

Policy

TITLE	Smoking and Vaping Policy		
Policy ref:	S026P	Approval date	September 2025
Owner	Corporate Services Director	Planned review date	September 2028
Approved by	Executive Committee		

Version	Purpose/change	Author	Date
1.0	Policy written. Approved by ECM June 2014	Head of HR	June 2014
2.0	Policy reviewed and approved by ECM	L Stevenson	June 2019
3.0	Policy reviewed and changes to the wording of sections - no substantive content changes.	J Conway / G Manley / J Cryans / M Boothman	October 2021
4.0	Terminology altered to suit current organisational structure. Split into policy and care/housing specific SOPs. Title changed from "Smoking Policy" to "Smoking and Vaping Policy".	M Boothman	August 2025

1 Background	It is well documented that smoking, including passive smoking, can adversely affect people's health. In adult non-smokers, exposure to second-hand smoke from passive smoking can cause an increased risk of certain diseases such as lung cancer, heart disease and respiratory disorders. As a result of these harmful effects to health of smoking and second-hand smoke, smoke-free legislation was introduced by the Health Act (2006) to protect individuals in public places and in the workplace. In general, private dwellings are not covered by the legislation. However, any part of a private dwelling that is shared with other premises or is a workplace will be required to be smoke-free if these premises are open to the public. This means that shared facilities, such as communal corridors, lounges, lifts, and stairways in Abbeyfield Living Society (ALS) sheltered housing and independent living services, as well as shared kitchens or laundries, are required to be smoke-free. ALS also needs to be mindful of the risks to staff who provide care and support to residents within the private dwellings of a resident that smokes, to ensure this is managed in a safe way.
2 Objectives	The objectives of this policy are to ensure: Residents, staff, volunteers, and visitors will not be exposed to the harmful effects of second-hand smoke.

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	- Individuals who wish to smoke will be supported to minimise risks and only smoke in designated rooms or areas that meet the stated requirements of legislation. - ALS complies with the requirements of applicable legislation within its sheltered houses, independent living services, and care homes.
3 Scope	This policy applies to all residents, visitors, staff, agency staff, contractors, and volunteers within ALS premises. This policy also applies to the use of electronic cigarettes. The use of electronic cigarettes is prohibited wherever smoking is prohibited.
4 Policy	It is the policy of ALS to ensure that, where it is within our control, staff, residents, and visitors will not be exposed to the harmful properties of second-hand smoke and that, where required by law, our premises will be kept smoke-free. 4.1 Smoke-Free The definition of smoke-free is contained within legislation (Health Act 2006). The key to understanding what is or isn't required to be a smoke-free premises is determining what is open to the public, a workplace, and whether it is substantially enclosed. The law states: 1) Premises are smoke-free if they are open to the public. But unless the premises also fall within point (2), they are smoke-free only when open to the public. 2) Premises are smoke-free if they are used as a place of work: a. by more than one person, even if the persons who work there do so at different times, or only intermittently, or b. Where members of the public might attend for the purpose of seeking or receiving goods or services from the person or persons working there, even if members of the public are not always present. They are smoke-free all the time. 3) If only part of the premises is open to the public, or as the case may be used as a place of work mentioned in point (2), the premises are smoke-free only to that extent. 4) In any case, premises are smoke-free only in those areas which are enclosed or substantially enclosed. This means that the communal/work areas within ALS sheltered houses and independent living services that do not form part of a resident's own dwelling are

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	smoke-free. Care homes are also smoke-free (unless they have a designated room which meets the requirements under law, as below). 4.2 Arrangements / Exceptions for Care Homes There is an option under law to provide a designated room in care homes and other facilities. However, the requirements contained within the Smoke-free (Exemptions and Vehicles) Regulations (2007) must be followed. Currently, ALS do not own or manage any care homes with a designated 'smoking room'. No room shall be designated as such without prior agreement of the Corporate Services Director and Head of Health, Safety & Environment, in consultation with their teams and following a full risk assessment process. 4.3 Disciplinary Action The health, safety and wellbeing of staff and residents in all ALS homes and houses remains our absolute priority. Consequently, a breach of this policy and procedures could result in disciplinary action.
5 Finance, Value for Money & Social Value	N/A
6 Linked policies	• Health and Safety Policy (YH009P) • Fire Safety (YH006P) • Disciplinary Policy (S008P)
7 Relevant Legislation / Regulation	• Health and Safety at Work etc. Act (1974) • Management of Health and Safety at Work Regulations (1999) • Health Act (2006) • Smoke-free (Exemptions and Vehicles) Regulations (2007) • Smoke-Free (Signs) Regulations (2012)
8 Guidance	N/A
9 Review	Every 3 years, subject to any regulatory or legislative updates.

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10 Procedure(s) 10.1 10.2	 Managing the risk of smoking and vaping in Care Managing the risk of smoking and vaping in Housing
11 Process Map(s)	N/A