



**ELHAP – A SPECIAL NEEDS ADVENTURE PLAYGROUND**  
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## **ELHAP SMOKING POLICY**

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### **Introduction**

Passive smoking, breathing other people's tobacco smoke, has been medically proven to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.

Section 2(2)(e) of the Health and Safety at Work Etc. Act 1974 places a duty on employers to provide a working environment for employees:

*"Provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risk to health and adequate as regards to facilities and arrangements for welfare at work."*

The employer has a duty in common law to take reasonable care to protect the health of employees. An employer who receives a complaint about the effects of smoking, but ignores it, could be sued for any resultant damage to health. As part of the Management of Health and Safety at Work and Fire Precautions Regulations 2003 employers may find themselves liable for damage to an unborn child if a pregnant employee has been exposed to passive smoking. Tobacco smoke has also been proven to cause asthma and migraine attacks. Therefore, the following policy has been adopted concerning smoking at ELHAP.

### **General principles**

Under the Health and Safety at Work Act 1974, employees have duties to take reasonable care for the health and safety of themselves and others and to co-operate with the employer as far as is necessary to enable the employer to comply with the requirements of the Health and Safety Work Act.

### **The management of health and safety at work**

This smoking policy seeks to guarantee all employees the right to work in air free of tobacco smoke.

All area at ELHAP are designated smoke-free with adequate signage to inform employees and visitors of the smoke free status of the building.

## **Work areas**

Smoking is not permitted in any work area. This applies to all offices and work areas, whether occupied by one person, or shared by two or more.

## **Policy on smoking and rest areas**

The Workplace (Health, Safety and Welfare) Regulations 1992 , Regulation 25 (3) states: "Rest rooms and rest areas shall include suitable arrangements to protect non-smokers from discomfort caused by tobacco smoke." This means that where there is a single rest area, it will be non-smoking.

## **Facilities for disposal of smoking refuse etc**

Smoking may be permitted as appropriate in the smoking area located in the front area behind the front entrance area, but is not be permitted inside any ELHAP buildings. Receptacles are provided for the disposal of cigarette ends and other waste smoking materials in the smoking area.

## **Vehicles**

Smoking is not permitted in company vehicles. The policy of no-smoking applies to the car park/driveway.

## **Unions / health & safety representative**

This policy has been devised in full consultation with all of those employees who are concerned with health and safety in this workplace. It enjoys the support of the relevant representatives.

## **Visitors and temporary staff**

Visitors and temporary staff are expected to abide by the terms of this policy. The following arrangements have been made for informing them of its existence:

- This policy is available at ELHAP in the staff handbooks
- A sign notifying visitors and staff is located in the noticeboard in the rear hallway
- This policy is available on the ELHAP website at [www.elhap.org.uk](http://www.elhap.org.uk)

## **Recruitment procedures**

Job advertisements, job descriptions and interviews will include reference to this policy. On their appointment, all new staff members will be given a copy of this policy.

## **Help for those who smoke**

This policy recognises that passive smoking adversely affects the health of all employees. It is not concerned with whether anyone smokes, but where they smoke,

and the effect that this has on nonsmoking colleagues. However, it is recognised that the smoking policy will impact on smokers' working lives.

In an effort to help individuals adjust to this change, the following help is being provided:

- Up to five hours off to attend any course that will help smokers to quit
- Smoking Cessation support provided by the Redbridge Stop Smoking Service (020 8926 5275/[stopsmoking@redbridge-pct.nhs.uk](mailto:stopsmoking@redbridge-pct.nhs.uk))

### **Enforcement of the policy**

Breaches of this policy will be subject to the normal disciplinary procedures.

**Implemented by the ELHAP Board of Trustees  
July 2006**