



**PASSIVE
SMOKING
AT WORK**



WORKPLACE
AIR
POLLUTION



This booklet gives advice to employers on action to prevent passive smoking at work. It recommends that all employers should introduce a policy to control smoking in the workplace following full consultation with their employees, and gives guidance on what the policy should achieve.



**WARNING: PASSIVE SMOKING AT WORK
CAN DAMAGE YOUR HEALTH**

WHAT IS PASSIVE SMOKING?

When smokers and non-smokers share the same room, non-smokers cannot avoid inhaling some of the smokers' tobacco smoke. This is 'passive smoking'.

The smoke is mainly 'sidestream' smoke from the burning tip of cigarettes, cigars or pipe tobacco but there is also some 'mainstream' smoke exhaled by smokers. Both mainstream and sidestream smoke contain small droplets of tar together with nicotine and a wide range of vapours and gases such as **carbon monoxide, ammonia, hydrogen cyanide and acrolein**. They also contain small amounts of some substances which have been shown in laboratory tests to induce cancer in animals.





WHAT ARE THE RISKS TO HEALTH OF PASSIVE SMOKING?

Smoking is the single most important cause of disease and premature death. Independent scientific bodies throughout the world have also concluded that **passive smoking** can cause lung cancer in non-smokers. In 1988, an advisory body to Government, the Independent Scientific Committee on Smoking and Health, reviewed all the available scientific evidence and concluded that it was consistent with passive smoking causing a small increase in the risk of lung cancer. The Committee estimated that passive smoking may be causing several hundred lung cancer deaths a year in the United Kingdom. The Government has accepted these findings.

Passive smoking also has acute irritant effects on the eyes, throat and respiratory tract, and can aggravate asthma. Recent research also suggests a possible connection with heart disease, and a possible association between heavy exposure to tobacco smoke of women during pregnancy and smaller babies.

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WHY SHOULD EMPLOYERS TAKE ACTION?

The Independent Scientific Committee have advised that:



non-smoking should be regarded as the norm in enclosed workplaces. Special provision should be made for smoking, rather than vice-versa;



smokers should be segregated from non-smokers.

The Government and the Health and Safety Executive agree with this advice.

Public attitudes to smoking are changing. People have become more aware of the serious health risks faced by smokers themselves and are increasingly concerned about the health effects and discomfort of breathing other people's tobacco smoke. Only about 30% of the adult population smokes and the trend is downwards.



As a result:



in hospitals, on most forms of public transport and in many places of public entertainment smoking has been restricted or banned;



in 1991 the Government published a code of practice on smoking in public places aimed at owners and managers of buildings open to the public, setting out the best means of achieving the goal of a smoke-free environment;



in the workplace more and more employers have introduced policies on smoking with the acceptance and agreement of their workforce.

But workplaces where there is not a policy on smoking in operation are now some of the few places where non-smokers may have to spend long periods in close contact with tobacco smoke day after day. Surveys show that most workers would prefer not to breathe air polluted by tobacco smoke when at work.

WHAT IS THE LEGAL SITUATION?

Under section 2 of the Health and Safety at Work etc Act 1974 employers have to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees.

This means that if a risk to health can be demonstrated, for example if a worker with a respiratory condition is forced to work in a very smoky atmosphere which may make that condition worse, the employer must take action to deal with the risk. Health and safety inspectors can take enforcement action if necessary in these circumstances, but ultimately it would be for the courts to decide in a particular case whether the risk to health was significant.

Employers also have a common law responsibility to provide a safe place and system of work. They should act to resolve complaints from employees that their health may be at risk from a smoky environment.

Under the Workplace (Health, Safety and Welfare) Regulations 1992, employers have to ensure that there are arrangements to protect non-smokers from discomfort caused by tobacco smoke in rest rooms or rest areas.



Health and Safety at Work etc. Act 1974

1974 CHAPTER 37

An Act to make further provision for securing the health, safety and welfare of persons at work, for protecting others against risks to health or safety in connection with the activities of persons at work, for controlling the keeping and use of dangerous substances, for controlling possession and use of dangerous substances, for making further provision with respect to the building regulations, 1960.

WHAT ARE THE BENEFITS TO EMPLOYERS OF TAKING ACTION?

A policy on smoking should result in:

- a better, cleaner corporate image;
- a healthier workforce with less time lost through sickness;
- reduced conflict between smokers and non-smokers, provided the policy is introduced correctly;
- a reduction in staff turnover. It should be easier to retain and recruit workers if they have the opportunity of working in a smoke-free environment;
- lower cleaning costs and less need for redecoration. Tobacco smoke pervades clothes and furnishings.

An effective policy on smoking at the workplace will not only protect the non-smoker but should also encourage smokers to reduce their consumption of tobacco or give up their habit.

WHAT SHOULD AN EMPLOYER DO?

In some situations, a complete ban on smoking may be justified for safety reasons, for example where there is a risk of fire or explosion.

In all other cases, the Health and Safety Executive recommends that **all employers should have a specific policy on smoking in the workplace**. The policy should be written down and be generally available.

The policy should give priority to the needs of non-smokers who do not wish to breathe tobacco smoke.

But it is important not to introduce a policy too quickly or without proper **consultation**. Suddenly imposing a smoking ban could cause resentment among smokers and problems in enforcing the rules. And introducing a policy on smoking will affect employees' conditions of employment. Employers should be careful not to infringe employment rights.

Employers should therefore consult their employees and their representatives on the appropriate smoking policy to suit the particular workplace. This will maximise the chances of acceptance by all the employees. It is important **to take time to develop the policy** and then give notice of its introduction. A minimum period of three months' notice is recommended. If necessary a transitional period or a step by step approach should be introduced. And staff should be **made aware** of the details of the policy and what will happen to those who do not abide by it.



There is no single ideal policy on smoking as each workplace is different. **The only effective ways to achieve a smoke-free environment for non-smokers are:**



to introduce a total ban on indoor smoking; or



to ban smoking in all parts of the premises except in enclosed areas designated as smoking areas.

A less effective way, but one which employers may have to consider in the light of the constraints of the workplace or the wishes of the staff is:



to segregate smokers and non-smokers in separate rooms, and ban smoking in common areas.

Good ventilation will reduce the effects of tobacco smoke, but will not completely prevent exposure. In buildings with mechanical ventilation, employers should consider discharging air from smoking areas separately rather than allowing it to enter the recirculation system. If this is not reasonably practicable, the recirculated air should be brought up to an appropriate standard by suitable decontamination systems. Tobacco smoke building up in the workplace is a sure sign that the ventilation system is inadequate.

Many employers as part of their policy on smoking provide help to smokers to reduce or give up smoking.

WHERE CAN MORE DETAILED ADVICE BE OBTAINED?

If you have access to an **occupational health service** it will give you information on smoking and health, including the best policies to adopt to control smoking in your particular workplace and to encourage smokers to give up the habit.

HSE's **Employment Medical Advisory Service** advises on all aspects of occupational health. (See local telephone directory under HSE).

The **Advisory Conciliation and Arbitration Service (ACAS)** can advise on the employment and industrial relations implications of policies on smoking at work. It has published a free booklet which includes advice on the development and implementation of policies on smoking. (See **FURTHER READING**).

In 1999, the **Health Education Authority** (now known as the Health Development Agency) published a booklet giving detailed guidance on devising and implementing smoking policies at work. (See **FURTHER READING**).

Information or advice is also available from district health authorities, from the environmental health unit or local health education unit of the local authority, from trade unions, and from consultancy services.

The following organisations can also be approached for further information:

Action on Smoking and Health (ASH)

102 Clifton St
London EC2A 4HW
Tel: 020 7739 5902
www.ash.org.uk

ASH Wales

374 Cowbridge Road East, Canton
Cardiff CF5 1GY
Tel: 029 2064 1101

ASH Scotland

8 Frederick Street
Edinburgh EH2 2HB
Tel: 0131 225 4725

Health Promotion Wales

Ffynnon - Las
Ty Glas Avenue
Llanishen
Cardiff CF4 5DZ
Tel: 029 2075 2222
www.hpw.org.uk

**Health Education Board
for Scotland**

Woodburn House
Canaan Lane
Edinburgh EH10 4SG
Tel: 0131 536 5500
www.hebs.org.uk

FURTHER READING

Fourth report of the Independent Scientific Committee on Smoking and Health March 1988 ISBN 0 11 321131 7 HMSO
Out of print but available through libraries

Report of the Scientific Committee on Tobacco and Health (SCOTH) March 1998 www.official-documents.co.uk

Health and employment ACAS Advisory Booklet 2000
ISBN 0 906073 45 6
Free from ACAS regional offices (see telephone directory)

Smoking policies in the workplace: An update 1999. Available from the Health Development Agency (previously known as the Health Education Authority), Trevelyan House, 30 Great Peter St, London SW1P 2HW www.hdg-online.org.uk

Smoking in public places: Guidance for owners and managers of places visited by the public. Code of Practice December 1991 Free from the Department of the Environment, PO Box 135, Bradford, West Yorkshire BD9 4HU.

While every effort has been made to ensure the accuracy of the references listed in this publication, their future availability cannot be guaranteed.

FURTHER INFORMATION

HSE priced and free publications are available by mail order from HSE Books, PO Box 1999, Sudbury, Suffolk CO10 2WA
Tel: 01787 881165 Fax: 01787 313995 Website:
www.hsebooks.co.uk (HSE priced publications are also available from bookshops.)

For information about health and safety ring HSE's InfoLine
Tel: 08701 545500 Fax: 02920 859260 e-mail:
hseinformationservices@natbrit.com or write to HSE
Information Services, Caerphilly Business Park, Caerphilly
CF83 3GG. You can also visit HSE's website: www.hse.gov.uk



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This leaflet contains notes on good practice which are not compulsory but which you may find helpful in considering what you need to do.

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