

Smoke-Free Policy

Purpose

This policy has been developed to protect all employees, service users, customers and visitors from exposure to second-hand smoke and to assist compliance with the Smoking, Health and Social Care (Scotland) Act 2005.

Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

Policy

It is the policy of the **Scottish Court Service** that all of our workplaces are smoke-free and all employees have a right to work in a smoke-free environment. The policy shall come into effect on **26 March 2006** and be reviewed every three years by the Director of Operations and Policy Unit.

Smoking is prohibited throughout the entire workplace with no exceptions. This includes company vehicles.

The smoke-free policy applies to all people visiting or occupying court buildings. This includes, but is not restricted to: employees; members of the judiciary; legal practitioners; jurors; witnesses; contractors; and those in custody and their escorts.

It is the responsibility of local managers to determine whether or not external areas for customers to smoke will be provided.

Implementation

Local responsibility for policy implementation lies with the Principal Clerk of Session and Justiciary, the relevant Sheriff Clerk or the appropriate Head of Business Unit.

Overall responsibility for policy implementation throughout the Scottish Court Service rests with the Director of Property Services Unit.

Appropriate 'No smoking' signs will be clearly displayed at the entrances to and within the premises.

Non-compliance

Those who do not comply with the smoking law are liable to a fixed penalty fine and possible criminal prosecution.

Our staff are obliged to ensure that smoking does not take place in any building belonging to the Scottish Court Service.

If a customer does not comply with new law on smoking, our staff will:

- Draw the person's attention to the 'No Smoking' signs and remind them that they are committing an offence.
- Politely ask them to stop smoking.
- Advise the person that it is also an offence for them to let anyone smoke.
- Explain to them that the Scottish Court Service has a smoke-free policy to ensure a safe working environment for all staff and customers.

If a customer continues to smoke, our staff will:

- If appropriate, withdraw service.
- If necessary, report the offence to the police.
- Maintain a record of the incident and its outcome.

Help to Stop Smoking

Need advice and support on how to stop smoking?

- Call Smokeline Scotland 0800 848 484 anytime between 12 noon and 12 midnight 7 days a week.
- Or write to:
Smokeline
Freepost
PO Box 4000
Glasgow
G3 8XX
- Or request information by e-mail from info@netscotland.co.uk
- Action on Smoking and Health (ASH), a voluntary organisation which aims to raise awareness about tobacco and its effects on people's lives. ASH Scotland offers:
Factsheets
Stop smoking information
Advice on tobacco and smoking
Advice on policies in the workplace
Expert reports

- ASH can be contacted at:
8 Frederick Street
Edinburgh
E2 2HB
0131 225 4725
www.ashscotland.org.uk
- Further sources of help can be found at: www.hebs.com/tobacco, the Public Health Department of your local NHS Board, or your local GP surgery. Contact details can be found in your local directory.