

# HOUSE OF LORDS

## Administration and Works Committee

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### 1<sup>st</sup> Report of Session 2003-04

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### *The Administration and Works Committee*

The Administration and Works Committee is appointed each session to consider administrative services, security, works and accommodation, within financial limits approved by the House Committee.

### *Current Membership*

The members of the Administration and Works Committee are:

Lord Brabazon of Tara (*Chairman*)  
Bishop of Chelmsford  
Lord Cope of Berkeley  
Baroness Darcy de Knayth  
Lord Dixon  
Lord Grocott  
Lord Kirkham  
Baroness McFarlane of Llandaff  
Earl of Mar and Kellie  
Lord Roper  
Lord Shaw of Northstead  
Baroness Wilkins  
Lord Williamson of Horton

### *General Information*

General information about the House of Lords and its Committees is on the internet at [http://www.parliament.uk/about\\_lords/about\\_lords.cfm](http://www.parliament.uk/about_lords/about_lords.cfm)

### *Contacts for the Administration and Works Committee*

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London SW1A 0PW.

The telephone number for enquiries regarding the Committee's work is 020 7219 3736.

# FIRST REPORT OF SESSION 2003–04 FROM THE ADMINISTRATION AND WORKS COMMITTEE

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## SMOKING POLICY IN THE HOUSE OF LORDS

### Background

1. A number of Members and staff, and the Staff Association and unions, have requested that the smoking policy in the House of Lords be reviewed. The last review was undertaken by an informal group on smoking which reported to the Offices Committee in 1999. The Offices Committee then reported to the House on 25 May 1999. This process resulted in the current smoking policy, which is set out on pages 21-22 of the Members' handbook.
2. The Administration and Works Committee, at its meeting on 16 November, considered a paper by the Chairman of Committees which proposed changes to the current smoking policy. These proposals were prompted by the health concerns of staff who work in smoky areas, by representations from Members, and by the Refreshment Committee's request that the smoking policy in Refreshment Department outlets should be reviewed.

### Health and Safety

3. Under section 2 of the Health and Safety at Work etc Act 1974, employers have to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees. Employers also have a common law responsibility to provide a safe place and system of work, and should act to resolve complaints from employees that their health may be at risk, for example, from working in a smoky environment.
4. Since the last review of smoking policy, the detrimental effect of passive smoking has become more apparent. Action is therefore being taken to meet the health concerns of staff as far as can be done while recognising the interests of Members of the House.
5. On 1 November the annual meeting of the Whitley Committee, attended by representatives of both staff and management, agreed a revised smoking policy for House of Lords staff. In the light of health concerns, it was agreed that "Subject to decisions of the House relating to rooms primarily occupied by members, rooms in which House of Lords staff work are 'no smoking' areas." From 1 January 2005, therefore, smoking will no longer be allowed in offices occupied by House of Lords staff.
6. In addition, the Refreshment Committee has agreed that from the State Opening 2004 the Lords (Staff) Bar will be a no smoking area.
7. In discussion, the Administration and Works Committee recognised that staff had valid health concerns, and further recognised that the Clerk of the Parliaments, as an employer, had a duty to ensure the health, safety and welfare of his employees. **The Committee has therefore agreed the principle that staff should be entitled to work in a smoke-free environment.**

### Refreshment Department Outlets

8. The Refreshment Committee, at its meeting on 3 November, discussed smoking policy in all Refreshment Department outlets. The Refreshment Committee concluded that the matter was not within its sole remit, but agreed nonetheless to make its view known that it would prefer not to permit smoking in Refreshment Department outlets which serve food. This conclusion was also in line with proposals put forward in the recent Government White Paper, *Choosing Health*.
9. **The Administration and Works Committee has agreed to endorse the Refreshment Committee's view that "it is extremely desirable that smoking should not be permitted where food is being served".**

### Recommendations

10. The Committee acknowledges that any significant changes in smoking policy should be a matter for the whole House. Accordingly, the Committee has made a number of recommendations, and has done so in such a way as to facilitate the tabling of amendments.
11. The Committee acknowledges that consequential action may need to be taken if the recommendations below are agreed to: it would be desirable, for example, to invite the House of Commons to take similar action in respect of the Committee corridor; it may also be necessary to improve the air-filtering in those areas where smoking continues to be permitted.
12. The Committee wishes to draw attention to the two principles highlighted above:
  - staff should be entitled to work in a smoke-free environment; and
  - it is extremely desirable that smoking should not be permitted where food is being served.
13. **The Committee therefore recommends that smoking should no longer be permitted in:**
  - (a) the Bishops' corridor (the corridor on the Principal Floor between the Prince's chamber and the Library);
  - (b) the Committee corridor on the First Floor;
  - (c) Committee meetings;
  - (d) the Writing Room;
  - (e) the Barry Room, including its ante-room;
  - (f) the Dining Room (guest side);
  - (g) the Dining Room (long table side);
  - (h) the Bishops' bar (main room); and
  - (j) the Bishops' bar (sandwich counter).

14. **The Committee also recommends that smoking should continue to be permitted in:**
- (a) the Truro Room of the Library;
  - (b) the Peers' Guest Room (although not at the bar, as at present);  
and
  - (c) Members' offices, where all occupants of a room decide to permit it.
15. It is proposed that any changes should come into operation with effect from 10 January 2005.