

Trust Headquarters
Russell's Hall Hospital
Dudley
West Midlands
DY1 2HQ

Ref: FOI-062024-000951

Date: 17th June 2024

Address / Email:

Dear

Request Under Freedom of Information Act 2000

Thank you for requesting information under the Freedom of Information Act

2000. Request

I am looking for policy information about secondhand smoke exposure to staff undertaking home visits. Could you provide me with the latest smoke free policy (pdf) for your Organisation.

Could you also provide some additional details about any documented ongoing plans to update the current policy.

Response

Please find attached our current Smoke Free Policy.

Unfortunately, we have had to prioritise policies where the legislation has changed – this one has moved down the list of priorities and is likely to be Q3 (Oct-Nov 24).

If you are dissatisfied with our response, you have the right to appeal in line with guidance from the Information Commissioner. In the first instance you may contact the Information Governance Manager of the Trust.

Information Governance Manager
Trust Headquarters
Russell's Hall Hospital
Dudley
West Midlands
DY1 2HQ
Email: dgft.dpo@nhs.net

Should you disagree with the contents of our response to your appeal, you have the right to appeal to the Information Commissioners Office at.

Information Commissioners Office
Wycliffe House
Water Lane
Wilmslow

FOI-062024-000951

Cheshire
SK9 5AF
Tel: 0303 123 1113
www.ico.org.uk

If you require further clarification, please do not hesitate to contact us.

Yours sincerely

Freedom of Information Team
The Dudley Group NHS Foundation Trust

SMOKE FREE POLICY	DOCUMENT TITLE:	SMOKE FREE POLICY
	Name of Originator/Author /Designation & Specialty:	████████████████████ ██████
	Director Lead:	Chief People Officer
	Target Audience:	All Dudley Group NHS Foundation Trust employees
	Version:	4.0
	Date of Final Ratification:	24 November 2020
	Name of Ratifying Committee:	Workforce & Staff Engagement Committee
	Review Date:	November 2023
	Registration Requirements Outcome Number(s) (CQC)	Safe, Effective, Caring, Responsive, Well Led
	Relevant Documents /Legislation/Standards	Trust Disciplinary and Grievance Procedure Health and Safety at Work Act 1974
	Contributors: <i>Individuals involved in developing the document.</i>	Designation: HR Operations Team Health and Safety Manager Nursing and AHPs Staff Side Representatives
The electronic version of this document is the definitive version		

CHANGE HISTORY

Version	Date	Reason
1.0	August 2011	New policy document developed
2.0	June 2015	Full policy review
3.0	May 2019	Full policy review
4.0	November 2020	Minor amendments following feedback and decision to move to a smoke free site.

A translation service is available for this document. The Interpretation/Translation Policy, Guidance for Staff is located on the intranet under Trust-wide Policies.

Contents

- [1 INTRODUCTION](#) 3
- [2 STATEMENT OF INTENT/PURPOSE](#)..... 3
- [3 DEFINITIONS](#) 3
- [4 DUTIES \(RESPONSIBILITIES\)](#) 4
- [4.1 Chief Executive](#) 4
- [4.2 Directors and Line Managers](#)..... 4
- [4.3 Human Resources](#) 4
- [4.4 Employees](#) 4
- [4.5 Contractors](#) 4
- [4.6 Staff Side Representatives](#) 4
- [4.7 Facilities Management](#)..... 5
- [4.8 Interservice](#) 5
- [5 PROCESS](#) 5 - 8
- [6 SMOKING CESSATION SUPPORT](#)..... 8
- [7 SALE OF ILLEGAL TOBACCO PRODUCTS](#) 8
- [8 TRAINING/SUPPORT](#) 8
- [8 PROCESS FOR MONITORING COMPLIANCE](#)..... 8
- [10 EQUALITY](#)..... 9
- [11 REFERENCES](#) **Error! Bookmark not defined.**9
- [11.1 Web page](#)9

SMOKE FREE POLICY

1. INTRODUCTION

As a major provider of health care The Dudley Group NHS Foundation Trust should lead and set an example in providing a totally smoke free environment to help aid patients recovery, promote health and wellbeing and minimise the risks of complications attributed to smoking tobacco and second hand smoke. This document sets out the Trust's commitment and policy in achieving a smoke free environment.

2. STATEMENT OF INTENT/PURPOSE

The implementation of this policy supports The Dudley Group NHS Foundation Trust (DGHFT) ambition to improve the health and wellbeing of staff, contractors, patients and visitors. DGHFT understands that smoking can have a detrimental effect on an individual's health and that second hand smoke adversely affects the health of all those who come into contact with it. DGHFT acknowledged the individual's choice to smoke, and whilst not forcing people to quit, has a duty to promote health and prevent the adverse effects of smoking to all individuals on Trust property. This policy exists to support the health and wellbeing of all staff and visitors to the Trust's premises by ensuring a smoke free environment

This policy applies to all staff, contractors and employees of other organisations who are on site, including Trust volunteers. All Trust buildings and grounds, whether owned or leased, have been deemed 'smoke free'.

This includes all on site residences.

3. DEFINITIONS

Smoking: The action or habit of inhaling and exhaling the smoke of burning tobacco encased in cigarettes, pipes, cigars, or the use of e-cigarettes and vapes.

Smoking Cessation: The process of discontinuing tobacco smoking (National Institute for Health and Care Excellence NICE, 2020).

Second Hand / Passive smoking: Second-hand smoke (SHS) is also known as environmental tobacco smoke (ETS). SHS is a mixture of the following from burning tobacco:

- Side stream smoke –smoke from the lighted end of a cigarette;
- Main stream smoke- the smoke exhaled by a smoker;
- Passive smoking is the inhalation of smoke by persons other than the intended active smoker. It occurs when tobacco smoke permeates the environment causing its inhalation by people within the environment. Exposure to this SHS can cause disease, disability and lead to death.

4. DUTIES (RESPONSIBILITIES)

4.1. Chief Executive

The Chief Executive has overall responsibility for ensuring the Trust has appropriate arrangements in place that ensures a smoke free working environment.

4.2. Directors and Line Managers

Directors and all managers will act as champions for this policy and encourage full compliance by all staff / team members. Managers will:

- Ensure that this document is made available to all staff within their department and that they have read it.
- Support staff members by directing them to smoking cessation services for advice and guidance via Solutions 4 Health via Let's Get Healthy Clinic's. contact details can be gained from the Staff Health and Well Being Department.
- Follow the Trust's [Disciplinary Policy](#) when managing issues of non-compliance with this policy.
- Ensure that staff are given appropriate guidance and support in how to approach individuals about not smoking on site and the stop smoking / cessation services that are available via Solutions 4 Health via Let's Get Healthy Clinic's.

4.3. Human Resources

Human Resources provide advice and guidance to managers and staff on the implementation of this policy.

4.4 Employees

All employees are expected to read and understand this policy and where possible and safe to do so, encourage compliance from other staff, contractors, affiliated services, external agency staff, students, volunteers, patients and visitors.

No member of staff will be disciplined for failing to inform patients or visitors of the policy. Although all staff are encouraged to make people aware of the policy, they should not put themselves at risk of physical or verbal abuse.

DGHFT recognises that at times this can be difficult and it is emphasised that staff should not put themselves at risk of harm or abuse in this or any situation. Where required, staff should contact a senior member of staff or, where available, security staff.

The Trust will provide appropriate guidance to allow front-line clinical staff to provide brief interventions and other advice and support to patients, including prescription of Nicotine Replacement Therapy (NRT) upon admission to the Trust.

4.5 Sub-Contractors

The requirements of the policy will be communicated in contractual documentation for contractors and suppliers.

4.6 Staff-side representatives

Staff-side representatives support the positive benefits of a smoke free environment and will encourage staff to observe the policy.

4.7 Facilities Management

The Facilities Management Team is responsible for:-

- Displaying the appropriate smoke-free signage required by legislation and necessary to promote the implementation of this policy.
- Providing support and advice to fire inspections, cleanliness audits and site inspections in areas where breaches of the policy are possible, likely or appear to be occurring.

4.8 Interserve

Will continue support the Trust in reminding individuals that we are a smoke free zone. Support will include regular monitoring of Trust grounds by Interserve staff.

5. PROCESS

5.1 Employees

The policy applies to all buildings and grounds across all Trust sites. Staff will be informed of the Trust's Smoke Free Policy (including vaping) as part of corporate and local induction processes. Job advertisements and job descriptions will include reference to this policy.

Staff should refrain from smoking in public when representing the Trust and when attending meetings on behalf of the Trust, wherever these are held.

When staff smoke off site, uniforms or scrubs must be completely covered by a coat so they cannot be identified as Trust staff and consideration given to the lasting effects of smoke fumes when caring for patients. Scrubs are easily identifiable as uniform and should not be worn outside Trust grounds in line with the [Uniform and Dress Code Policy](#).

5.2 Vehicles

Smoking by staff is prohibited in vehicles owned or leased by the trust. Staff that use their own vehicles on trust business should not smoke in them during work hours or when they are parked on trust property. This also applies to staff who are passengers. Infringements may result in the removal of parking permits or action being taken under the Trust's [Disciplinary Policy](#).

5.3 Implementation

All staff have a role in supporting the effective implementation of the policy both in terms of their own behaviour and to communicate the policy to patients and visitors.

All members of staff have the right to bring this policy to the attention of any other staff member who they find smoking on trust grounds / premises. Members of staff found smoking should be reminded of the trust policy and asked politely to stop smoking or to move off trust property.

If a member of staff is reported to his or her manager for smoking on Trust premises or for being aggressive or abusive when asked to stop smoking, the manager should initially talk with them, remind them of the policy and refer them to Solutions 4 Health via Let's Get Healthy Clinic's. If a member of staff refuses to stop smoking when asked or if there is more than one breach of this policy, despite support by the manager, the matter will be addressed through the Trust's [Disciplinary Policy](#).

If a member of staff is found to tamper with fire safety equipment i.e. smoke alarms to avoid detection of smoking, the matter will be addressed through the Trust's [Disciplinary Policy](#).

In the event that a member of staff from another organisation is found to be in breach of the policy, the appropriate organisation will be advised in writing.

5.4 Non-compliance by patients and visitors

All members of staff have the right to bring the policy to the attention of anyone they find smoking on a Trust site.

Line Managers will ensure that there is safe and appropriate staffing level to meet the tobacco dependence needs of patients (either to provide brief advice or intensive behavioural support). Services that care for patients who have a higher prevalence of tobacco dependence, such as Addictions will require a much higher ratio of staff with specialist skills in order to meet the need for prompt nicotine replacement therapy (NRT) and behavioural support, and may need other solutions to support these patients.

Staff should not facilitate patients to smoke (i.e. escort a patient to the ward garden, or the hospital grounds or off site to smoke, buy tobacco products, or light cigarettes).

Staff are competent at identifying and recording the smoking status of every patient in their electronic record.

Line Managers and Ward Managers will ensure that systems are in place so that;

- 1) Patients are supplied with an adequate amount of NRT during an inpatients stay and on discharge;
- 2) Follow up plans are in place if the patient wishes to maintain their abstinence after discharge.

Patient information regarding the relationship between smoking and illness (both physical and mental) is available in patient areas and is made accessible.

Information on tobacco smoke and medication interactions is available in all clinical areas and is shared with patients in a way that they understand.

Staff appraisal and personal development plans should reflect an employee's training needs to deliver tobacco dependence treatment.

Patients or visitors found smoking on the Trusts premises should be informed of the Trust's policy on smoking (including vaping) and made aware of no-smoking signage situated around the grounds, and encouraged to be referred to Solutions 4 Health via Let's Get Healthy Clinic's should they require further advice about going smoke-free or to help abstaining.

If after being politely asked to stop smoking they continually refuse to comply with the Trust's new smoke free stance, members of staff should seek assistance from a senior member of staff, or where appropriate contact security who have the authority to escort the person off site if it is deemed necessary and safe to do so.

Guidance for asking someone smoking onsite to stop is:

- Start with a polite greeting;
- Inform the person we are a smoke free site;

- Tell them there is support available if they would like help to quit – mention Solutions 4 Health which they can search on the internet. If they are staff, flyers are available from The Staff Health & Wellbeing Team.
- It could be useful to describe why we are smoke free - we are promoting a healthier lifestyle for all.
- If someone is aggressive in any way, please just walk away.

5.5 Refusal by the smoker to comply with this policy

As a last resort this may lead to treatment being withdrawn. This action is at the discretion of the Trust's senior management if non-compliance is deemed to be having a negative effect on an individual's treatment or recovery plan. Any complaint relating to this policy from, or on behalf of, patients should be dealt with under the Trust's [Complaints Policy](#).

5.6 Care in Private Homes

Employees have the right to work in a smoke and vape free environment. Patients or their carers who smoke in their own homes should be aware via an appointment letter or asked in advance by telephone to refrain from smoking for the duration of the visit.

A verbal request can also be made at the time of the visit and the client should be respectfully asked not to smoke whilst the employee is working within the environment. If the patient, carer, relative or friend chooses to continue to smoke, despite being advised that further home visits could cease, then the appropriate consultant or GP will be informed.

5.7 Electronic Cigarettes/ Electronic Vaping Devices

Electronic Nicotine Delivery Systems (ENDS), also known as electronic cigarettes, e-cigs or vaporising units, are battery-powered devices delivering nicotine by heating and vaporising a solution that typically contains nicotine, propylene glycol and/or glycerol, and flavourings.

There are two main forms of ENDS products:

- Disposable - single use products which are self-contained, non-rechargeable/non-refillable and last for approximately 30-40 tobacco cigarettes.
- Rechargeable - multiple use products with rechargeable batteries which are refillable.

Due to risks of poor quality chargers, the exposed heating element being run without a guard and the toxicity of the nicotine solution "capsules", rechargeable units are banned from Trust premises. The charging of these devices (or any similar device) is not permitted on Trust premises.

ENDS use:

The Trust has reasonable concerns that if staff, visitors and patients are allowed to use electronic cigarettes in places where the law prohibits smoking, or where no-smoking policies are in place, individuals may be mistaken for smoking a cigarette. Consequently this may lead to the belief that smoking cigarettes is permitted or that no action will be taken if they are caught smoking. DGHFT has therefore taken the decision to prohibit the use of electronic cigarettes to support compliance with smoke free legal requirements and its own smoke and vape free Trust policy.

In-Patients – upon admission patients will be prescribed NRT to manage the patient's nicotine addiction and will not be able to use ENDS products on the Trust's site.

Out-patients/community patients – cannot use ENDS products on Trust sites. Patients visited in their own home will be asked to refrain from using ENDS product shortly before and during the visit.

Visitors - cannot use ENDS products on Trust sites.

Staff - cannot use or charge ENDS products on Trust sites.

6. SMOKING CESSATION SUPPORT

The Staff Health and Wellbeing Team will provide advice and support for those who wish to stop smoking via sign posting to Solutions 4 Health via Let's Get Healthy Clinic's. Phone 01384 732402 or 0800 061 4962 to book a place or for more information visit www.lets-get.com.

Visitors and contractors who want advice/support should be advised to contact the local NHS Stop Smoking Service which is via Solutions 4 Health via Let's Get Healthy Clinic's.

7. SALES OF ILLEGAL TOBACCO PRODUCTS

It is a criminal offence for anyone to sell, transport or possess illegal tobacco products. The selling and / or storing and dealing in any way with illegal cigarettes or tobacco within the Trust's premises and grounds is not permitted and will be handled in accordance with the Trust's [Disciplinary Policy](#) and in liaison with the relevant external authorities as appropriate.

8. TRAINING/SUPPORT

Advice and support on the implementation of this policy will be provided by Human Resources.

9. PROCESS FOR MONITORING COMPLIANCE

Monitoring of Compliance Chart

Elements to be Monitored	Lead	Tool	Frequency	Reporting arrangements	Acting on recommendations and Lead(s)	Change in practice and lessons to be shared
Compliance will be highlighted with HR Business Partners from HR casework e.g. conduct and grievance issues.	Chief People Officer	HR casework meetings and casework tracker spreadsheet. HR casework statistical reporting.	Fortnightly Annually	Chief People Officer	HRBP, Deputy HRBP and HR Advisors will act on any recommendations and advise their Directorates as required. Trust Executive Directors.	Changes to policy due to actions or recommendations arising from casework will be effected by HRBP's who will educate their Directorates and provide advice accordingly.

10. EQUALITY

The Dudley Group NHS Foundation Trust is committed to ensuring that, as far as is reasonably practicable the way we provide services to the public and the way we treat our staff reflects their individual needs and does not discriminate against individuals or groups on any grounds.

An equality impact assessment has been undertaken in regards to this policy and procedure to assess and ensure there is no disproportionate impact upon individuals or groups in respect of a protected characteristic.

11. REFERENCES

Web Pages

Health and Safety Executive Health and Safety at Work Act 1974
<https://www.hse.gov.uk/legislation/hswa.htm>
 [Accessed: 18 September 2020]

National Institute for Health and Care Excellence (NICE). NICE Quality Standard 43. <https://www.nice.org.uk/guidance/qs43>
 [Accessed: 18 September 2020]