

BURNEY STREET PRACTICE

SMOKING BAN (PATIENTS & PUBLIC) POLICY

INTRODUCTION

Smoking in all enclosed / indoor public places and workplaces in the UK is illegal.

Prohibited areas include places which are "substantially" enclosed, such as in shelters, outdoor stadiums etc.

OVERVIEW OF THE LEGISLATION

Under the legislation, premises owners/occupiers are required to display a prominent 'No Smoking' sign. The sign must be of at least A5 size and contain the 'No Smoking' logo, together with the words "No Smoking. It is against the law to smoke in these premises except in a designated area". A premises owner/occupier who fails to display a prominent 'No Smoking' sign is subject to a fixed penalty of £200 (discounted to £150 if paid within 15 days). If unpaid (or the fixed penalty notice is challenged), a fine of up to £1,000 (and a criminal record) may be levied.

Smoking rooms within buildings are prohibited. Designated smoking areas (which must be non-enclosed) are permitted. Anyone caught smoking in a prohibited area is liable for a fine of £50 (£30 if paid within 15 days). Failure to pay would result in a fine of £200 and a criminal record. A premises owner/occupier who fails to take reasonable steps to prevent smoking (displaying the 'No Smoking' sign is not considered enough) would be liable to a fine of up to £2,500.

Local Authority Environmental Health Departments are responsible for enforcing the smoking ban.

PRINCIPLES AND PROCEDURE

- The Practice displays 'No Smoking' notices which conform to the legislation on each entry door, in the waiting room, and in the publicly-accessible toilets
- Smoke alarms are fitted in public areas and toilets (to discourage illegal smoking)
- Patients found smoking will be requested to leave. Where difficulties arise the Police will be called without delay and without challenging the offender further
- Patients repeating the offence will be removed from the Practice list
- Electronic Cigarettes also form part of this ban and must not be used on practice premises, These Cigarette substitutes are not regulated and still emit a nicotine vapour by the user.