



Muirhouse Housing Association

MUIRHOUSE HOUSING ASSOCIATION

Title of Policy:	Smoke Free Policy
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Lead Officer:	Governance and Compliance Manager
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Policy: Smoke Free Policy

Our Vision, Our Mission, Our Values

Our Vision is an engaged, thriving, desirable and eco-friendly Muirhouse with high quality, truly affordable and greener homes.

Our Mission - We will provide high quality, truly affordable homes and services for residents and strengthen our engagement and partnerships to enrich the community and safeguard our environment.

Our Values - In upholding our central value of providing high quality, affordable homes and services, our behaviours and decisions will demonstrate our commitment to

Excellence: Ensuring the highest standards in all that we do and innovating to continually improve. Across the MHA Group, we are committed to providing a high quality, customer focused service that demonstrates value for money.

Caring: Being compassionate about and responding appropriately to the needs of our residents, staff, and Board.

Mutual Respect: Valuing the views, knowledge, expertise, and skills of others and collaborating to achieve good outcomes for residents, staff, and the Association. We will continue to be a leading member of the local community, working with our customers and statutory, voluntary, and private sector partners.

This policy applies to

This policy applies to all employees, our Muirhouse Housing Association (MHA) and Muirhouse Homes board members (MH4) customers, clients, contractors, and visitors.

Policy Summary

The purpose of this policy provides a clear statement of Muirhouse Housing Associations duties and obligations in relation to ensuring that our workplace is smoke-free.

Equalities

Muirhouse Housing Association will ensure there is a consistent approach in promoting equality and diversity across all areas and this policy will be administered in accordance with our Equality, Diversity, and Inclusion Policy.

Privacy

This policy has been developed and will be applied in compliance with General Data Protection Regulations (2018).

Compliance

SHR Regulatory Standards

Standard 4 The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose

Related Policies

ACS Health and Safety Manual
Fire Safety Policy

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1. Introduction

This policy has been developed to assist Muirhouse Housing Association in protecting all of its employees, customers, clients, contractors, and visitors from exposure to second-hand smoke and to assist compliance with legislation in the United Kingdom that prohibits smoking in enclosed public spaces. Smoking in enclosed public places and workplaces has been unlawful from 26th March 2006 in Scotland.

2.0 Background

Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. We include the use of smoking cessation devices such as e-Cigarettes within this policy. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

3.0 Purpose of the Policy

It is MHA's policy to ensure that our workplace is smoke-free and all employees have the right to work in a smoke-free environment. Smoking is prohibited throughout the entire workplace with no exceptions, including the use of e-Cigarettes and other such vapour-emitting devices. This includes company vehicles. This policy applies to all employees, consultants, contractors, customers or members and visitors.

A Safe System of Work for ensuring staff work in a smoke-free environment when visiting customers should be implemented for the safety of all staff. Where the Safe System of Work cannot be used, the customer should be encouraged to meet with staff in smoke-free premises such as our office.

4.0 Legal Framework

Smoking, Health and Social Care (Scotland) Act 2005

The Smoking, Health and Social Care (Scotland) Bill was introduced to Parliament on 17th December 2004 and approved by MSPs on 30th June 2005. It received Royal Assent on 5th August 2005 and came into force in Scotland on 26th March 2006. The law imposes a total ban of smoking and affects most public premises and also includes workplaces and work vehicles.

Health and Safety at Work Act 1974

The act imposes a general duty on employers to ensure health, safety, and welfare at work for their employees or workers. As a result, employers must resolve complaints from their employees or workers about their health and welfare being put at risk from working in a smoky environment.

Health and Safety (Workplace) Regulations 1992

The regulations require employers to ensure that there are arrangements in place to protect non-smokers from discomfort caused by tobacco smoke in rest areas.

5.0 Implementation

Overall responsibility for policy implementation and review rests with the Chief Executive. All staff are obliged to adhere to, and facilitate, the implementation of the policy.

The Chief Executive will ensure that all existing employees are made aware of this policy and their role in the implementation. It will also be brought to the notice of all consultants, contractors, customers or members and visitors. New staff will be made aware of the policy as part of their induction.

No smoking signs will be clearly displayed at the office premises

6.0 Non-compliance

Any employee not adhering to this policy may be subject to disciplinary action in line with the Code of Conduct and Disciplinary Policy. Anyone working on behalf of the company who does not adhere to this policy will be asked to extinguish their smoking material immediately and may be asked to leave the premises. Customers, members of the public and visitors may be refused service.

Those who do not comply with the smoking law may also be liable to a fixed penalty fine and possible criminal prosecution.

7.0 Help to Stop Smoking

Support for smokers who want to stop smoking can be provided by:

- **NHS Help** to stop smoking:
<http://www.nhs.uk/LiveWell/Smoking/Pages/stopsmokingnewhome.aspx>
- Call the free **Smoke-free National Helpline** to speak to a trained, expert adviser on 0300 123 1044
- Staff can arrange with their Line Manager to be allowed to attend **Smoke-Free classes** during work hours.
- Current, helpful information about stopping smoking will be available in the office
- One course of nicotine patches will be provided for an employee who wants to give up smoking

8.0 Equality and Diversity

Equality and diversity reflect the core values of MHA and we strive to ensure that they are embedded throughout all of our services, policies and decision making.

If you require further information, please refer to our Equality, Diversity, and Inclusion Policy.

9.0 Complaints

Complaints and positive feedback are sources of information which help us to improve our services. We use a complaints handling procedure (CHP) developed by the Scottish Public Services Ombudsman (SPSO) and the Scottish Housing Regulator.

The CHP allows for most complaints to be resolved by front line staff within a five-day limit (first stage), or if the complaint is complex, a detailed investigation will be made by a manager within a 20-day limit (second stage). At the end of the second stage our response will be made by the Chief Executive. If the tenant remains dissatisfied, he/she may then refer the matter to the SPSO.

10.0 Policy Availability

This policy will be made available to all staff members within the “Policies” folder and to tenants by being published on the website and promoted on social media.

11.0 Review of this Policy

This policy will be reviewed every three years or earlier if significant changes are required.