



Belmont House, 57 Belmont Road, Cambuslang, G72 8PG
www.wwhc.org.uk E: enquiries@wwhc.org.uk T: 0141 641 8628

Policy Name	Smoke Free Policy
Policy Author	EVH Model / Corporate Services Officer
Approved by Sub Committee	N/A
Approved by Management Committee	April 2026
Latest date of Next Review	April 2031

West Whitlawburn Housing Co-operative will provide this policy on request at no cost, in larger print, in Braille, in audio or other non-written format, and in a variety of languages. Please contact the office.

Registered with the Scottish Housing Regulator No. 203
Registered Charity No. SCO38737, VAT Registration No. 180223636
Registered society under the Co-operative and Community Benefit Societies Act 2014



1. Introduction

- 1.1** West Whitlawburn Housing Co-operative (WWHC) recognises, as an employer, it has a duty under the Smoking, Health and Social Care (Scotland) Act 2005, the Health and Safety at Work Act 1974 and Workplace (Health, Safety and Welfare) Regulations 1992, to ensure, so far as is reasonably practicable, that its working environment for all employees is healthy and safe.

2. Policy Aims

- 2.1** This policy aims to:

- Ensure all employees, workers, agency staff, consultants, customers, visitors, staff from other agencies, governing body members and members of the public, air free of tobacco smoke and electronic cigarette vapor within all premises of WWHC.
- Prohibits smoking or use of electronic cigarettes throughout all work premises and any work vehicles.
- Defines how WWHC will manage anyone suspected to be in breach of this policy.
- Support employees who smoke in their cessation effort.

3. Legal Framework

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

4. Definitions

The following are definitions which will be applied in the context of this policy:

Smoking

The act of using any lit tobacco or similar substance that burns and produces smoke, such as a cigarette, cigar, pipe, or herbal smoking product.

An electronic cigarette (e-cigarette or vape)

A device that heats a liquid to create a warm aerosol mist, which may contain nicotine and is inhaled to mimic the sensation and flavour of smoking, without involving

Enclosed premises	combustion. refers to any space that has a roof and is surrounded by walls to the extent that it is considered indoors whether the walls are permanent or temporary.
A workplace/company vehicle	any vehicle used for work purposes, can be used by one or more people, even if they do not use it at the same time, such as a shared company car or van.
Designated smoking area	a controlled environment where individuals who choose to smoke/use electronic cigarettes can do so without negatively impacting others or violating smoking regulations.

5. Policy Conditions

- 5.1** In line with Smoking, Health and Social Care (Scotland) Act 2005, WWHC prohibits smoking or use of electronic cigarettes within their premises in any common or work areas, including all company vehicles. Private cars used to transport colleagues, clients or visitors in relation to business are also covered by this policy.
- 5.2** Anyone who wishes to smoke or use electronic cigarettes must do so in the designated outdoor smoking area located at the rear of the main office.

6. Use of Electronic Cigarettes (E cigarettes or Vapes)

- 6.1** Electronic cigarettes are not covered under the Smoking, Health and Social Care (Scotland) Act 2005, however the use of electronic cigarettes on WWHC's premises, including company vehicles is prohibited, employees should therefore only use electronic cigarettes in designated smoking areas.

7. Passive smoking exposure out with the organisation's premises

- 7.1** Employees are entitled to work within a smoke-free environment, this includes out with company premises and vehicles. Employees should report any concerns to their Line Manager, who will take appropriate actions to prevent this.

8. Breaches of WWHCs Smoke Free Policy

- 8.1** The Smoke-Free Policy applies to all employees, workers, agency staff and consultants across the organisation. Any breaches of this policy will be dealt with in accordance with WWHC's Disciplinary and Grievance policy which may lead to disciplinary action against an employee with outcomes of up to and including dismissal.
- 8.2** Breaches of the Smoking, Health and Social Care (Scotland) Act 2005 is also considered a criminal offence and that fines and prosecution may be applied to individuals and employers by the Environmental Health Officers.
- 8.3** Any contractor, customer, visitor, staff from other agencies or other members of the public who do not comply with the provisions of WWHC's Smoke-Free policy will be asked to leave the premises immediately.

9. Employer Responsibilities

- 9.1** As an employer, WWHC is expected to:
- Ensure all employees, workers, contractors, customers, visitors, staff from other agencies, governing body or committee members and members of the public are informed that WWHC operates a Smoke-Free Policy in all its premises, developed to ensure a safe working environment.
 - Ensure the main policy provisions will be clearly displayed at the entrance to WWHC's premises and within company vehicles (Appendix 3)
 - Ensure 'No Smoking' signs will be clearly displayed in WWHC's premises including company vehicles.
 - WWHC has sufficient designated outdoor smoking area on their premises.
 - Ensure that smoking/use of electronic cigarettes is only allowed in designated areas. Smoking or use of electronic vapes out with these designated areas, on any company premises including company vehicles will be regarded as a breach of this policy.
 - Manage any breaches of WWHC's Smoke-Free Policy as set out within this policy.
 - Ensure we signpost and provide support to any employees who are seeking to cease smoking or stop using electronic cigarettes.

10. Employee Responsibilities

- 10.1** All WWHC employees are expected to:

- Adhere to the WWHC's Smoke-Free Policy.
- Report any breaches of WWHC's Smoke-Free Policy to their line manager.
- Report any exposure to passive smoking out with WWHC's premises or company vehicles to their line manager.
- Highlight any concerns regarding the Smoke Free Policy to their Line Manager or the Director
- Seek cessation support, if required by speaking with their Line Manager or utilising the information with this policy.

11. Cessation Support

11.1 WWHC recognises that the Smoke-Free Policy may impact those who smoke or use electronic cigarettes.

11.2 To help employees, support is available. Speak with your Line Manager, who will guide you and provide necessary support.

Contact 'Quit Your Way Scotland' the NHS support service for smoking cessation	
Phone open Monday to Friday, 9am to 5pm	0800 84 84 84
Chat Online Webchat is open Monday to Friday 9am to 5pm, if an adviser is available.	Quit Your Way Scotland NHS inform
Text Message You must include any questions you have within the text.	07903 588 669

Your GP and local pharmacies can also offer assistance and advice with smoking cessation.

12. General Data Protection Regulations

12.1 WWHC will treat your personal data in line with our obligations under the current data protection regulations and our Data Protection Policy. Information regarding how your data will be used and the basis for processing your data is provided in WWHC's employee fair processing notice.

Appendix 1 - 'No-Smoking Premises' (as listed in Schedule 1 to the Regulations)

Those premises which fall within the scope of the legislation, having been classed as 'no-smoking premises', are:

Restaurants	Offshore installations.
Bars and public houses	Educational institution premises.
Shops and shopping centres	Sports centres
Hotels	Club premises
Libraries, archives, museums and galleries	Public transportation vehicles
Public toilets	Public telephone kiosks
Cinemas, concert halls, theatres, bingo halls, gaming and amusement arcades, casinos, dance halls, discotheques and other premises used for the entertainment of members of the public	Premises used for, or in connection with, public worship or religious instruction, or the social or recreational activities of a religious body.
Premises used as a broadcasting studio or film studio or for the recording of a performance with a view to its use in a programme service or in a film intended for public exhibition	Premises providing care home services, sheltered housing or secure accommodation services and premises that are non-domestic premises which provide offender accommodation services.
Halls and any other premises used for the assembly of members of the public for social or recreational purposes	Airport passenger terminals and any other public transportation facilities
Conference centres, public halls and exhibition halls	Crèches, day nurseries, day centres and other premises used for the day care of children or adults
Offices, factories and other premises that are non-domestic premises in which one or more persons work	Vehicles which one or more persons use for work
Hospitals, hospices, psychiatric hospitals, psychiatric units and health care premises	

Appendix 2 - Exemptions (as listed in Schedule 2 to the Regulations)

Those premises (or part of premises) which are exempt from the legislation are:

Residential accommodation	Detention or interview rooms which are designated rooms.
Designated rooms in adult care homes.	Designated rooms in offshore installations.
Adult hospices	Private vehicles
Designated rooms in psychiatric hospitals and psychiatric units	Designated laboratory rooms.
Designated hotel bedrooms.	HM Submarines and ships of the Royal Fleet Auxiliary.

Appendix 3 - WWHC's Smoke-Free Policy Summary

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.

Policy

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

Smoking and use of electronic cigarettes is prohibited throughout the entire workplace with no exceptions. This includes company vehicles. This policy applies to all employees, workers, contractors, customers, visitors, staff from other agencies, governing body or committee members or members of the public.

Employees, workers, customers, contractors, visitors and committee members are allowed to smoke or use electronic cigarettes at the rear of the main office. This will be pointed out to you during your health and safety induction.

Implementation

Overall responsibility for policy implementation lies with the Director and the review rests with the Corporate Services Officer. All staff are obliged to adhere to and facilitate the implementation of the policy.

The persons named above shall inform all existing employees, consultants and contractors of the policy and their role in the implementation and monitoring of the policy. They'll also have to 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.

Non-compliance

WWHC's Disciplinary and Grievance Procedure shall be followed if an employee does not comply with this policy.

Any contractor, customer, visitor, staff from other agencies or other members of the public who do not comply with the provisions of WWHC's Smoke-Free policy will be asked to leave the premises immediately.

In addition, anyone who does not comply with the legislation are also liable to a fixed penalty fine and possible criminal prosecution.

Help to stop smoking

WWHC recognises that the Smoke-Free Policy may impact those who smoke or use electronic cigarettes.

To help employees support is available:

Contact 'Quit Your Way Scotland' the NHS support service for smoking cessation	
Phone open Monday to Friday, 9am to 5pm	0800 84 84 84
Chat Online Webchat is open Monday to Friday 9am to 5pm, if an adviser is available.	Quit Your Way Scotland NHS inform
Text Message You must include any questions you have within the text.	07903 588 669

Your GP and local pharmacies can also offer assistance and advice with smoking cessation.

Equalities Impact Assessment

Policy/Project/Service Information			
Lead Officer	Corporate Services Officer		
Policy / Project / Service	Smoke Free Policy	New Policy / Project / Service or revision of existing?	Revision of existing
Is this a reassessment following amendments being required at a previous assessment?	No		
Briefly describe the aims, objectives and purpose of the policy / project / service.	To ensure all stakeholders who visit WWHC buildings are free of tobacco smoke and electronic cigarette vapor. To further prohibit smoking or use of electronic cigarettes throughout all work premises and any work vehicles. Define how non-compliance will be dealt with and the support offered to employees who wish to stop smoking.		
Who is intended to benefit from the policy / project / service? (E.g. applicants, tenants, staff, contractors)	Employees and all visitors to WWHC offices.		
What outcomes are wanted from this policy / project / service? (E.g. the measurable changes or benefits to members/ tenants / staff)	To ensure the health and welfare of employees within the workplace		
Consultation			
Who have you engaged and consulted with as part of your assessment?			

N/A – EVH model policy and current legislation

Equalities Impact Assessment			
Which protected characteristics could be affected by the policy, practice, or service?		Identify any positive impact/s that could result for each of the protected characteristic groups.	Identify any negative impact/s that could result for each of the protected characteristic groups.
Age	x	Beneficial to those in a higher age bracket who are more likely to experience ill-health.	
Disability	x	Beneficial to those who are disabled and may be more likely to experience ill-health.	
Gender Reassignment			
Marriage & Civil Partnership			
Race			
Religion/Belief			
Pregnancy/Maternity	x	Beneficial to those expecting or on maternity and so that mothers/unborn children/newborns are not exposed to passive smoke.	
Sex			
Sexual Orientation			

Action Plan To Mitigate Negative Impact

What action/s are required to address the impacts arising from this assessment?

Protected characteristics	Action	Implementation Date
Age		
Disability		
Gender Reassignment		
Marriage & Civil Partnership		
Race		
Religion/Belief		
Pregnancy/Maternity		
Sex		
Sexual Orientation		
Human Rights		

Final Decision	Tick relevant box	Include explanation where appropriate
Approved for implementation without change		
Amend or change the Policy/Project/Service		
Continue the Policy/Project/Service without change (despite impact)		
Stop the Policy/Project/Service		
Lead Officer Signature	R.Hosie	
Date	15/04/2026	

Date approved by Management Committee/ Sub Committee	27/04/2026
---	------------