

The employer has a duty in common law to take reasonable care to protect the health of employees. Passive smoking (breathing other people's tobacco smoke) has been medically proven to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.

The Smoke-free (Premises and Enforcement) Regulations 2006, places a duty on employers to provide a working environment for employees that is, so far as is reasonably practical, safe, without risk to health and adequate as regards to facilities and arrangements for welfare at work.

Under the Workplace (Health, Safety and Welfare) Regulations 1992, where restrooms are provided appropriate measures must be taken for the protection of non-smokers against discomfort caused by tobacco smoke. This means that where there is a single rest area, it will be non-smoking. Any provision for smokers on the employer's premises (indoors or out of doors) is a matter for local negotiation. As a minimum any such provision must be entirely separated from non-smokers and must pose no risk to their health.

*The Company* intends to comply fully with the Smoke-free (Premises and Enforcement) Regulations introduced on the 1st July 2007 and associated Regulations. The objective of this policy seeks to guarantee all employees the right to work in air free of tobacco smoke and encourage a sensible approach to smoking, accommodating the views of both smokers and non-smokers. However, it is recognised that smoking is detrimental to health and *The Company* will encourage employees to cease smoking.

To achieve this policy *The Company* will:

- Prohibit smoking in all buildings and in areas adjacent to buildings where environmental tobacco smoke could cause a nuisance to occupants and visitors to site.
- Prohibit smoking in all vehicles used by employees as part of their work as they must be considered to be an integral part of the workplace and therefore be smoke-free.
- Post appropriate notices and signage to instruct employees and others that smoking is banned in all workplaces which could be defined as enclosed.
- Designate specific areas where smoking is allowed so as not to discriminate against smokers.
- Provide shelter and the means to safely extinguish smoking paraphernalia and facilities for controlling smoking associated waste.
- Consult with the employees on the development and review of this policy and provide all employees with a copy of this policy upon their request.
- Ensure any breaches of this policy are subject to the normal disciplinary procedures.
- Review this policy at appropriate stages to ensure it is effective and fair.

*The Company* will ensure that when we work in public places or on sites under other people's control that our employees will abide by the controls on smoking for that particular environment.

To encourage employees to cease smoking we will.

- Post information/posters in the area designated as the 'smoking area'.
- Organise regular, but not excessive, awareness training through appropriate means e.g., toolbox talks and presentations.
- Support anyone trying to quit smoking by allowing the use of aids such as gum, patches and inhalators in the workplace and allow time for counselling and support by NHS professionals.

Signed:



Date 01/02/2023

Mr Martin McDermott, Managing Director