



THE NEW SMOKE-FREE LEGISLATION

HOW IT WILL AFFECT YOU AND YOUR BUSINESS



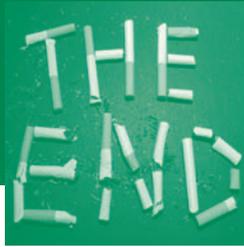
healthy
communities



South Kesteven District Council
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INVESTOR IN PEOPLE



A new law requiring almost every workplace (whether someone working there is paid or unpaid) and work vehicle to be smoke-free will be implemented from 1st July 2007. This law will ensure that almost all workers will be protected from exposure to second-hand smoke.

In this leaflet South Kesteven District Council explains what the impact of the new legislation is if you are an employer or a manager.

Which workplaces will be covered by this legislation?

- The legislation covers all premises that are wholly or substantially enclosed and used as a place of work by more than one person.
 - "Substantially enclosed" refers to rooms that have a ceiling or a roof and where any openings in the walls of the room are smaller than half the total area of the walls.
 - A roof includes any fixed or moveable structure or device e.g. retractable awning, capable of covering all or part of the premises.
- Smoking rooms will no longer be allowed.
- Smoking will be allowed in external shelters which are not substantially enclosed (please note that planning permission may be required for this).
- If you have a premise licence, you may need to speak to the licensing team in SKDC's environmental protection section, as a variation of the licence may be needed.

What will the Smoke-free Legislation mean to employers and managers?

If you are an employer or a manager, you will have to ensure that your buildings and vehicles are smoke-free. You will also need to display "No-smoking" signs, which meet the following criteria:

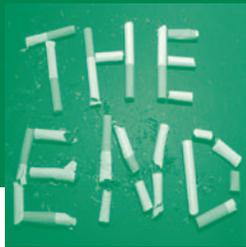
- Be displayed at each public entrance to the premises in a prominent position and visible to people entering the building.
- A5 (148mm by 210mm) in size.
- Include the international red "no-smoking" symbol (70mm) and the words "No Smoking. It is against the law to smoke in these premises."

It is advisable to introduce a 'smoke-free' policy to:

- Identify responsibilities of managers and staff in implementing the policy.
- Specify procedures to follow in case of non-compliance.
- Provide sources of advice and support for staff who smoke.

To download pre-prepared policies, register and receive further updates and free signage, please contact Smoke Free England:

t: 0800 169 16 97 (information line)
w: www.smokefreeengland.co.uk



Will employers have to provide external smoking areas?

There is no legal requirement for employers to provide designated external smoking areas. However, if you wish to provide an alternative option (e.g. external shelters, etc.), you will need to make sure these comply with planning permission requirements. You should also provide suitable bins to avoid littering.

Are there any exemptions to the new legislation?

Some places where people live and which are also workplaces (e.g. residential homes, prison cells, etc.) are exempt. This does not mean that smoking is allowed throughout these premises. Instead, in such premises only, the employer will have to identify "designated smoking rooms" which meet the following specifications:

- The room should be completely enclosed, except for windows/doors, by solid floor-to-ceiling walls on all sides.
- If a door opens onto smoke-free premises, it must be mechanically closed immediately after use to prevent smoke drift.
- The ventilation system does not ventilate into any other smoke-free part of the premises.
- It should be clearly marked as a room in which smoking is permitted.

It is up to the management of these exempt premises as to whether they wish to provide designated smoking rooms. It is also their decision to allow visitors to exempt premises to use smoking rooms.

Only exempt premises will be allowed to have a smoking room!

What about work vehicles?

Work vehicles or vehicles used for work will have to be kept smoke-free at all times, to protect other workers using the vehicle from the harmful effects of secondhand smoke. Tobacco smoke is absorbed into soft furnishings and remains long after a cigarette has been stubbed out.

All work vehicles will need to be clearly labelled smoke-free, with 'no smoking' signs visible to anyone entering the vehicle. Those vehicles used by one person only and that will never carry passengers - such as work colleagues - will be exempt under the legislation.



What are the penalties for non-compliance?

Environmental health practitioners in SKDC's healthy communities department will be authorised to issue the following penalties.

- Failure to display 'no smoking' signs:
up to £ 1000 or a fixed penalty notice of £ 200
- Smoking in a no-smoking place:
Up to £ 200 or a penalty notice of £ 50
- Failing to prevent smoking in a smoke-free place:
Up to £ 2500. (The penalty amount will be decided by a court rather than the local authority).

This leaflet has been produced in association with the Smokefree Lincs Alliance. For more information, please visit www.smokefreelincs.co.uk.

Who can help employees who want to stop smoking?

NHS

Provides free and local support.

PHOENIX NHS Stop Smoking Service - Lincolnshire

t: 01522 55 06 81

NHS Smoking Helpline

t: 0800 169 0169

w: www.gosmokefree.co.uk

Or text Give Up followed by your postcode to 88088.

Quit

t: 0800 00 22 00

e: stopsmoking@quit.org.uk

w: www.quit.org.uk

Who can I contact regarding enforcement of this new legislation?

South Kesteven District Council – healthy communities section

t: 01476 40 63 00

e: healthy@southkesteven.gov.uk

w: www.southkesteven.gov.uk/healthy

m: 01476 40 60 98 (minicom)

Council Offices
St. Peter's Hill
Grantham
Lincolnshire
NG31 6PZ

Alternative formats and languages

Large print, Braille, audio tape or computer disc

This information can be made available in large print, Braille, on audio tape or computer disc. If you, or someone you know, might benefit from this service, please contact us.

繁體中文 / Cantonese

本資料有繁體中文版，若你本人或你認識的甚麼人會受益於此版本，敬請聯絡我們。

Česky / Czech

Tato informace může být dostupná i v češtině. Pokud byste Vy, a nebo někdo koho znáte, mohl využít tohoto servisu, obraťte se prosím na nás.

Magyar / Hungarian

Ezeket az információkat magyar nyelven is tudjuk biztosítani. Ha Ön, vagy valaki, akit Ön ismer igényt tart erre a szolgáltatásra, kérem, keressen fel minket.

Latviski / Latvian

Šo informāciju var iegūt arī latviešu valodā. Ja Jums vai kādai no Jūsu paziņai šādi pakalpojumi nāktu par labu, lūdzu kontaktējiet mūs.

Lietuviškai / Lithuanian

Šią informaciją galite gauti lietuvių kalba. Prašome kreiptis į mus, jei jums arba jūsų pažįstamiems ši paslauga galėtų būti naudinga.

Polski / Polish

Informacja ta może być dostępna w języku polskim. Jeżeli Państwo albo ktoś kogo Państwo znają, może z tej usługi skorzystać, proszę nas kontaktować.

Português / Portuguese

Esta informação pode ser disponibilizada em português. Se você, ou alguém que conhecer, beneficiar com este serviço, por favor contacte-nos.

Русский / Russian

Данная информация может быть предоставлена на русском языке. Если Вы или Ваши знакомые посчитаете такую услугу необходимой, пожалуйста, свяжитесь с нами.

Türkçe / Turkish

Bu bilgiler Türkçe dilinde mevcuttur. Siz veya bir tanıdığınızın bu hizmetten faydalanacağını düşünüyorsanız lütfen bizi arayınız.

Contact us

South Kesteven District Council - communications unit

tel: 01476 40 61 27

w: www.southkesteven.gov.uk

e: communications@southkesteven.gov.uk