



POLICY: SMOKING AND VAPING

Sections

1. Purpose and aim of the Policy
2. Legislation
3. Staff, contractors and visitors
4. Residents, applicants and their visitors
5. Charging e-cigarettes and other electronic nicotine delivery systems
6. Implementation
7. Non-compliance
8. Equality impact assessment/Protected characteristics
9. Consultation arrangements

Copies of this Policy may be made available in alternative formats on request.

Previously agreed by the Board:	21 September 2022
Last approved by the Board:	1 February 2023
Agreed by Board:	29 January 2025
Approved by the Board:	21 May 2025

Next review date:	January 2028
-------------------	--------------

Published on website:	Yes
-----------------------	-----



POLICY: SMOKING AND VAPING

All reference to 'we', 'our' or 'us' in this Policy should be read as meaning Sandbourne Housing Association.

1. Purpose and aim of the Policy

This policy implements the provisions of the Health Act 2006 with respect to smoking at work.

The policy aims to:

- 1.1 Ensure a smoke-free working environment and to protect our employees, contractors, and visitors to our premises by not exposing them to tobacco smoke.
- 1.2 Ensure a working environment free of the vapours and chemical emissions of e- cigarettes and other electronic nicotine delivery products.
- 1.3 Support those who wish to stop smoking.
- 1.4 Address the issue of employees visiting residents at home who are smoking or vaping in their presence.

2. Legislation

- 2.1 Section 2 (2) of the Health and Safety at Work Act 1974 places a duty on employers to "provide and maintain a safe working environment which is, so far as is reasonably practicable, safe without risks to health, and adequate as regards facilities and arrangements for their welfare at work".
- 2.2 The Health Act 2006 makes provision for the prohibition of smoking in certain premises, places, and vehicles. Section 2 (2) of that Act states that "premises must be smoke-free if they are used as a place of work, including vehicles."
- 2.3 We will fully comply with this legislation.
- 2.4 We acknowledge that vaping is significantly less harmful than smoking and may be an aid to quitting smoking. However, on the basis that the health effects of passive vaping are not fully known, and the exhaled vapours from e- cigarettes and other vaping devices are a respiratory irritant to some people we have chosen to include vaping within the scope of this policy.

3. Staff, contractors, and visitors

- 3.1 Smoking, including e-cigarettes, and electronic vaping devices is banned in our offices and all other enclosed communal areas within our premises.
- 3.2 Arrangements as to where and when staff may smoke must be agreed with the Chief Executive.
- 3.3 It is expected that staff will not smoke or vape at all whilst on duty, except during any recognised work breaks and then only in a permitted area.
- 3.4 Employees, contractors, and visitors must ensure that they properly dispose of all smoking litter.
- 3.5 All employees, contractors and visitors to our premises will be expected to abide by this Policy.
- 3.6 Employees having difficulty in adhering to these arrangements should discuss the matter with their line manager in the first instance.

4. Residents, applicants, and their visitors

- 4.1 Employees and contractors visiting residents in their homes are not directly covered by the Health Act. This means that residents and applicants are not required by law to refrain from smoking or vaping in their home whilst being visited by our employees or contractors.
- 4.2 However, under this policy, employees must not smoke or vape whilst visiting a resident even if they or their visitors are doing so.
- 4.3 Employees visiting residents or applicants in their homes who are smoking, or vaping may make a request to the resident or applicant that all members of their household refrain from doing so during the visit. The employee may also ask the resident or applicant to provide adequate ventilation, for example by opening windows or that the visit takes place at an alternative venue.
- 4.4 Employees making such requests should do so sensitively and acknowledge that the resident or applicant may refuse to comply. In this eventuality the employee has the discretion to terminate the visit if other reasonable arrangements cannot be made for the appointment to be held elsewhere in a smoke and vapour-free environment.

5. Charging e-cigarettes and other electronic nicotine delivery systems

- 5.1 E-cigarettes and other electronic nicotine delivery systems must not be charged via computer equipment that we own.

6. Implementation

- 6.1 Overall responsibility for policy implementation rests with the Chief Executive. However, all employees are obliged to adhere to and support the implementation of this Policy. The Chief Executive shall inform Board Members, all employees, consultants, contractors and our residents of the Policy and their role in the implementation and monitoring it. New employees will also be given a copy of the Policy on recruitment / induction.
- 6.2 Appropriate no-smoking signs are clearly displayed at the entrances to and within all our premises.

7. Non-compliance

- 7.1 Disciplinary procedures will be considered if an employee does not comply with this Policy. Those who do not comply with the smoke free law may also be liable for criminal prosecution.
- 7.2 Residents and/or their visitors (for whom they are responsible) who do not comply with this legal requirement may have action taken against them as a result of a breach of the 'nuisance' aspect of their tenancy/lease obligations.

8. Equality impact assessment/Protected characteristics (as at 9 January 2025 or later amendments/additions)

- 8.1 Neutral.

9. Consultation arrangements

- 9.1 No consultation is required.