

Smoke-Free Procedure

Purpose

- The Group has a legal requirement to comply with The Smoke Free Premises and Vehicles (Wales) Regulations 2007.
- This policy applies to all employees, officers, consultants, contractors, agency workers, volunteers and casual workers at ateb housing, West Wales Care & Repair and Mill Bay Homes ("the Group"). It also applies to visitors to the workplace, including clients, customers and suppliers.
- It is the policy of the Group that all of its workplaces and vehicles are smoke-free and that all employees have a right to work in a smoke-free environment and not to be exposed to second-hand smoke.
- The ban applies to anything that can be smoked and includes, but is not limited to, cigarettes, electronic cigarettes, pipes (including shisha and hookah pipes, cigars and herbal cigarettes).
- The Group is committed to protecting the health and safety of all of its employees and smoking is prohibited on all its premises at all times with no exceptions. This includes company vehicles.
- All employees are required to adhere to the terms of this procedure at all times.
- The Management Team is responsible for the implementation of this procedure and for ensuring compliance with it.

Smoking Areas

- Appropriate "No Smoking" signs are clearly displayed at the entrances to and within the workplace.
- The Group wishes to portray a professional business image to its clients, customers and suppliers when they visit its business premises. Therefore, employees are not allowed to smoke immediately outside the entrances of any of the Group's premises.
- Whilst working at the Group's business premises smoking is only permitted outside in areas that have been defined for this use. If in doubt, employees should confirm the position of these areas with their Manager or Supervisor.
- When smoking outside, employees must dispose of cigarette butts and other litter appropriately.
- Whilst working away from the Group's premises employees must not smoke in company vehicles. In addition, employees must have due regard for the people around them i.e. they must not smoke in tenants' homes (See Contractors Code of Conduct).

Electronic Cigarettes

- E-cigarettes are battery powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user

- The Group prohibits the use of e-cigarettes in the workplace and the restrictions detailed in this procedure apply i.e. they are only permitted outside in areas that have been defined for smoking; they must not be used in company vehicles or in tenants' homes

Working Inside People's Homes

- Employees visiting individuals in their own homes are not directly covered by this legislation. The Group recognises that its employees have a right not to be exposed to second-hand smoke; however, we must protect the right of the individual to receive the service expected from the Group.
- There may be situations however where an initial risk assessment should be carried out to identify any potential risks to the employee e.g. pregnancy, young workers, certain health conditions where reasonable adjustments are required under the Equality Act 2010.
- Although not part of the smoke free legislation, a reminder that the Group's Contractor Code of Conduct prohibits smoking by employees, contractors, and the in-house team in tenants' homes.

Approved Signage

- The Group is required to display 'No Smoking' signage to an approved design, text, and size at the public and employee entrances to all of its business premises, and in all "smoke-free" company vehicles. Examples of approved signage and vehicle stickers are available at

ateb's main offices, Meyler House and from the Welsh Government website.

- Within Homes for Life and sheltered housing schemes approved signage should be placed at main entrances, and any employee entrances e.g. kitchen entrance. Customers are free to smoke inside their own homes, and the Group has amended signage which explains this.
- The legislation is unclear in relation to supported housing projects, but in a typical shared house it is expected that residents are free to smoke inside their own bedrooms, but that the inside parts of the home they share will be smoke-free.
- The Group considers flats with shared internal stairs and halls as domestic, not business premises, and as such no signage is required.

Non-Compliance

- Employees who are found to be smoking in a prohibited area or in a company vehicle in contravention of this procedure will be subject to action in accordance with the Group's Disciplinary Procedure.
- A breach of this procedure will be treated as a serious disciplinary offence, particularly where either the employee refuses to comply with the instruction to immediately refrain from smoking or they are a repeat offender.
- Where smoking constitutes a health and safety hazard it may be treated as gross misconduct and could render the employee liable to summary dismissal.
- If a client, customer, contractor, agency worker or supplier does not comply with this procedure, they will be warned that they are

committing an offence; requested to immediately refrain from smoking; and if they refuse, they will be asked to leave or will be removed from the premises.

- Those who do not comply with smoke-free premises or vehicles may also be given a fixed penalty fine and possible criminal prosecution; they will also expose the Group to similar action.

Training and Monitoring

- The Group accepts its responsibility to ensure that managers, supervisors and employees receive adequate learning, development, guidance and support to implement this procedure.

Procedure Review and Amendment

- This policy does not form part of any employee's contract of employment and The Group will review the effectiveness of this procedure and make amendments where necessary.

Associated Documents

- The following appendices should be read in conjunction with this procedure:
 - Appendix 1 – Useful contacts
- The following documents should be read in conjunction with this procedure:
 - Disciplinary Procedure
 - Contractors Code of Conduct

Need additional help?

Contact our People & Communications Team

Appendix 1 - Useful Contacts

The following sources of support are available for smokers who want to stop:

- Wales. HELP ME QUIT: 0808 252 8179. Provides advice, support and encouragement.
- Find your local services to help you stop smoking: <https://www.nhs.uk/smokefree/help-and-advice/local-support-services-helplines>
- Your local GP's surgery