

The United Reformed Church Northern Synod
Factsheet 5: Going Smoke Free

As readers will probably have heard in the news, the Health Act 2006 stipulates that from **1 July 2007** all enclosed public spaces must be smoke-free.

The new law will apply to almost all indoor public places, workplaces and work vehicles. It is considered that all church buildings and halls will need to comply.

Before this law comes into force, each church should review its policies and premises, and take action to ensure compliance, and in particular should take the following steps:

- Put up A5 size *No Smoking* signs¹
- Remove any existing smoking rooms and ashtrays
- Introduce a smoke free policy^{2*}
- Train staff and stewards to understand the new law*
- Explain to users that we are legally required to be smoke-free*

* Although some of these steps are not strictly required by the new law, they are recommended as a good way of ensuring compliance.

Local authorities will be responsible for enforcement, and although their approach will be mainly one of giving information and support to enable organisations to comply, they will also have powers of entry to determine whether the law is being followed.

New criminal offences will be created, listed below, which will be punishable by fixed penalty notice or fine.

- Smoking in a smoke-free place
- Failing to display the required no-smoking signs
- Failing to prevent smoking in a smoke-free place

The key point to note is that those responsible for premises have a duty to ensure that they are smoke-free. If anyone tries to smoke in smoke-free premises, then immediate action must be taken. The Government recommends the following steps:

- Point to the no-smoking signs and ask the person to stop smoking or go outside
- Tell them that you would be committing an offence if you allowed them to smoke, and they are breaking the law by smoking in a smoke-free place, and both of you could be fined
- Explain that you will not deal with or serve them if they continue to smoke, and ask them to leave the premises

¹ Copies which meet the specifications set out in Government regulations can be downloaded for free from www.smokefreeengland.co.uk

² Sample policies can be downloaded

- If they won't leave, follow your usual procedures for dealing with anti-social or illegal behaviour on the premises
- If physical violence is threatened, notify or seek assistance from the police
- Keep a record of where and when the incident took place, the name of the person involved, and the outcome

Since most church buildings have been *de facto* non-smoking for years because of both fire and health risks, and as the new law is getting plenty of publicity, it is unlikely that many churches will experience significant problems with this law.

The government is also providing help for those who are trying to give up smoking, such as the NHS Smoking helpline (0800-169 0169) and www.gosmokefree.co.uk.

Private dwellings are not generally covered, but ministers' studies may be if they are used by more than one person who does not live in the manse.

There are a small number of exemptions (such as shelters). Vehicles that are primarily used for private purposes are not required to be smoke free, but any church with a van or minibus used for work or public purposes could well be affected.

Further information can be obtained from your local authority or www.smokefreeengland.co.uk (0800-169 1697).