

SMOKING AT WORK POLICY

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History

Date	Revision	Version	By

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Date: _____

1. SCOPE

- 1.1 This policy applies to all company employees and workers within the EV Cargo Logistics group. Other persons not employed by EV Cargo Logistics but who have reason to be on EV Cargo Logistics managed premises shall equally, be subject to the terms of the Policy. It is important that you familiarise yourself with the full content of this policy. Lack of knowledge on the Smoking At Work Policy is not an acceptable reason for breach of policy.
- 1.2 This policy supersedes previous policy, any historical practices, local agreements and arrangements. Whilst the Company recognises local agreements or practices have taken place in the past, the Company will not accept any local practices, variations of policy.
- 1.3 Previous precedent does not apply. In line with this policy, the Company will consider each case on its merits. How the Company handles one case, will not create a precedent on how we handle other cases, therefore, arguments or mitigation on the grounds of precedence will not be accepted.
- 1.4 All information regarding the Smoking At Work Policy is available to all employees via your line manager or the Human Resources Department.
- 1.5 Where there is a discrepancy between the policy and legislation, legislation prevails.

2. INTRODUCTION

- 2.1 Smoking is prohibited on all parts of the Company's premises, unless in designated outside smoking areas. Smoking is prohibited in all company vehicles, including company cars and vehicle cabs, whether stationary or travelling. This also includes inhalators or any equipment which emits a vapor.
- 2.2 It has been long established beyond reasonable doubt, that smoking cigarettes increases the risk of a variety of serious illnesses. More recently, medical science has demonstrated that non-smokers may also suffer an increased risk of developing lung cancer, heart disease and other illnesses as a result of exposure to smoke generated by those around them (commonly known as 'passive smoking').
- 2.3 The Health and Safety at Work Act places a duty on employers to provide a work environment for employees that is, so far as is reasonably practicable, safe and without risks to health. Additionally, the Health Act addresses smoking directly and provides specific regulations that employers must observe.
- 2.4 This policy has therefore, been developed in order to provide a healthy, safe and comfortable environment and to ensure the Company's compliance with the law.

3. Objectives

The principal objectives of this Policy are:

- To ensure that all employees and others with reason to visit EV Cargo Logistics facilities are afforded the opportunity to enjoy a safe, healthy and comfortable environment
- To ensure that all employees and others with reason to visit EV Cargo Logistics facilities are aware of their obligations and responsibilities in relation to smoking
- To clarify the standards and expectations of the Company
- To clarify the measures which may be taken in the event of any failure to comply with the Policy.

4. Definition

For the purposes of this Policy, the use of the terms 'smoking' and / or 'smoke' shall be taken to mean the use of cigarettes (including hand-rolled cigarettes), cigars, pipes, cigarillos or any other mechanism or means of burning tobacco and/or any other substance or material which could reasonably be believed to produce a similar or otherwise harmful by-product. This also includes inhalators or any equipment which emits a vapor.

5. Principal Responsibilities

5.1 Company Managers

Managers are responsible for ensuring that the Policy is effectively implemented and supported throughout the business and that it is suitably resourced such that the aims and objectives may be realistically and practically attained. Wherever necessary, management are responsible for providing appropriate advice and guidance to employees on the Policy. Further, specific responsibilities are detailed in the following

sections of the Policy.

5.2 Human Resources

Wherever necessary, HR are responsible for providing appropriate advice and guidance to employees on this Policy. Further, specific responsibilities are detailed in the following sections of the Policy.

5.3 Trade Unions

The Trade Unions are responsible for supporting the Policy both in spirit and letter and for providing appropriate advice and guidance to members as required. Further, specific responsibilities are detailed in the following sections of the Policy.

5.4 Employees

All employees are responsible for compliance with the Policy as detailed. Employees are responsible for informing any non-employee that they are hosting, of the terms of the Policy. In the event that a non-employee is permitted to breach the terms of the Policy by an employee, that employee may be subject to disciplinary action, following proper investigation.

6. Support for employees

It is accepted that a prohibition on smoking will cause some difficulty for those who smoke. The Company shall therefore, provide reasonable assistance to those who wish to cease or reduce their smoking. Such assistance shall be co-ordinated by the HR Department with the external Occupational Health Provider or other external bodies.

7. Breaches of Policy

7.1 Employees

Where there is a reasonable belief that an employee has breached the terms of the Policy, a disciplinary investigation shall ordinarily be undertaken. In the event that such an investigation concludes that a breach took place, disciplinary action may follow. Breach of this policy is potentially gross misconduct.

7.2 Workers

Where there is a reasonable belief that a worker has breached the terms of the Policy, an investigation shall ordinarily be undertaken. In the event that such an investigation concludes that a breach took place, that worker may be excluded from undertaking further work for the Company.

7.3 Criminal Offence

All persons should be advised that it is a criminal offence to smoke in a non-smoking area which may result in a fixed penalty fine of £50 or a prosecution and a fine of up to £200.

8. Policy Administration

8.1 Communication

All employees are briefed on the Policy during their induction programme.

In the event that any changes or amendments to the Policy are made, all employees are informed by appropriate means.

8.2 Monitor and review

The Policy is ordinarily reviewed on an annual basis. Additionally, reviews shall be initiated wherever changes in relevant law, business operating conditions or circumstances dictate.

All reviews are conducted in consultation with representatives of the trade unions.

9. KEEPING WRITTEN RECORDS

9.1 The Company will keep the following records –

- Forms or correspondence to and from you regarding the Smoking at Work Policy
- Subsequent developments
- Notes of any meetings, investigations or disciplinary sanctions

9.2 Records should be kept as confidential and kept no longer than necessary in accordance with the General Data Protection Regulations 2018.