:	February 2027	
Expiry Date:	May 2027	
Author:	Consultant in Public Health NHS Principal Public Health Practitioner (previous version)	
Document Owner:	Executive Director of Public Health	
Accountable Executive:	Executive Director of Public Health	
Approved By:	Innovative Environments Group	
Approval Date:	23 rd April 2024	
Document Type:	Policy	Non-clinical
Scope:	PTHB	

Do not print this document. The latest version will be accessible via the intranet.
If the review date has passed, please contact the Author for advice.

Disclaimer

Powys Teaching Health Board is the operational name of Powys Teaching Local Health Board
Bwrdd Iechyd Addysgu Powys yw enw gweithredol Bwrdd Iechyd Lleol Addysgu Powys

Version Control

Version	Summary of Changes/Amendments	Issue Date
1	Review of existing policy to reflect the introduction of the Smoke-free Premises (Wales) Regulations 2007	Sept 2007
2	Updated to reflect new organisational name	Dec 2009
3	Updated to reflect Smoking Cessation Welsh Government Tier 1 targets	Dec 2013
4	Updated to reflect PTHB position on cigarettes	Nov 2014
5	Updated at the request of the Director of Public Health	April 2016
6	Policy expired – review required	May 2019
7	Update of existing policy to reflect the introduction of the Smoke-free (Wales) Regulations 2020	February 2021
8	Policy expired – review required	February 2024
9	Policy reviewed and updated in line with Smoke-free (Wales) Regulations 2020	16/05/2024

Item No.	Contents	Page
1	Executive Summary	7
2	Introduction	8
3	Aims	10
4	Scope	11
5	PTHB Roles and Responsibilities	11
5.1	PTHB Provider: Roles and Responsibilities	12
5.2	PTHB Commissioner: Roles and Responsibilities	12
6	The Policy	13
7	Smoking Cessation Support	14
7.1	Staff	14
7.2	Patients and Visitors	15
8	Exemption	16
9	Communicating the Policy	17
10	Supporting Policies	18
11	Legislative and NHS Requirements	18
12	Responsibilities	18
13	Enforcement of Policy	20
14	Monitoring and Review	21
Appendix A	Enforcement Approach – Local Authority	22

Definitions	
PTHB	Powys Teaching Health Board
SSW	Stop Smoking Wales
ENDS	Electronic Nicotine Delivery Systems
PHW	Public Health Wales
Smoking	For the context of this policy the term 'Smoking' means all smoked tobacco products AND any ENDS that produce 'clouds' of exhaled particles as a byproduct of their usage

ENGAGEMENT & CONSULTATION

Key Individuals/Groups Involved in Developing this Document

Role / Designation
Powys Tobacco Control Group

Circulated to the following for Consultation

Date	Role / Designation

Evidence Base
<p>The Smoke-free Premises and Vehicles (Wales) Regulations 2020 (legislation.gov.uk)</p> <p>Welsh Government have published guidance on Smoke Free Legislation in Wales, which is available here: https://gov.wales/smokefreelegislation-wales-html .</p>

IMPACT ASSESSMENTS

Equality Impact Assessment Summary					
	No impac.	Adverse	Differentia	Positive	<p>Statement</p> <p>Please remember policy documents are published to both the intranet and internet.</p> <p>The version on the internet must be translated to Welsh.</p>
Age	x				
Disability				x	
Gender	x				
Race	x				
Religion/ Belief	x				
Sexual Orientation	x				
Welsh Language	x				
Human Rights	x				
Risk Assessment Summary					
<p>Have you identified any risks arising from the implementation of this policy / procedure / written control document?</p> <p>no risks identified</p>					
<p>Have you identified any Information Governance issues arising from the implementation of this policy / procedure / written control document?</p> <p>no risks identified</p>					
<p>Have you identified any training and / or resource implications as a result of implementing this?</p> <p>Signage costs for PTHB premises MECC Training for PTHB staff to ensure appropriate referral pathways</p>					

1) Executive Summary

Who is this document for?

- This policy has been developed to ensure PTHB adherence to the requirements of Chapter 1, Part 3 of the Public Health (Wales) Act 2017 and the Smoke-free Premises and Vehicles (Wales) Regulations 2020 that came into force on 1 March 2021. This legislation states that hospital grounds are required to be smoke free in addition to the premises, and it will be an offence to smoke in hospital grounds or in any hospital vehicle. The manager or person responsible for the hospital grounds must take reasonable steps to prevent smoking there, and the Local Authority is responsible for enforcement of the regulatory requirements.
- Adherence to this legislation helps to protect staff, patients, relatives and visitors to PTHB premises from exposure to second and third hand smoke. There are approximately 2,400 members of staff within PTHB with an estimated 235 smokers working for the health board (based on Powys general population prevalence of 9.8%).

Rationale

- The Public Health (Wales) Act 2017 and the Smoke-free Premises and Vehicles (Wales) Regulations 2020 which came into force on 1 March 2021 applies to NHS and independent hospitals. It includes the grounds adjoining hospitals and grounds that are used by or occupied by the hospitals in Powys. It applies to all persons, staff, visitors, patients and contractors etc. whilst they are in hospitals and on grounds.
- Smoking remains the largest single cause of preventable ill health and early death in Wales and a leading cause of inequality. Exposure to second hand smoke increases the risk of lung cancer, heart disease and many other illnesses.
- Smoking causes a major fire risk in hospitals, approximately one third of all hospital fires are due to smokers or smoker's materials.
- Smoking cessation has been a Tier 1 target for all health boards in Wales for some years now.

Aims

This policy aims to:

- Support the enforcement of The Public Health (Wales) Act 2017 and the Smoke-free Premises and Vehicles (Wales) Regulations 2020.
- Protect all staff, patients and all other visitors from exposure to second hand smoke.
- Support staff and patients who wish to quit smoking.
- Promote and reinforce a smoke-free social norm.

The Policy

The policy supporting the legislation applies to all members of staff, clients, patients, visitors, contractors and members of the general public on PTHB grounds. It states that:

- Smoking of any type of tobacco products or 'vaping' of any ENDS (disposable and non-disposable) is not permitted in or on any premises or grounds, or vehicles owned, leased, occupied or managed by PTHB (limited exceptions are set out in section 8). The new Smoke-free Premises and Vehicles (Wales) Regulations 2020 actually only applies to cigarettes, but it is the PTHB decision to expand this to include any type of tobacco products or 'vaping' of any ENDS.
- Staff identifiable as PTHB employees must not smoke off-site within public view while wearing a PTHB uniform or badge.
- PTHB is committed to providing support to staff and patients wishing to quit smoking, including facilitating access to cessation support where possible.
- PTHB will raise awareness of the Smoke-free Premises and Vehicles (Wales) Regulations 2020 through PTHB website, social media, posters and signage.
- PTHB expects staff to adhere to and enforce the regulations and will provide information and training to facilitate this.

2) Introduction

The Smoke Free Premises and Vehicles (Wales) Regulations came into law on the 1st March 2021. These regulations are based on the Public Health Wales Act (2017), and list premises which must be smoke-free by law. This expands on the Smoke-free Premises etc. (Wales) Regulations 2007, which banned smoking in enclosed and substantially enclosed public places. The expanded range of smoke-free premises include hospital grounds, school grounds and public playgrounds.

Smoking is already prohibited on all health board sites, with a few named exceptions for specific patient groups including mental health in designated smoking areas. However, the new Smoke Free Regulations mean that legally all hospital sites must be smoke free, although there are still exceptions for mental health. The new Regulations allow for fixed penalty notices for people who smoke in areas where smoking is prohibited.

In line with the Health & Safety at Work Act 1974 and its Corporate Health & Safety Policy, PTHB recognises and accepts its duties and responsibilities with regard to the health, safety and welfare of all its employees, patients, clients, visitors, contractors, and the general public. Chapter 1, Part 3 of the Public Health (Wales) Act 2017 and the Smoke-free Premises and Vehicles (Wales) Regulations 2020 provides the legislation to support these duties regarding working within a smoke-free environment.

The Health Act 2006 and The Smoke-Free Premises etc (Wales) Regulations 2007 prohibited smoking in virtually all enclosed public places and workplaces. The Smoke-free Premises and Vehicles (Wales) Regulations 2020 brought new duties for PTHB to ensure the discharge of these regulations and the enforcement obligations.

The Smoke-free Premises and Vehicles (Wales) Regulations 2020 describes that it is possible to have designated smoking areas (DSAs) within the hospital grounds which are designated by the person in charge of the hospital. These DSAs can only be used by "permitted persons" which is specified by the person in charge. The DSA must be 10m from a building, cannot exceed 8.25 sq m, must be clearly marked as a DSA and can only be used by "permitted persons", who must be over 18 years of age. These smoking areas cannot be enclosed or substantially enclosed. The smoke-free requirement does not apply to dwellings within hospital grounds but does apply to their communal areas

Reducing smoking prevalence is a key priority for the Welsh Government and in July 2022 published [A smoke-free Wales: Our long-term tobacco control strategy \[HTML\] | GOV.WALES](#). This strategy sets out a vision for

a smoke-free Wales by 2030. Underpinning this strategy is a delivery plan focusing on actions to de-normalise smoking and making smokefree the norm in Wales. Smoke-Free environments is one of the priority areas. As well as reducing individuals' exposure to second hand smoke, there is evidence that implementing and enforcing Smoke-Free environment policies can lead to smokers cutting down or attempting to quit, potentially reducing smoking prevalence. Also, there is evidence that smoke-free legislation has a significant impact on cardiovascular health and hospital admissions.

Welsh Government previously made smoking cessation a target for all health boards and set targets of 5% of smokers to make a quit attempt via smoking cessation services annually. This target is ongoing.

PTHB additionally has a statutory responsibility for improving the health of the population as well as providing individual patient centred care for promotion, prevention, diagnosis, treatment and rehabilitation. Maximising health is a critical element in achieving a sustainable health service into the future.

In order to be a credible and effective advocate for population health improvement, promoting health and wellbeing and preventing ill health as both a service delivery and commissioning organization, PTHB must be able to demonstrate that it is actively enforcing the Smoke-free Premises and Vehicles (Wales) Regulations. Our employees are ambassadors for health and have an important role to play in promoting health and wellbeing to our communities.

3) Aims

This policy aims to:

- Provide a smoke-free environment for all members of staff, clients, patients, visitors, contractors and members of the general public.
- Guarantee the right for non-smokers to breathe air free from tobacco smoke.
- Demonstrate to everyone that, as a health-promoting organisation, PTHB is committed to promoting and enforcing the Smoke-free Premises and Vehicles (Wales) Regulations.
- Raise awareness of the dangers associated with smoking, nicotine use and second-hand smoking (posters, leaflets and information on PTHB internet).
- Provide support for staff members who wish to stop smoking by assisting them in accessing smoking cessation services.

- Ensure that all service providers (both PTHB and external providers) refer patients who smoke to Powys based smoking cessation services through the development and implementation of robust smoker referral pathways.
- Provide clear guidance and standard setting by providing an environment where employees may not smoke whilst on duty or while in uniform.
- Set an exemplar role to partners in the statutory, community and voluntary sector by making smoke-free environments normal practice.

4) Scope

This policy applies:

- to all areas of health board property, including: all buildings, communal areas, restrooms, foyers, car parks, vehicles parked on health board property, outdoor seating areas, walkways and all other areas within the boundaries of all grounds owned or leased by the health board (for exceptions see section 8).
- to all people present on PTHB premises and grounds, including all PTHB staff, bank and agency staff, tenants, contractors, patients/clients, volunteers and visitors;
- to all people travelling in PTHB-owned vehicles or in a lease car during working hours;
- to all external service provider sites outside of PTHB (commissioned services)
- to all staff wearing a PTHB uniform or badge at any time or representing the health board on or off PTHB premises or grounds during their working hours, providing services to patients/clients for PTHB in any place, including a patient's/client's home.
- to all tobacco products, including e-cigarettes and ENDS products.

5) PTHB Roles and Responsibilities

All health board staff have a responsibility for the successful implementation of the legislation through this policy. The Executive Board will work with managers and staff throughout the organisation to support this policy. Smoking is not permitted in any areas up to the boundaries and including car parks and PTHB vehicles parked on health board property, outdoor seating areas, doorways, walkways and all other areas. The policy applies to all staff (on or off duty), patients, visitors, contractors, volunteers and students.

No smoking signage will continue to be required inside buildings. It is also required to be displayed at main and other entrances to sites

making clear that grounds are smoke free. New signage at exits to buildings is required to remind people that the grounds are smoke free.

The person who controls or is concerned with the management of the site must take reasonable steps to prevent people smoking there. Within the regulations the fixed penalty fines for offences are:

- Smoking in smoke free premises or vehicle– up to £100.
- Failing to prevent smoking in smoke free premises or vehicle can incur a fine of up to £2,500

5.1) PTHB Provider: Roles and Responsibilities

PTHB is responsible for ensuring that legislation is implemented and enforced effectively:

- Previous experience of smoke-free legislation suggests high levels of compliance are to be expected without the need for significant resource being required to monitor or enforce compliance. As with previous legislation the enforcement approach required is to advise, explain and enforce, where formal enforcement action is the last resort. Enforcement must be consistent, transparent, and proportionate.
- There is no expectation that hospital staff will be authorised by local authorities to carry out enforcement function nor an expectation that local authorities will 'patrol' hospital grounds. Hospital staff will carry out initial engagement with smokers, calling on local authority support where required.
- All PTHB staff should take the opportunity to attend the Making Every Contact (MECC) training course, enabling them to engage with patients and staff about their smoking and refer to smoking cessation services appropriately.

5.2) PTHB Commissioner: Roles and Responsibilities

- As a commissioner of primary and secondary services, PTHB and external service providers have a responsibility to refer smokers towards Powys based cessation services.
- As a commissioner, stakeholder and partner organisation, PTHB has a role to play in raising the importance of adherence with smoke free legislation within Powys.

Currently all Long-Term Agreements (LTAs) for Commissioned Services will need to have the following standard text within the contracts:

- *Ensure that it actively promotes a healthy working environment, including adhering to Smoke-free Premises and Vehicles (Wales) Regulations and providing comprehensive health promotion opportunities for its staff. As part of routine patient care, service providers will in accordance with NHS Outcomes Framework:*
- *Ask Powys patients about their smoking status*
- *Provide smoking cessation brief advice/brief intervention for patients that smoke*

Refer or signpost to smoking cessation services those smokers that are willing to give up smoking. Smoking cessation referrals can be directed to Help Me Quit (HMQ) via telephone (0800 0852219) via the HMQ website www.helpmequit.wales or referral direct to Powys Smoking Cessation Team via this link <https://forms.office.com/e/SQWa63PzD8>

It is expected that wherever possible, elective pre-operative patients who smoke will be referred to smoking cessation services as routine.

This information will be recorded in patient notes and where possible on electronic records/systems.

6) The Policy

All PTHB premises, grounds and vehicles are MANDATORY NO SMOKING AREAS at all times.

Smoking is not permitted in any premises or vehicles owned, leased, occupied or managed by PTHB (other than limited Designated Smoking Areas (DSAs) designated by person in charge of hospital). Privately owned vehicles are to be smoke-free when carrying one or more passengers travelling on health board business (i.e. claiming travel expenses).

Smoking is only permitted outside the boundary or perimeter of PTHB premises. No facilities will be provided for smokers, either inside or outside (including doorways) of any PTHB premises.

Employees must not leave their work area during work time for the purposes of smoking. Employees who wish to smoke may do so during

their official break times provided that this is not on PTHB premises, in PTHB official vehicles or in PTHB uniform/badges.

In addition, staff identifiable as PTHB employees must not smoke within view of the public or patient/clients or have cigarettes or smoking materials visible during their working hours or when wearing a PTHB uniform or badge. Staff must not smoke when representing PTHB on or off PTHB premises.

There are no designated smoking areas or rooms within the health board for patients/clients, visitors or staff of PTHB. Limited exceptions are set out in section 8, which include Designated Smoking Areas (DSAs) designated by the person in charge of the hospital.

Where there are independent, autonomous organisations that share any premises with the health board they must comply with the PTHB Smoke Free legislation and policy (for communication of the policy see section 9).

All tobacco products, including electronic cigarettes and ENDS, are included under this policy. The justification for the inclusion of electronic cigarettes and ENDS is that there remain concerns about their safety, efficacy and potentially harmful emissions, and their use may reduce the effectiveness of the smoke-free policy in de-normalising tobacco use.

No smoking materials of any description may be sold on health board premises or grounds. Staff may not supply tobacco products for patients or obtain these for them, with the exception of Mental Health patients who are physically unable to go to the shop themselves.

Line managers must make staff aware of their duty to comply with this policy and rational for its implementation.

All PTHB and contracted staff have a duty to fully comply with the policy and must also be made aware of the issues around smoking.

7) Smoking Cessation Support

7.1) Staff

This policy recognises that nicotine is an addictive drug. Therefore, to help smokers adjust to the requirements of this policy, smokers who are ready to quit will be encouraged to seek support from the Powys Smoking Cessation Team, their pharmacist or GP (General Practitioner).

Information on the smoking cessation services can be provided by local pharmacies or can be found by contacting Help Me Quit on 0800 085 2219 or online at www.helpmequit.wales.

In order to assist staff members who wish to quit, and in accordance with NICE Quality Standard 82 (2015), reasonable time off during working hours to attend workplace-based cessation services may be considered by line managers but must be agreed in advance and will be subject to the needs of the service. It is expected that every effort will be made to access services as close to the beginning or end of the working period as possible, or to be arranged during periods when the employee is not scheduled to work.

Evidence shows that the average smoker takes 30-40 minutes in cigarette breaks within working hours each day. A smoking cessation intervention (behavioural support session) can last just 30 minutes once a week for the first 4 weeks after the quit attempt, then less frequently during the remaining support sessions (3-8 sessions). By enabling PTHB staff to access smoking cessation services, the health board is likely to realise substantial benefits, such as increased productivity, reduced absenteeism, and improved adherence to the PTHB smoke-free policy.

Smoking cessation services for Powys Teaching Health Board staff are currently being delivered in face to face in group sessions. One to one clinic sessions are also available face to face, or via telephone or video call This service will continue to be promoted to all health board staff, patients and visitors.

It is recommended that if the initial attempt to stop smoking through these smoking cessation courses does not work, a further course may be required.

7.2) Patients and Visitors

Both outpatients and inpatients that access PTHB services or PTHB commissioned services are often presented with an ideal opportunity to stop smoking. It is therefore the intention of PTHB to provide practical help, support and advice to those who wish to take advantage of this opportunity.

Prior to admission to the health board, the smoking status of all patients will be asked; if they state they are currently a smoker then they will be asked if they wish to obtain information or support on how to access smoking cessation services and/or nicotine replacement therapy (NRT) during their stay in hospital. Smoking status will be also added to the standard patient admissions forms and any smokers identified should be offered best combination NRT as soon as possible. Pathways are being put in place to ensure timely NRT can be provided, either through medical staff or Medicines Management.

As with staff, members of the public who smoke but would like to quit, will be encouraged to seek support through Help me Quit, their local Pharmacy or GP.

Information on the smoking cessation services provided can be found by contacting Help Me Quit on 0800 085 2219, or direct referral to Powys Smoking Cessation Team can be made by following this link <https://forms.office.com/e/SQWa63PzD8>

8) Exemption

Smoke-Free premises (Wales) Regulations prohibit smoking in enclosed or substantially enclosed public places, including workplaces, but there was an exemption for mental health units and care homes for patients aged 18 years and older which provided residential accommodation. If they provided a smoking area (indoor or outside) prior to 2007 they were allowed to continue to do so until 1st September 2022. This exemption is no longer valid.

A similar exemption was originally included in the smoke-free regulations for England, but only for a period of 12 months. Since 1 July 2008, all enclosed or substantial enclosed areas in residential mental health units in England are required to be smoke-free.

In Wales, since 1st September 2022 all enclosed or substantial enclosed areas in residential mental health units are also required to be smokefree.

Following this date smoking is only permitted for this group of patients in a designated smoking area (DSA) within the hospital grounds which are designated by person in charge of hospital. These DSAs can only be used by "permitted persons" which will be specified by the person in charge.

9) Communicating the Policy

A comprehensive communications strategy will ensure that the Smoke Free Legislation and Regulations are widely understood. The following will be included as part of this strategy:

- Use of all current communications channels to disseminate the Smoke-Free message out to staff, patients and visitors (Intranet, internet, Key Brief, Staff Newsletter, social media, Staff Notice Boards etc).
- Communication of the Smoke-Free policy will be combined with clear communication about the cessation support and services available, ensuring that the Help me Quit contact details is permanently on display across all PTHB sites.
- All job descriptions, job advertisements and interviews will make reference to the smoke-free policy.
- Reference to the policy will be included in corporate induction, Violence and Aggression training and Fire Safety Training.
- All main public entrances to premises, grounds and car parks will display bi-lingual "No-Smoking" signage in line with the legal requirements of the Smoke-free Premises etc. (Wales) Regulations 2020. Prominent signage will also be used around known "hot spot" areas.
- All appointment letters that are sent to PTHB patients must notify them that all PTHB sites and premises are smoke-free, including the use of e-cigarettes and ENDS.
- Smoke-free logos will be used on the PTHB websites and intranet.
- All opportunities will be used to ensure patients and visitors are aware of the hospital's smoke-free policy in line with Smoke Free Regulations 2020– including references on all correspondence, leaflets, posters, and signage. A smoke-free logo will be placed at the entrances of all sites, including roadside entrances.
- Posters displaying positive messages around the benefits of not smoking to be displayed inside premises to reinforce the policy.
- Information on local smoking cessation services to be displayed across all hospital sites.
- Invitations to tender and contracts with external organisations (for example, to provide building works) will include a statement that PTHB enforces the Smoke Free Regulations 2020. Contractors or their subcontractors will be expected to comply with Smoke-Free Regulations.
- PTHB will participate in national smoking cessation campaigns (e.g. No Smoking Day and Stoptober).

10) Supporting Policies

This policy must be read in conjunction with the following corporate policies:

- Corporate Health & Safety Policy
- Health and Safety Risk Assessment Policy
- Fire Safety Policy
- Occupational Health Policy
- Relevant Mental Health Policies

11) Legislative and NHS Requirements

When implementing the Smoke-Free policy PTHB are also required to comply with:

- The Workplace (Health, Safety and Welfare) Regulations 1992
- Employment Tribunal and Employment Rights Act 1996
- The Human Rights Act 1998
- The Management of Health and Safety at Work Regulations 1999
- Regulatory Reform Fire Safety Order
- Health and Safety at Work etc Act 1974

12) Responsibilities

Overall responsibility for the implementation of the smoke-free policy will rest with the Chief Executive, Director of Public Health and Executive Board.

Chief Executive Officer (CEO)

Senior level leadership is required for the policy to be successful. The CEO is responsible for ensuring that this policy is fully supported by all staff and that there are sufficient resources available to enable its full implementation and enforcement.

Director of Public Health (DPH)

The DPH is the strategic lead for the policy. The DPH will be responsible for ensuring that the policy is kept up to date in line with Smoke Free Regulations. The DPH will be responsible for providing an update on policy implementation to the Executive Team as required.

Executive Directors

The Directors hold the responsibility under this policy to:

- Provide support to managers to ensure the policy is implemented
- Monitor breaches of policy and legislation and advise managers accordingly where this may contravene other policies, for example PTHB's Disciplinary Policy.

Line Managers

The responsibility for the implementation of this policy rests with all line managers. The effectiveness of the policy will be monitored by Service Managers with support from the Corporate Health and Safety Advisor.

- All managers are asked to encourage and support staff who wish to access smoking cessation services.
- All managers are responsible for supporting any member of staff who wishes to quit smoking by signposting to smoking cessation services and, if appropriate, for considering allowing time off during the working day to access workplace-based cessation support where available. This agreement must be made in advance and monitored.
- All managers are responsible for encouraging their staff to adhere to the policy.
- All managers are responsible for monitoring this policy in their departments.

PTHB Staff

- All staff have a duty to adhere to this policy and must **not** smoke on health board premises, grounds or vehicles.
- PTHB does not recognise smoking breaks. Any member of staff wishing to smoke must do so away from health board grounds during their official breaks. Additional smoking breaks are not permitted. Any PTHB uniform or badge must be fully covered or preferably removed.
- Staff are responsible for informing patients/clients, visitors and other PTHB employees, where they are seen smoking, that the health board has a Smoke-Free Policy in line with Welsh Government Smoke Free regulations 2020 and that smoking is

not permitted. The health board recognises that this is not an easy task and will fully support all employees in their enforcement of the policy.

- Staff should not put themselves at any risk of abuse by doing this. It is therefore suggested that people's attention is drawn to the large number of "no smoking" signs that exist throughout buildings and in the grounds used by PTHB.
- Where staff encounter problems, this must be recorded and reported to their manager. There are policies that can be evoked to deal with abuse including Dignity at Work, Violence and Aggression or Disciplinary.
- Where exemptions exist (Mental Health Unit) smoking areas must be clearly defined and must be made known to all staff working on the site to avoid any confusion.

13) Enforcement of the Policy

PTHB will communicate and enforce the Smoke-Free Regulations. The focus is not on policing the policy, but on encouraging a cultural shift, so it becomes socially as well as legally unacceptable that anyone (staff, patient or visitor) would smoke on a PTHB site. PTHB will work with local authorities where necessary to ensure ongoing adherence to the Smoke free regulations. The flow chart shown in the Appendix A describes how enforcement of the regulations and policy can be managed.

Staff who find compliance with this legislation difficult, and relay their concerns to their managers, will be supported through positive encouragement and referral to smoking cessation support. In order to encourage all staff, patients, and visitors to adhere to the policy, it is important that information and support is offered as set out in section 6 above.

Staff who are found to be smoking on health board premises or grounds will be subject to the normal disciplinary process, as set out in the health board's disciplinary policy.

Where visitors or contractors are found to be smoking on health board premises, staff are expected to point out to them politely and with sensitivity that the health board premises and grounds are smoke-free.

If the visitor or contractor insists on smoking, then a senior manager should be informed. The senior manager must then approach the visitor or contractor and ask them to leave the premises and grounds.

Under no circumstances should staff engage in confrontation with smokers.

Where a patient wishes to leave the ward to go off the premises in order to smoke it is the responsibility of ward staff, where they are aware of this, to discourage the patient from doing so. If the patient insists, then they must be informed that they are leaving the hospital grounds at their own risk. It is NOT the responsibility of health board staff to accompany patients who wish to smoke.

In the unlikely event that patients or visitors become aggressive or abusive the health board's violence and aggression policy will be invoked.

Patients who refuse to provide a smoke-free environment for staff working in their homes, will be sent a letter explaining the Smoke-Free Policy, and may have future appointments scheduled to take place on health board sites where they are not permitted to smoke.

14) Monitoring and Review

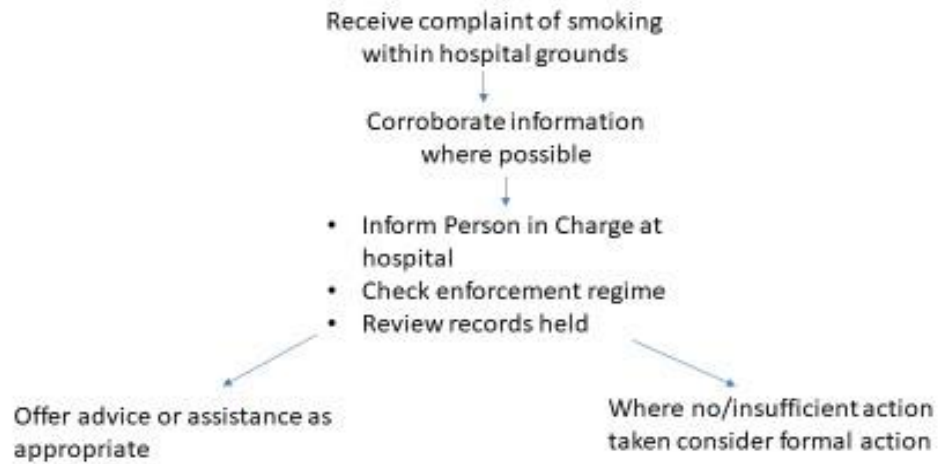
The following will be monitored:

- That prospective employees are advised of the policy.
- That the policy and Smoke free Regulations 2020 form part of the induction programme.
- That job advertisements, job descriptions and contracts of employment refer to the non-smoking conditions.
- That patient information leaflets explain the smoke-free arrangements.
- That there is adequate clear signage indicating that entire sites are smoke-free.
- Reported incidents following enforcement of the policy.
- Staff disciplinary action following failure to comply with the policy.

This policy will be reviewed 3 years from date of approval or sooner if required in line with any operational or legislative changes.

Appendix A

Enforcement Approach – Local Authority



Enforcement Approach – hospital

