

SMOKING POLICY

INTRODUCTION

Tayside Contracts' Smoking Policy ensures legal compliance and demonstrates our commitment to promoting health at work by protecting non-smokers from passive smoking and E-Cigarette vapours.

SCOPE OF POLICY

This policy applies to all individuals working at all levels and grades within Tayside Contracts. It also applies to any visitors who are on Tayside Contracts premises.

LEGAL IMPLICATIONS OF A SMOKE FREE WORKPLACE

The policy incorporates the requirements of all relevant legislation;

- Health and Safety at Work etc. Act 1974
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Management of Health and Safety at Work Regulations 1999
- The Smoking, Health and Social Care (Scotland) Act 2005
- The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006

IMPLEMENTATION

Overall responsibility for the implementation of this policy lies with the Managing Director, however, all Tayside Contracts employees are required to adhere to and facilitate the implementation of this policy. 'No Smoking' signs are displayed at all Tayside Contracts premises (owned and leased) and in all Tayside Contracts vehicles.

PRINCIPLES

Smoking in all wholly or substantially enclosed Tayside Contracts premises and in Tayside Contracts vehicles is entirely prohibited. "Wholly or substantially enclosed" is defined as a public place or workplace which has a ceiling or roof and, except for doors, windows and passageways is wholly enclosed, whether permanent, temporary; or if it has an opening which is less than half of the area of its walls. For the purposes of this policy "Tayside Contracts premises" means any premises or parts of premises under the management control of Tayside Contracts.

Smoking and E-Cigarette Smoking is Prohibited:

- in all wholly or substantially enclosed Tayside Contracts premises
- in all Tayside Contracts vehicles
- in privately owned vehicles whilst carrying passengers on Tayside Contracts business
- in certain external areas of Tayside Contracts premises including in or around access doorways or in close proximity to windows

Smoking is Restricted:

- to only smoking during your designated tea and/or lunch breaks
- to smoking in designated smoking areas
- to ensuring that you are at least 5 metres away from any door or window (open or not) when smoking

If you are based within properties which are not under the management control of Tayside Contracts such as schools, offices, fire stations, libraries etc you must comply with the smoking policy which is in force within that workplace. Please contact your line manager should you require further guidance on the particular policy in place at your workplace.

SMOKING CESSATION - SUPPORT AND ASSISTANCE

Support for smokers who wish to stop can be accessed through Smokeline on 0800 848484, via the Internet at www.canstopsmoking.com or by contacting your GP or local pharmacy.

POLICY VIOLATIONS

Any breach of this policy will be regarded as misconduct and will be addressed in accordance with Tayside Contracts' Disciplinary Procedure.

All employees have a responsibility to bring this policy to the attention of any individual who is smoking on Tayside Contracts premises. Any policy violations by a non-Tayside Contracts employee should be reported to your line manager who will require that the person leave the premises if they wish to continue to smoke.

Should you wish to report any policy violations by colleagues you should do so by contacting HR Services on 01382 812721.

Failure to comply with the legislation is also a criminal offence. Authorised officers from Environmental Health have the power to impose a fixed penalty notice of £50 on any individual found to be breaking the law or £200 on any manager with responsibility for a specific work area who permits smoking in contravention of the legislation.

RELATED POLICIES

The Smoking policy links to the following policies which can be accessed on the Intranet, or requested from your line manager or from the HR Admin Team:

- The Confidential Disclosure of Information Policy
- Disciplinary Policy

The above list is not exhaustive.

POLICY REVIEW

The Smoking Policy will be reviewed at three yearly intervals, or as required by legislative changes.

GENERAL DATA PROTECTION REGULATION

Tayside Contracts respects the privacy of our employees, any personal data processed during the application of this policy will be in line with Data Protection Legislation. Further information on how we may process personal data for the purpose of applying this policy can be found in our Privacy Notice.

Should you have any queries or require further clarification regarding any aspects of this policy or related policies please contact, HR Services on 01382 812721 or employment.policies@tayside-contracts.co.uk

If you would like this document translated into another language or in another format such as audio or large print then please contact Angie Thompson, Equalities and Communications Manager on 01382 834165 or angie.thompson@tayside-contracts.co.uk