



Smoke-Free Policy

**Market House
14 Market Street
Lerwick**

A charitable company limited by guarantee registered in Scotland No. 165677
Registered Office Market House, 14 Market Street, Lerwick, Shetland ZE1 0JP
Company Secretary Catherine Hughson
Recognised by the Inland Revenue as a Scottish Charity - No. SCO 17286

SMOKE FREE POLICY

PURPOSE

This policy has been developed to protect all employees, service users, customers and visitors from exposure to second-hand smoke and to assist compliance with the Smoking, Health and Social Care (Scotland) Act 2005. In addition the Health & Safety at Work Act 1974 states “It shall be the duty of every employer to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all his employees.” This policy also complies with the Safety & Health of Pregnant Workers Act (Directive 92/85/EEC) where pregnant women have a right to protection from potential chemical, physical and biological risks.

Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses.

POLICY

It is the policy of Voluntary Action Shetland that all of our workplaces are smoke-free and all employees, visitors and residents have a right to work in a smoke-free environment.

The policy came into effect on 26 March 2006 and will be reviewed annually by the Board of Directors of Voluntary Action Shetland. This policy has been developed in consultation with staff members at staff meetings.

Smoking, including the use of e-cigarettes is prohibited throughout the entire workplace with no exceptions. This includes company vehicles. This policy applies to all employees, consultants, contractors, customers or members and visitors. This policy also applies to external ground area owned by Voluntary Action Shetland.

IMPLEMENTATION

Overall responsibility for policy implementation and review rests with Executive Officer, Voluntary Action Shetland.

All staff are obliged to adhere to, and facilitate the implementation of the policy.

The Executive Officer shall inform all existing employees, consultants and contractors of the policy and their role in the implementation and monitoring of the policy. The Executive Officer will also give all new personnel a copy of the policy on recruitment/induction.

Appropriate ‘No smoking’ signs will be clearly displayed at the entrances to and within the premises.

ENFORCEMENT OF THE POLICY

Employee breaches of this policy will be subject to the normal staff disciplinary procedures as well as penalties specified in the Act.

The procedures set out on page 12 of the booklet 'Helping to get your business or organisation ready for the new law on smoking' should be followed if a customer, visitor or passenger does not comply. Those who do not comply with the smoking law are also liable to a fixed penalty fine and possible criminal prosecution under the Smoking, Health & Social Care (Scotland) Act 2005.

Breaches of this policy are to be reported in the first instance to Reception. The Receptionist will forward complaints to Executive Officer, Voluntary Action Shetland.

PENALTIES FOR NOT COMPLYING WITH THE NEW SMOKING LAW

Failure to comply with the law will be a criminal offence.

Individuals may be fined a fixed penalty of £50 for smoking in no-smoking premises

The manager or person in control of any no-smoking premises could be fined a fixed penalty of £200 for either:

- Allowing others to smoke in no smoking premises
- Failing to display warning notices in no smoking premises

Refusal to pay or failure to pay may result in prosecution and a fine of up to £2,500

HELP TO STOP SMOKING

Support for smokers who want to stop is available through Smoking Cessation Drop-in Clinics delivered by NHS Shetland Health Improvement Department; contact 01595 807494 for further information.

Other sources of support are: Smokeline 0800 848484, www.canstopsmoking.com, the Public Health Department of your local NHS Board, or your local GP surgery. Contact details can be found in your local telephone directory.