

**20<sup>th</sup> April 2016****Agenda Item: 4**

## **REPORT OF THE DEPUTY LEADER OF THE COUNTY COUNCIL SMOKEFREE POLICY**

### **Purpose of the Report**

1. To seek formal approval for the updating of the Council's existing Tobacco Control Policy and it's renaming to the Smokefree Policy.

### **Information and Advice**

#### **Background**

2. Smoking is the number one preventable cause of death in the UK; about 8 in 10 non-smokers live beyond the age of 70 whilst only half of long term smokers live past 70. Giving up smoking has therefore been identified by health professionals as the single greatest behaviour change an individual can make to improve their health.
3. Smoking related ill health is a major challenge for our County; 17.5% of adults in Nottinghamshire smoke and around 1,300 people in the County die each year from smoking related illnesses. The cost of smoking to the Nottinghamshire community is an estimated £203.5 million each year.
4. As local leaders in Public Health, Nottinghamshire County Council actively promotes better health across Nottinghamshire, this includes reducing the preventable death, disability and illness that smoking causes in the community.
5. To underpin its overall efforts to champion smoke free environments and stopping smoking, on the 20<sup>th</sup> November 2014, the County Council signed the Local Government Declaration on Tobacco Control and endorsed the Nottinghamshire County and Nottingham City Declaration on Tobacco Control .
6. This committed the Council to take action on tobacco related issues and to demonstrate local leadership by acting as an exemplar of best practice to others.
7. The Council's wider commitment to being a champion of smoke free environments and smoking cessation is reflected in its overall ambition to be a healthy organisation which involves committing the Council to take action on tobacco related issues at work.
8. Underpinning this commitment, is the specific duty of care on the Council, as an employer to protect the health of all of its workforce.

9. The creation of a “Smokefree” working environment across the Council and providing support for those of its employees who smoke to quit the habit is integral to this duty and is a priority which is reflected as a target for action in its tobacco implementation plan.
10. The Council also wishes to lead the way by modelling good practice to other employers and acting as an exemplar through being a champion of smokefree workplaces.
11. This ambition is also reflected in the Corporate Employee Health and Wellbeing Action Plan for 2016-2018 which supports the delivery of the Council’s Workforce Strategy.

## **Proposal**

12. It is proposed to strengthen the Council’s former Tobacco Control Policy to create a smokefree working environment, whilst maintaining a supportive approach to helping its employees stop smoking and improve their health by overcoming their addiction.
13. This is necessary to promote a change in culture away from the acceptability of smoking during working time and the overall purpose of the change to policy is to create an entirely smokefree workplace in which staff are required to abstain from smoking at all times while at work and thereby:
  - Underline the Council’s commitment as a signatory of the Local Government Declaration on Tobacco Control to take action on tobacco related issues and act as an exemplar to others
  - Ensure the relevance of the policy to the current social and legislative environment
  - Include reference to more recently available smoking products
  - Reflect the Council’s commitment to being a healthy organisation which actively promotes the good mental and physical health and wellbeing of its employees
  - Fulfil the Council’s duty of care to protect the health of all of its employees
  - Engender a positive knock-on effect on the families and friends of the Council’s workforce and the wider population of Nottinghamshire
  - Set a good example to other employers to follow.
  - Promote the support, information and advice available to employees on giving up smoking.
14. The policy would also apply to elected members, volunteers working on behalf of the Council, agency workers, contractors and visitors to County Council premises.

## **Process**

15. The proposed policy changes were put to the trades unions at Central Joint Consultative and Negotiating Panel (CJCNP), on 15th July 2015. The trades union side requested a period of time to consult and ballot their members. The result of this was in favour of the revised policy. Following this, at a subsequent meeting of the Central Joint Consultative and Negotiating Panel, the trades union side confirmed their formal agreement to the updated Smokefree Policy.

16. The updated Smokefree Policy, as agreed by the recognised trades unions, is attached as an **appendix** to this report.
17. Subject to approval, it is planned to launch the Smokefree Policy, associated guidance for implementation and new smoking cessation support provisions for employees during May 2016.
18. A communication campaign will be developed in conjunction with Public Health and the Communications team which will focus on the support on offer to help employees give up smoking. This will include the provision of workplace smoking cessation sessions and other information and signposting.

### **Other Options Considered**

19. The existing Tobacco Control Policy was introduced in October 2006. Although it could have continued, updating was required as a result of signing the Local Government Declaration on Tobacco Control and the need to improve the health of local people by encouraging them to cease smoking. The proposals also reflect the changes in legislative and cultural norms that have occurred over the intervening period.

### **Reason/s for Recommendation**

20. The County Council is committed to promoting employee health and well-being as detailed in the Corporate Employee Health and Well-being Action Plan and will provide appropriate support to help employees give up smoking. This sits within the Council's wider objectives of improving the health of local people.

### **Statutory and Policy Implications**

21. This report has been compiled after consideration of implications in respect of This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.
22. Public Health have advised on the health issues set out in this report and formal consultation has been undertaken with the trade unions who support the updated policy.

### **Equalities Implications**

23. The Council's Smokefree Policy applies equally to all directly employed Council staff. It is intended that it will also be recommended to the governing bodies of voluntary aided, foundation schools and academies for approval as they carry the responsibility for Health and Safety.

### **Human Resources Implications**

24. These are set out in the body of this report. The trades unions were consulted on the proposal at Central Joint Consultative and Negotiating Panel on 15th July 2015, 22nd October 2015 and 3rd March 2016.

## **RECOMMENDATION**

It is recommended that Policy Committee approves the updated Smokefree Policy as set out in the appendix to this report.

**Cllr Joyce Bosnjak**  
**Deputy Leader of the Council**

**For any enquiries about this report please contact:**

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### **Constitutional Comments (SLB 18/03/16)**

24. Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 18/03/16)**

25. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

None

### **Electoral Division(s) and Member(s) Affected**

All