

Factsheet C24: Smoking Policy

This advice sheet explains about smoke-free regulations and employees working in your home if you or anyone in your home smokes.

If you employ staff to undertake tasks in your home you will need a policy on how smoking during visits/work should be addressed. Employees should not be able to smoke when working in your home. Equally employees have a right not to be exposed to second-hand, tobacco smoke.

In general, private premises are not covered by the smoke-free law, except for parts of dwellings used solely as a place of work by more than one person. However, this excludes any work that is undertaken to provide personal care for a person living in your home.

It is advised you adopt effective policies in this area as you could potentially face legal action under health and safety legislation if an employee suffers harm as a result of second-hand smoke.

Steps you can take to minimise your employees' exposure to second-hand smoke

If you agree to introduce guidance to limit your employees' exposure to second hand smoke, the following steps should be considered;

- You agree not to smoke for a period of time prior to a visit and during a visit;
- If you do smoke, limit your smoking to room(s) where people will not be working;



- Agree to open windows in rooms where people are working to help clear any second-hand smoke;
- Be aware of employees who may have a condition that is made worse by exposure to tobacco smoke, such as asthma, or individuals who face additional risks (for example, due to pregnancy). You should take particular care to prevent or minimise their exposure to tobacco risk.

If you require further information or would like this factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: info@equallives.org.uk, or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.

