

Smoke Free Policy

Scope of Policy

This policy has been developed to ensure Platform Housing Group (the Group), as an employer and landlord, meets the requirements of the Smoke-free (Premises and Enforcement) Regulations 2006, which came in to force in July 2007, to ensure all enclosed workplaces are smoke-free.

The Group recognises its responsibility to provide a safe and healthy workplace and aims to promote a healthy working environment to help protect the current and future health of employees.

Applicability

This policy relates to all employees, agency and casual workers, contractors, volunteers, work experience students and any other individuals working on behalf of the Group. For the purposes of clarity, the term “employee” shall be used throughout this policy to refer to all of the above-mentioned groups.

Breaches of this policy by employees will be treated as a disciplinary offence which will be investigated under the Group’s Disciplinary Policy.

Breaches of legislation by residents may result in tenancy enforcement action or referral to the local authority Environmental Health Team.

The Group reserves the right to prohibit smoking in its entirety on any of its premises.

1. Policy Statement

1.1 The Group acknowledges its responsibility to comply with relevant legislation and ensure all employees have a clear understanding of their rights and responsibilities.

2. Context

2.1 The policy meets the following legislation, regulatory requirements and good practice:

- Health & Safety at Work etc. Act 1974
- Health Act 2006
- The Management of Health and Safety at Work Regulations 1999
- The Smoke-free (Premises and Enforcement) Regulations 2006
- The Smoke-free (Signs) Regulations 2012
- The Smoke-free (Exemptions and Vehicles) Regulations 2007

3. Aims and Objectives

3.1 The aims and objectives of this policy are to ensure that:

- a smoke-free environment is provided in all offices, common areas of residential buildings and company vehicles.
- the risk to health from smoking and second-hand smoke is reduced.
- there is an awareness of the health risks and effects associated with smoking.
- employees are seen as positive role models for young people who have contact with the Group.
- the risk of fire is significantly reduced.

4. Policy Outline

4.1 Operations and Implementation

4.1.1 It is strictly prohibited by legislation for anyone to smoke inside any office building, common areas of residential premises or in work vehicles. Smoking is only permitted within specifically designated external smoking areas.

4.1.2 All line managers must ensure that this policy is implemented within their area of responsibility.

4.1.3 All employees have a responsibility to safeguard their own health and of others who could be affected by their actions and to not submit anyone outside the designated smoking areas to the harm of second-hand smoke.

4.1.4 All employees must adhere to and facilitate the implementation of this policy.

4.1.5 Employees are not permitted to smoke:

- In any non-designated part of any premises, including entranceways to building premises or offices or in external areas where smoke may enter a building, whether occupied or unoccupied or within their boundaries, e.g., gardens, or in the homes of customers.
- To maintain a professional appearance, employees are not permitted to smoke while attending virtual meetings/calls in your home.
- Whilst on duty on behalf of the Group at any outdoor event e.g., estate tours or corporate events.
- In a company vehicle, whether owned or leased, at any time.
- In their own vehicle whilst it is being used on company business and carrying passengers for work purposes.
- When travelling on business in a colleague's personal vehicle.

- 4.1.6 Employees who wish to smoke will be permitted a short break to enable them to do so, providing there is no disruption to service delivery and no impact on the work of colleagues.

Smoking breaks are to be a maximum of 5 minutes each and should be planned in such a way that appropriate arrangements are made without any direct impact on work colleagues ensuring that adequate cover is maintained.

- 4.1.7 Time lost during work hours through smoking will be made up during or at the end of the working day without any direct impact on work colleagues.

Smoking breaks taken at lunchtime will be encompassed during, and not in addition to the lunch break and the same prohibitions apply.

4.2 **Offices**

- 4.2.1 Smoking is not permitted inside office buildings and will only be permitted in designated external areas, where smoke cannot enter a building or interfere with those entering or exiting a building.

- 4.2.2 Smoking is not permitted in the compounds, stores or depots of the Group or where flammable materials are stored e.g., gas canisters.

4.3 **Housing Developments and Housing Schemes**

- 4.3.1 Designated external areas where employees, working at the schemes, may smoke will be identified and communicated by their line manager.

- 4.3.2 All internal common areas of housing developments and schemes including, hallways, corridors, lift cars must be smoke-free.

- 4.3.3 It is a legal requirement to display prescribed signage on all entranceways to remind persons entering the premises that smoking is prohibited. The signage will contain the 'no smoking' symbol and carry the wording 'no smoking within shared areas of these premises'.

4.4 **Work and Private Vehicles**

- 4.4.1 Work vehicles, whether owned, leased or rented by the Group, regardless of whether the driver is travelling alone or with a passenger who smokes, must be smoke-free at all times. This includes vehicles leased by the Group under Salary Sacrifice schemes.

- 4.4.2 Work vehicles must display 'no smoking' signage; ideally this will be positioned on the vehicle dashboard. Employees found to be smoking in company vehicles will be subject to disciplinary proceedings.

4.4.3 Private vehicles used primarily for private use are not required to be smoke-free. However, when used for work related purposes, and if carrying a colleague or member of the public for work purposes, smoking is prohibited in order to protect the health of those individuals.

4.5 **Customers Own Homes**

4.5.1 With the exception of any common areas, the homes of customers are not included in the smoke-free legislation. Employees who visit customers at home and who have any pre-existing condition that could be negatively impacted by exposure to smoke, such as asthma, any cardio-vascular disease, chronic obstructive pulmonary disease (COPD) or pregnancy, would not be expected to work in premises where smoke is present. This policy allows an employee to withdraw from the premises if smoking does not cease.

4.6 **Contractors**

4.6.1 Contractors working on behalf of the Group must adhere to the smoke-free legislation and the employee requirements of this policy. It is the responsibility of the person awarding the contract/works to ensure that contractors are made aware of this requirement.

4.7 **Signage**

4.7.1 It is a legal requirement to display signage to remind persons when smoking is prohibited. Prescribed 'no smoking' signage must be displayed at all entrances to buildings owned or managed by the Group, to meet the requirements of the legislation.

4.7.2 The design and size of signage is prescribed by the Smoke-free Regulations. Information must be sought from the website www.smokefreeengland.co.uk.

4.7.3 Appropriate 'smoke-free' signage must be displayed:

- in company vehicles
- at all entrance ways to all residential buildings with common areas
- at all entrance ways to commercial buildings

4.8 **E-Cigarettes**

4.8.1 Currently, e-cigarettes do not fall within the smoke-free legislation. However, for the purposes of this policy, and to maintain a professional appearance, employees are not permitted to use e-cigarettes whilst at work, this includes use within office buildings, internal areas of depots, void properties, common areas of residential properties, at customers' homes, in company vehicles, or while you are attending virtual meetings/calls in your home.

4.8.2 Use of e-cigarettes at corporate events is restricted to external areas where local rules permit use.

4.8.3 Employees may use e-cigarettes during a break, in external areas only and where the vapour does not interfere with others. E-cigarettes must not be charged within the Group's offices, buildings or company vehicles.

5. Equality and Diversity

5.1 We are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history, as referred to in our relevant Group policies. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.

5.2 Impact assessments have been undertaken in respect of this policy and which identified no negative impacts on any person/group with a protected characteristic as a result of this policy.

6. Monitoring and Review

6.1 The Health, Safety & Environment team is responsible for reviewing the policy every three years or sooner as required by changes in relevant legislation.

6.2 Approved documents are valid for use after their approval date and remain in force beyond any expiry of their review date until a new version is available.

7. Associated Documents

7.1 List of documents - associated policies, procedures and publications:

- Health & Safety at Work etc. Act 1974
- Health Act 2006
- The Management of Health and Safety at Work Regulations 1999
- The Smoke-free (Premises and Enforcement) Regulations 2006
- The Smoke-free (Signs) Regulations 2012
- The Smoke-free (Exemptions and Vehicles) Regulations 2007

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