

**Move in a healthy direction**

Smoking and Tobacco: An Employer's Guide



### **Introduction**

The health effects of smoking are well evidence and well documented. Smoking rates have fallen dramatically since the mid-1970s. However, smoking still remains the largest cause of premature death, with 100,000 people dying each year from smoking related illness. Smoking prevalence in Kent and Medway is 13.5% and 14.5% respectively (2021). However smoking rates are higher in some occupational groups and the risks of smoking remain relevant. The UK has an ambition to be smoke free (where less than 5% of adults smoke by 2035. Reaching this target requires work and support from government, locally and nationally, health services, employers and the community at large.

In this guide we will give advice about promoting stop smoking in your workplace, what your policy should cover and how you can combat illicit tobacco (illegal tobacco). For guidance in reviewing or putting together your Smoke Free Policy, please contact us using the details at the end of this guide.

### **Why should employers worry about Smoking and Tobacco?**

We are all aware of the risks smoking poses to health. 1 in 2 smokers will die of a smoking related disease, leading to a loss of valuable and key staff and detrimental impacts on wider colleagues if they pass away whilst in employment. In addition there is a cost of lost time due to medical appointments for treatment. Apart from these tragic losses, smokers spend an average of 6 working days a year on cigarette breaks, and are 1.5 times more likely to take sick leave than a non-smoking colleague.

Small and Medium sized businesses (those with less than 250 staff) are disproportionately affected by the loss of key staff for any period, including the loss caused long term impact of smoking. If businesses can support their staff to be healthier, their business will benefit in the long term.

### **Smoking and mental health**

Quitting smoking leads to reduced stress and better mental health. Many smokers believe that smoking relieves stress but this has been shown not to be true. In fact the highs and lows of a smoking addiction, much like any other addition can cause additional stress on the body, leading to increased cortisol production. Using smoking to cope with stress can undermine a person’s ability to cope with stress. A number of road accidents caused by commercial drivers are thought to be caused by drivers rushing to a place to stop for their next cigarette break.

Just under one third of smokers live with a mental health condition. They may smoke more at times of worry and anxiety and use smoking to self-medicate from other symptoms, or as a distraction from their problems. It is important to consider mental health when planning to address smoking in the workplace. You can refer to our Guide: A mentally healthy workplace: An Employers’ Guide for further information.

### **Smoking and Workplace Health and Safety**

It is against the law to smoke in enclosed workplaces, including public buildings and public transport. It is also against the law for workers to smoke in work vehicles which are used by more than one person including taxis, vans, goods vehicles and company cars. Residential homes and hospices can only offer individual smoking rooms for residents. Staff smoking rooms are not allowed, smokers must do so outside.

Businesses must display no smoking signs in the workplace, and in workplace vehicles.

Failure to comply with workplace smoking laws can result is fines of up to £2500 for not enforcing no smoking in the workplace, and £1000 for failure to display no smoking signs.

It is recommended that outdoor workspaces are also smoke-free to protect the health of workers. Smokers should be asked to smoke in a designated area.

Smoke-free laws do not apply to e-cigarettes or vaping. Employers should consider whether or not these are allowed to be used on the premises, and may offer a separate vaping area from the designated smoking area. Separate designated vaping areas can support staff who are vaping as a tool to give up smoking.

**Illicit tobacco**

Illicit tobacco, or illegal tobacco is a term used to cover tobacco products where UK duty has not been paid on the products. This can include foreign tobacco which have been manufactured legally in the country of origin but have been illegally imported into the UK. The products do not have the UK mandatory plain packaging or health warnings. The terms also includes counterfeit products as well as genuine products which have been smuggled into the UK without paying duty.

Illicit tobacco is often available at cheaper prices, undermining the effectiveness of taxation as an encouragement for people to quit smoking. The availability of cheap tobacco products make it easier for non-smokers to start smoking, particularly children and for ex-smokers to restart.

The illicit tobacco trade is often linked to criminal activities such as drugs, illegal alcohol, counterfeit goods and people trafficking. Opportunistic shopkeepers who sell these items also gain an unfair advantage over law abiding businesses and this can have a detrimental impact on the livelihoods of shop holders acting legitimately.

Any illicit tobacco in the workplace should be reported to the police, local trading standards or HMRC hotline. Employers should take all steps and precautions necessary to prevent the sale and distribution of illicit tobacco on their premises.

**What employers can do to help**

There are several things that employers can do to support their staff. Here are some suggestions based on latest Health and Wellbeing research and best practice. This guide has focused particularly smoking, although many of these initiatives will support and promote better health and wellbeing in general.

* Open communication with staff will encourage them to come forward and report concerns regarding their own health and wellbeing, as well as health and safety within the organisation.
* Ensure senior management are on board with health and wellbeing initiatives. If a senior manage has a quit smoking story to share this can encourage staff to make a quit attempt.
* Use a staff noticeboard, either in a staff room or on the company drives to promote good health messages and signpost staff to sources of support.
* Promote local stop smoking services and take part in national campaigns such as Stoptober and National No Smoking Day.
* Offer a separate vaping area from the smoking shelter to support staff who are using vaping as a means to quit smoking.
* Raise awareness of the issues around illicit tobacco, and take steps to prevent the sale or distribution of illicit tobacco in the workplace. You can include a statement about this in your smoke-free policy.
* Ensure your smoke-free policy is up to date, and includes guidance for e-cigarette use, or vaping. Since the Coronavirus pandemic, more people are now working from home. In general workplace smoke-free laws do not apply to private dwellings, unless part of a private dwelling is solely used for work, and is used by persons not living at the property or visited by people in relation to the work carried out. If you have smokers working from home, you may wish to advise that they should not smoke near work equipment, and that smoking paraphernalia should not be visible in video calls to protect the professional image of the organisation.

### **Useful Resources**

* [A Better Medway](http://www.abettermedway.co.uk) - local health improvement advice and support for Medway
* [Medway Stop Smoking Service](https://quit.abettermedway.co.uk/)
* [Kent Stop Smoking Service](https://www.kent.gov.uk/social-care-and-health/health/one-you-kent/quit-smoking)
* [One You Kent:](https://www.kent.gov.uk/social-care-and-health/health/one-you-kent) local health improvement advice and information for Kent
* [Kent Community Health Foundation Trust:](https://www.kentcht.nhs.uk/service/one-you-kent/) health improvement services for Kent
* [Action on Smoking and Health.](https://ash.org.uk/home/)
* Business in the Community Public Health England Toolkits: [Mental Health toolkit for employers](http://wellbeing.bitc.org.uk/all-resources/toolkits/) , [Alcohol and Substance Misuse toolkit for employers](https://www.bitc.org.uk/wp-content/uploads/2019/10/bitc-wellbeing-toolkit-drugsalcoholtobacco-may2018.pdf)
* [British Heart Foundation](https://www.bhf.org.uk/informationsupport/risk-factors/smoking)
* Mental Health First Aid – [Line Manager’s Resource](https://mhfaengland.org/line-managers-resource/)
* [NHS Better Health Campaign](https://www.nhs.uk/better-health/) including healthy lifestyle advice.

Thank you to all those who have contributed to this guide: Members of the Public Health Team, Medway’s Tobacco Control Alliance, and Local Stop Smoking Services

The following sources of information were consulted in the production of this guide:

Business in the Community Public Health England Toolkits: Alcohol and Substance Misuse Toolkit

[Illicit tobacco partnership](http://www.illicit-tobacco.co.uk/problem/undermining-tobacco-control/)

[Action for Smoking on Health](http://www.ash.org.uk/home)

### **Contact**

For a no obligation meeting to get the Workplace Health programme started in your business, or for further information please contact:

By email [workplacehealth@medway.gov.uk](mailto:workplacehealth@medway.gov.uk). By telephone 01634 334355 or visit the [website.](http://www.medway.gov.uk/healthyworkplace)