

CLYDESDALE HOUSING ASSOCIATION LIMITED

Policy: Smoke Free Policy

Date: 27 May 2026

Lead Officer: Chief Executive

Review Date: 27 May 2029

Regulatory Standards

Standard 1 The governing body leads and directs the RSL to achieve good outcomes for its tenants and other service users.

Guidance

1.3 The governing body ensures the RSL complies with its constitution and its legal obligations. Its constitution adheres to these Standards and the constitutional requirements set out [by the SHR].

Standard 4 The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.

Guidance

4.4 The governing body identifies risks that might prevent it from achieving the RSL's purpose and has effective strategies and systems for risk management and mitigation, internal control and audit.

Clydesdale Housing Association will provide this policy on request at no cost, in large print, in Braille, in audio or other non-written format, and in a variety of languages.



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1. Introduction

- 1.1 Clydesdale Housing Association 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 Clydesdale Housing Association.
- Prohibits smoking or use of electronic cigarettes throughout all work premises and any work vehicles.
- Defines how Clydesdale Housing Association will manage anyone 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

- 4.1 The following are definition which will be applied in the context of this policy.

- **Smoking** is 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)** is 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 combustion.
- **Enclosed premises** 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** is 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, Clydesdale Housing Association 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. Anyone who wishes to smoke or use electronic cigarettes must do so in the designated outdoor smoking areas stipulated by Clydesdale Housing Association – on Dovecot Lane, Lanark.

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 Clydesdale Housing Association'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 Clydesdale Housing Association's 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 Clydesdale Housing Association's Disciplinary Procedures with may lead to disciplinary action against an employee in accordance with the disciplinary procedure 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 Clydesdale Housing Association's Smoke-Free policy will be asked to leave the premises immediately.

9. Employer Responsibilities

- Ensure all employees, workers, contractors, customers, visitors, staff from other agencies, governing body or committee members and members of the public are informed that Clydesdale Housing Association 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 Clydesdale Housing Association's premises and within company vehicles (Appendix C)
- Ensure 'No Smoking' signs will be clearly displayed in Clydesdale Housing Association's premises (Appendix D).
- Clydesdale Housing Association 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 Clydesdale Housing Association'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

- Adhere to the Clydesdale Housing Association's Smoke-Free Policy.
- Report any breaches of Clydesdale Housing Association's Smoke-Free Policy to their line manager.
- Report any exposure to passive smoking outwith Clydesdale Housing Association's premises to their line manager.
- Highlight any concerns regarding the Smoke Free Policy to their Line Manager or the Chief Executive.
- Seek cessation support, if required by speaking with their Line Manager or utilising the information with this policy.

11. Cessation Support

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

11.2 In an effort 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 by:
 - Phone on 0800 84 84 84 - The helpline is open Monday to Friday, 9am to 5pm.
 - Chat Online Webchat is open Monday to Friday 9am to 5pm, if an adviser is available.
 - [Quit Your Way Scotland | NHS inform](#)
 - Text Message to 07903 588 669. You must include any questions you have within the text.
- Your GP and local pharmacies can also offer assistance and advice with smoking cessation.

12. General Data Protection Regulations

12.1 The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own Privacy Policy. Information regarding how your data will be used and the basis for processing your data is provided in Clydesdale Housing Association's employee privacy notice.

13. Policy Review

13.1 This policy was approved by our Management Committee on the 27th of May 2026. It will be reviewed not later than May 2029.

APPENDIX A – No Smoking Premises**‘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 B - Exemptions

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 C – Smoke Free Policy

Clydesdale Housing Association's 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.

Policy

It is the policy of Clydesdale Housing Association 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 in Clydesdale Housing Association's designated smoking area – Dovecot Lane, Lanark.

Implementation

Overall responsibility for policy implementation and review rests with the Chief Executive. All staff are obliged to adhere to, and facilitate the implementation of the policy.

The person 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

Disciplinary procedures 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 Clydesdale Housing Association's Smoke-Free policy will be asked to leave the premises immediately.

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

Help to stop smoking

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

In an effort to help employees support is available:

- Contact 'Quit Your Way Scotland' the NHS support service for smoking cessation. Phone on 0800 84 84 84 - The helpline is open Monday to Friday, 9am to 5pm.

Chat Online Webchat is open Monday to Friday 9am to 5pm, if an adviser is available.

<https://www.nhsinform.scot/care-support-and-rights/nhs-services/helplines/quit-your-way-scotland>

Text Message to 07903 588 669. You must include any questions you have within the text.

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

APPENDIX D – No Smoking Signage

