**West Sussex – Practice Guidance**

IROs are qualified social workers with at least five years’ experience, and who have acquired the right skills to carry out this role.

**Smoking and Alcohol**

*This Practice Guidance relates to both children receiving support from residential services, and staff who are employed within those services. Please also refer to the Practice Guidance on Drugs and Substance Misuse.*

**The legal framework – Smoking**

* The laws prohibiting smoking tobacco made under The Health Act 2006 require that enclosed or substantially enclosed workplaces and public places are smoke-free.
* The Registered Manager of a children’s home has the responsibility to maintain local arrangements that ensure compliance with this policy.
* Staff may seek permission from their manager to attend local smoking cessation clinics during working hours. Employees can use flexible working arrangements, but it must be agreed with their line manger to ensure that it does not adversely impact on the service provided by the team.
* All employees are responsible for complying with this policy along with any local arrangements in the place that they are working or visiting.

**Children who smoke cigarettes**

* These laws also apply to children aged 16 and over living in WSCC children’s homes. Children below this age are not permitted to smoke tobacco or related products within the building.
* It is the responsibility of all staff in WSCC children’s homes to actively promote smoking cessation programmes to any child who is known to use tobacco or related substances.
* Staff must strongly discourage all children from smoking on or near to the home, and remind children about the physical and practical risks of smoking.
* Where assessment identifies risk, staff must limit a child’s access to lighters and matches where there is a history of fire related self-injurious or destructive behaviours.

**Premises**

* Whilst on WSCC sites, employees, visitors, and contractors must not:
* Smoke tobacco in the immediate area of WSCC workplaces such as doorways, porches, verandas, balconies and rooftop areas.

* smoke tobacco inside enclosed or substantially enclosed workplaces and enclosed or substantially enclosed public places;

**Vehicles**

* Employees, visitors and children must not: 
* Smoke tobacco in WSCC pool cars.
* Smoke tobacco in vehicles used by members of the public or a section of the public
* Smoke tobacco in any private vehicle carrying a person under the age of 18.

**Permitted smoking areas**

* People must be reminded to smoke only in designated areas as identified by staff.
* Employees who take time away from their workplace to smoke tobacco are expected to be sensitive to any impact this may have on other members of their team and to be reasonable about the frequency and duration of their time away from their workplace. If you do not comply with this policy you may be subject to disciplinary action.
* Managers are responsible for ensuring that employee work time is used appropriately. Any abuse will be addressed by the line manager, drawing on the Disciplinary Policy where appropriate.
* You must on no account smoke in the following places:
  + near to the storage or use of flammable materials;
  + close to entrances to the workplace, porches, on verandas, balconies, and rooftop areas;
  + where smoke could drift into food preparation areas;
  + where smoke could drift through open windows and cause a nuisance to people inside the building; and
  + in areas where there is a "No Smoking" sign displayed.

Care must be taken to extinguish cigarettes, and ensure that litter is disposed of properly.

**Electronic / Vape cigarettes**

* An electronic cigarette, (also known as an e-cigarette, vapour cigarette or an e-cig), is an inhaler which simulates the act of smoking tobacco. They are often marketed as a smoking cessation aid or tobacco replacement. Public Health England have stated that the use of these vapour devices is 95% safer than smoking tobacco.
* The Council’s policy is that these devices must not be used in enclosed or substantially enclosed workplaces and WSCC controlled public places.
* You should not use these devices in WSCC vehicles used by members of the public or a section of the public, or used for work purposes by more than one person, even if those persons use the vehicle at different times, or only intermittently.
* You must not charge your E Cigarette from a USB socket in any WSCC computer unit. You may be liable for any damage to furniture or to your computer equipment if you use your USB port in this way.
* Although electronic cigarettes are not covered by the smoke free legislation, this policy has been introduced to avoid confusion and to avoid giving the impression that smoking is permitted.

**Links to related documents:**

<http://theintranet.westsussex.gov.uk/Library/Documents/smoking_policy.pdf>

<http://theintranet.westsussex.gov.uk/Library/Documents/drug_and_alcohol_misuse_policy.pdf>

Drugs and Substance Misuse