



## **NO SMOKING POLICY**

Up and Under recognises that it has a legal obligation under the Health and Safety at Work Act 1974 S2 to provide and maintain a working environment for all employees that is, so far as is reasonably practicable, safe and without risks to health.

This policy has been developed to protect all employees, service users, customers and visitors from exposure to second-hand smoke and to assist compliance with the Health Act 2006.

A failure to comply with this policy will be treated as misconduct and as such may lead to formal action in accordance with the companies Disciplinary Policy. Those who do not comply with the smoke free law may also be liable to a fixed penalty fine and possible criminal prosecution.

All staff (whether uniformed or not and including contracted and temporary staff), and visitors are not permitted to smoke on any part of Up and Under's premises, including buildings, entrances/exits, cars and car parks. Smoking by any member of staff whilst on Up and Under's premises, and/or outside designated smoking areas if established on site, will be treated as misconduct and may lead to formal action in accordance with the companies Disciplinary Policy.

### **SCOPE**

This policy applies to all persons on Up and Under's premises, including staff, volunteers, contractors, and visitors. The policy is applicable to all Up and Under property and premises, including inside and outside of Up and Under's buildings and the surrounding company grounds and car parking areas, and Up and Under vehicles.

The policy is applicable to all Up and Under's work sites outside specifically designated smoking areas.

### **DEFINITIONS**

In respect of this policy smoking is not only the inhalation of the smoke of burning tobacco or any other substance encased in cigarettes, pipes, and cigars but also e-cigarettes and vaping.

### **DUTIES**

The Company has a responsibility to ensure that staff are not exposed to health risks from passive smoking at work. The Managing Director of the company has overall responsibility for all aspects of this policy, and delegates this responsibility to managers of the company as detailed below.

#### **Managerial Responsibility**

The Operations Manager will take reasonable steps to ensure that adequate arrangements are in place to enable the policy to be fully implemented at all levels. This will include ensuring that all staff are briefed in the policy.

Line Managers / Project Managers have a duty to ensure this policy is enforced within their area of management responsibility. This includes making all employees aware of this policy and appropriately dealing with employees who are in breach of this policy.

Managers have a responsibility to ensure breaches of this policy are dealt with appropriately in accordance with the companies' disciplinary policy.

Appropriate 'no-smoking' signs will be clearly displayed at the entrances to and within the premises, and in all smokefree vehicles.

Project Managers have a responsibility to assess site locations and either prohibit all smoking on site or identify safe smoking areas. This should be carried out with consideration to any specific items identified in the Method Statement and Risk Assessment and local site controls.

### **All Employees**

All staff are obliged to adhere to, and support the implementation of the policy. All staff have a duty to comply with the requirements of this policy by not smoking on Up and Under premises, including the grounds of Up and Under premises. All employees will, in addition to adherence to this policy, be expected to adhere to the no smoking policies of any external premises at which they are working, based or visiting.

Smoking is not allowed in any vehicle owned, leased or rented by Up and Under.

Employees will not be permitted to smoke whilst in their own vehicle on Up and Under premises.

Employees wishing to smoke during the hours they are working will be required to use their own time, i.e. making up time as appropriate to achieve their contractual working hours.

Employees are expected to have consideration for local neighbours including that they ensure that any waste is disposed of carefully and appropriately. This includes avoiding smoking directly outside a neighbouring unit if requested not to do so, discarding cigarettes in neighbouring premises and littering the neighbouring community.

Signed	<i>A Fewtrell</i>	Position	Chairman
Name	A Fewtrell	Date	05/04/2017

A signed copy of this policy is displayed on the notice board in the office.

Reasonable requests from staff for time to attend smoking cessation groups will be treated sympathetically.

For any employee interested in stopping smoking the NHS offers a range of free services to help smokers give up. Visit [gosmokefree.co.uk](http://gosmokefree.co.uk) or call the NHS Smoking Helpline on 0800 169 0 169 for details. Alternatively you can text 'GIVE UP' and your full postcode to 88088 to find your local NHS Stop Smoking Service.