



## **Smoke-Free Workplace Policy**

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## 1. Purpose

North Devon Homes is committed to ensuring the health, safety and welfare of its employees, contractors, customers and others affected by the operation of our business and the services we provide. It is our policy that all our workplaces are smoke-free.

Smoking for the purposes of this policy includes the use of tobacco, e-cigarettes and vaping.

This policy statement is contractual and will form part of the employment contract between the Company and the employee.

All employees have a right to work in a smoke-free environment and it is the Company's responsibility to:

- Protect the health of staff
- Protect the health of visitors, contractors and users and/or clients of our services or products
- Inform staff and managers of their responsibilities in respect of the Policy
- Support smokers to help them cope with increased restrictions on their smoking during the working day
- Promote the culture of a smoke free organisation

## 2. Principles

The following principles will apply to this policy:

- It will be applied in an open, fair and transparent manner.
- It will promote consistency in the approach.

The Company takes breaches of this policy seriously and any such breaches of this policy may result in disciplinary action for non-compliance.

## 3. Review

We will review this policy and training needs at least once every three years to ensure that it continues to operate within best practice, achieves measurable results, and achieves continuous service improvement.

The policy and all associated procedures will be reviewed immediately following any relevant change to government policy, regulation or legislation.

## **4. Responsibilities**

The Building Safety Manager will be responsible for ensuring that policy reviews are undertaken, that appropriate consultation takes place and that revisions are reported to the Executive Team for its approval.

The Executive Team will approve this policy and delegate responsibility to the Building Safety Manager for ensuring that this policy is communicated and implemented.

The Building Safety Manager will provide advice and support for staff to ensure that they fully understand the wider issues surrounding this policy and the procedure. The Building Safety Manager will liaise with the Head of Human Resources to review training needs at least once in every three-year cycle and arrange for any training reasonably considered appropriate.

## **5. Scope**

This policy applies to the NDH Group and must be adhered to by all employees, Board Members, involved customers, contractors (whether working in NDH offices or its homes), consultants and any other person granted access to data held or processed by NDH.

## **6. Policy Statement**

### **6.1 Restrictions**

Smoking is not permitted in any part of NDH premises or at entrances managed, leased or owned by the organisation at any time, by any person regardless of their status or business with the organisation. Premises means any building or substantially enclosed public or private area occupied by one or more members of the general public or a workspace whether used by one or more members of staff. Such spaces include lifts, corridors, stairways, lavatories, rest rooms, reception areas or entrances. (An enclosed area is one which has a permanent or semi-permanent roof and has walls (including windows and doors) enclosing more than 50% of its perimeter.)

## **6.2 Signage**

No Smoking signs which comply with the law must be displayed in a prominent position at every entrance to smoke-free premises and in Company vehicles.

## **6.3 Visitors**

All visitors are required to abide by the smoke-free policy. Staff members are expected to inform visitors of the policy. However, they are not expected to enter into any confrontation that may put their personal safety at risk.

## **6.4 Staff**

Reasonable smoking breaks are allowed. If such breaks are deemed to have become excessive the Company reserves the right to review this arrangement.

Staff who work in Westacott Road are only permitted to smoke in the designated area located next to the storage compound. All other areas of Company premises are non-smoking. These include any buildings, land and car parks that are owned by NDH.

## **6.5 Visiting Clients / Customers in their Homes**

Clients have a right not to be exposed to second hand smoke in their homes therefore NDH require that NDH employees refrain from smoking during clients' visits. All employees have a right to request meetings are held in smoke free rooms and request the client refrains from smoking during the visit.

Customers are advised not to smoke in their home in the 30 minutes prior to an NDH employee visit. Employees may refuse to enter the property if this is not adhered to. In such cases employees can require customers to attend appointments in the offices where smoking is prohibited.

## **6.6 Vehicles**

Smoking is not permitted in vehicles belonging to or leased by the Company nor staff private vehicles when carrying members of staff or members of the public, who do not smoke and whilst carrying out the duties of an employee. Further information is detailed in the Use of Company Vehicles Policy.

## **6.7 Support for Smokers**

Information on stopping smoking with support from local cessation services will be provided for smokers. The NHS Smoking Helpline number is 0800 169 0169. The helpline can offer advice and support on stopping smoking along with a website at [www.givingupsmoking.co.uk](http://www.givingupsmoking.co.uk).

## 7. Legal Requirements

### 7.1 Health & Safety at Work etc. Act 1974

The Company has a general duty under the Health and Safety at Work etc Act 1974 to ensure, as far as is reasonably practicable, the health, safety and welfare of our employees. Similarly, our employees and contractors are also required to take reasonable care of themselves and others who could be affected by what they do.

### 7.2 The Health Act 2006

The Company has a legal responsibility to ensure that premises are smoke-free if they are used as a place of work by more than one person or where members of the public might attend for the purpose of seeking or receiving goods or services from the person or persons working there.

### 7.3 The Management of Health & Safety at Work Regulations 1999

Employers are required to make an assessment of the risks to health and safety of their employees arising from activities associated with hazards.

## 8. Consultation

Date	Consultation methodology	Challenge / impact / result

## 9. Equality Impact Assessment (EIA)

### 9.1 Potential impact on each of the diversity “groups”

N/A.

### 9.2 A full EIA is not required for this policy.

### 9.3 If suggestions for improvement have been suggested, what should the positive outcome be for North Devon Homes’ customers and stakeholders?

N/A.

Next review date:	Responsible Officer
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Every three years	Building Safety Manager
October 2026	
	<b>Related Documents</b>
	Use of Vehicles for Company Business Policy