**Equality Impact Assessment - Preliminary Assessment Form**

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| *Title of the strategy, policy, service or project:*  | Workplace Smoking/vaping Policy  |
| *Service Area:* | All |
| *Lead Officer:* | David Clamp – Human Resources Manager  |
| *Date of assessment:* | 14/03/2024 |
| *Is the strategy, policy, service (procedure) or project:*  | Policy |
| *Changed* | x |
| *New*  | ¨ |

**Section 1 – Clear aims and objectives**

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| 1. What is the aim of the strategy, policy, procedure or project?
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| The Council recognises that the health, safety, and welfare of employees and anyone else directly affected by its operations are of prime importance. The Council has therefore developed and enforces a dedicated workplace smoking/vaping policy, conforming to the requirements of the smoke-free legislation. |

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| 1. Who is intended to benefit from the strategy, policy, procedure or project and how?
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| The Policy applies to all employees, contractors and anyone else who either works on behalf of the Council or visits a Council owned premises. It sets out how smoking in designated areas and places, as set down in the Smoke Free Workplace Regulations 2007, is being enforced by the Council.  |

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| 1. What outcomes do you want to achieve?
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The Council has adopted this policy on smoking/vaping that is designed to secure a healthy and safe environment for Elected Members, employees and visitors, as well as eliminating passive smoking from its premises.

The Council is required under the Health and Safety at Work Act 1974 to ensure the health and safety of its employees and others at work. It has more specific requirements placed on it under the Smoke Free Workplace Regulations 2007, to strictly prohibit smoking in workplaces, enclosed public places and in company vehicles.

Additionally, under the Health and Safety at Work Act 1974 employees have a duty to take reasonable care for the health and safety of themselves and others and to cooperate with their employer as far a necessary to enable their employer to comply with the Act.

It is the Council’s policy not to intrude on the privacy of individuals, particularly in health matters, where their conduct or performance at work is not affected. Nor will the Council discriminate against smokers in recruitment arrangements.

However, to facilitate the implementation of the policy from the perspective of both non-smokers and smokers, the Council will arrange some support facilities for smokers who may wish assistance in giving up smoking.

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|  | **Potentially positive impact** | **Potentially negative impact** | **No disproportionate impact** |
| Age  | ¨ | ¨ | x |
| Disability and long-term conditions | x | ¨ | ¨ |
| Gender reassignment | ¨ | ¨ | x |
| Marriage or civil partnership | ¨ | ¨ | x |
| Pregnant women and people on parental leave | x | ¨ | ¨ |
| Sexual orientation | ¨ | ¨ | x |
| Race | ¨ | ¨ | x |
| Religion or belief | ¨ | ¨ | x |
| Sex (Gender) | ¨ | **¨** | x |

**Section 3 – Recommendations and monitoring**

If you have answered that the strategy, policy, procedure or project could potentially have a negative impact on any of the above characteristics then a full Equality Impact Assessment will be required.

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| 1. **Should a full EIA be completed for this strategy, policy, procedure or project?**
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| ¨ *Yes* | ¨x *No* |  |
| Due to the nature and content of this procedure,all employees, and members of the public with a protected characteristic as defined under the Equality Act 2010 are not directly impacted by the Workplace Smoking/vaping Policy.This Policy has a positive impact on the following groups.**Disability** – Any member of staff identified as having a disability or health condition that may be impacted by having to work in people’s homes where they smoke will be assessed by a medically competent person with reasonable adjustments and control measures, where reasonably practicable, to ensure their continued health and safety at work. Pregnant women and people on parental leave – There are established health risks to an unborn child from people that smoke and passive smoking. Pregnant employees will complete a risk assessment to identify any potential risk during their pregnancy whilst at work. |

**Section 4 – Approval**

Please note the assessment should be reviewed and approved by the appropriate Head of Service **before** the Committee report (if required) is produced.

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| Reviewed by Head of Service | Name: | F Pittam |  |
| Date: | 19.03.24 | DD/MM/YY |

If further information regarding this assessment is required, please contact the Lead Officer for this assessment (outlined in Section 1.)