

Live Active Leisure

SMOKING POLICY

INTRODUCTION

Passive smoking/second-hand smoke (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. This policy is designed to protect non-smoking employees from the risks of passive smoking and to ensure that no employee will be unwillingly subjected to the effects of smoking during their employment with the Company.

THE LAW

The Smoking, Health and Social Care (Scotland) Act 2005 banned smoking in public places in order to protect people from the health risks of passive smoking. This means that by law, offices, pubs, restaurants and other workplaces in Scotland have been smoke-free environments since 26 March 2006. Staff, customers and visitors are not allowed to smoke in the enclosed areas of their premises. In addition within workplaces, employers have a duty under section 2(1) of the health and Safety at Work Act 1974, and the Health and Safety of Pregnant Workers Directive (92/85/EEC) to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees.

POLICY

It is the policy of Live Active Leisure that all work places are smoke free, and all employees have a right to work in a smoke free environment. A work place is defined in the Workplace (Health, Safety & Welfare) Regulations 1992 as 'any place within the premises to which any person has access while at work'. This includes any vehicles that the Company owns.

The policy will be applied fairly and uniformly throughout the Company and is applicable to all members of staff. It also applies to customers, visitors, contractors and all others who use Company facilities.

E-cigarettes, personal vaporizers (PVs), and electronic nicotine delivery systems (ENDS) are battery operated devices that mimic tobacco smoking and are often used as a replacement for cigarettes. They produce a vapour, including flavoured aromas either with or without nicotine.

POLICY STATEMENT

Smoking and the use of E-cigarettes is prohibited in all buildings and vehicles owned, leased and managed by the Company. Where private cars are used and the Company covers the cost of the fuel the same prohibition applies.

There will be designated areas within the grounds of each Company owned building for employees. However, no smoking or the use of E-cigarettes should take place adjacent to entrances or open windows to buildings or where they are in view of customers or members of the public. Where LAL employees are based in buildings which are operated by a different organisation, such as Community Campuses, they will adhere to the local management rules that are in place within that workplace.

Employees wishing to smoke or use E-cigarettes during working hours should do so during their designated break periods. No additional paid time will be granted to employees who wish to smoke or use E-cigarettes during working hours. Smokers must ensure that cigarettes/cigars etc are disposed of cleanly and safely.

MONITORING AND APPLICATION OF THE POLICY

Facility Managers are responsible for ensuring compliance of this policy within buildings owned and managed by the Company. All members of staff have a responsibility to comply with this policy. Failure to do so may result in disciplinary action being taken in accordance with the Company's Disciplinary Procedures, since failure to comply with the legislation may result in the Company receiving a fixed penalty fine.

SUPPORT MEASURES

The Company will promote, and supply information to employees who wish support to stop smoking.

This will include details of:

- Literature on sources of support
- Smoking support groups
- Smoking cessation classes
- Health Education Advice

Promotion of smoking cessation initiatives through the Healthy Working Lives and workplace noticeboards.

Should any employees provide additional support they should discuss their requirements with their line manager in the first instance who can may make reasonable local adjustments to working arrangements if required.

ADDITIONAL INFORMATION

Quit Your Way Scotland - 0800 848484

TRAINING

Awareness Training Sessions to be implemented across all sites regarding effective implementation and enforcement. Initial sessions to be delivered to Managers to roll out within sites.

For new employees induction process to be updated to include policy awareness and enforcement.

Implementation Date – January 2013

MONITORING AND REVIEW

Monitoring of the enforcement of the policy will be ongoing.

Review of policy to take place every two years. This will be earlier if legislation is enforced prior to the review period.

Review Date – March 2018

EMPLOYEE CONCERNS

Any concerns or issues employees have in relation to this policy and its enforcement should be communicated to their line manager in the first instance.

GENERAL INFORMATION

The promotion and sale of tobacco products and E-Cigarettes is prohibited within any sites owned or managed by Live Active Leisure

CONSULTATION PROCESS

- Healthy Working Lives Group to disseminated information to employees at sites
- Senior Management Team
- Operational Management Team
- Joint Review Committee – HR
- Board of Directors
- Unison – Member of JRC