

# Smokefree - What it means for sports and leisure centres

The law requires smokefree environments in workplaces, including sports and leisure centres.. The legislation ensures that workers and members of the public are protected from the risks to health from tobacco smoke and are guaranteed their right to a smokefree environment.

## What centres are covered by the legislation?

The legislation covers all sports and leisure centres in public and private sectors. It means that indoor smoking areas and rooms and smoking in vehicles used by more than one person will no longer be allowed.

## What do 'enclosed' and '*substantially enclosed*' mean?

Enclosed: the premises has a roof and is wholly enclosed by walls. It includes temporary structures such as tents and marquees.

Substantially enclosed: the structure has a roof and openings in the walls represent 50% or less of total wall area. This is called the '50% rule'.

## What does the legislation mean in practice?

It requires the person responsible for the management of the centre to:

- Ensure all enclosed and substantially enclosed premises and vehicles used by more than one person are smokefree
- Ensure that vehicles used by members of the public or a section of the public in the course of paid or voluntary work by more than one person must be smokefree, even if those people use the vehicle at different times or only intermittently.
- Display required 'No-smoking' signage..
- Take reasonable steps to ensure that staff, visitors and members of the public are aware that the premises is legally required to be smokefree and that everyone complies with the law.

## Does the legislation cover grounds?

The legislation does not include outdoor areas. However, centres may want to consider the lead taken by The Football League who have banned smoking throughout stadium confines. Centres may also consider making it a policy not to smoke a certain distance from entrances so that people do not have to walk through a cloud of smoke to get into the centre.

## Do centres have to provide smoking breaks or outside smoking areas?

No on both counts. By law, employers must give staff an uninterrupted rest break of 20 minutes when their daily working time is more than six hours (Staff under 18 are entitled to 30 minutes break after 4½ work).

Staff can, of course, smoke during their rest period, if they choose, but they must not smoke in an enclosed or substantially enclosed area. As an employer you must decide whether or not to permit smoking elsewhere on your premises e.g. in open car parks, grounds, or shelters and you should indicate where smoking is allowed in your smoking policy.

## What should be included in a smokefree policy?

A successful policy does the following:

- Acknowledges the right of employees to work in a smokefree environment
- Consults with all those affected by the policy
- Identifies management and staff with responsibility for implementation of the policy
- Provides information for staff on help to quit smoking
- Communicated to all staff that it is illegal to smoke in enclosed and substantially enclosed premises
- Identifies outside areas for people who choose to smoke if appropriate
- Describes how to deal with non-compliance
- Indicates how it fits within the centre's existing health and safety and disciplinary policies.