



Smokefree policy checklist

August 2025

Tobacco smoking is the single greatest cause of premature death in the North East and a key driver of health inequalities. Smoking costs the North East nearly £2 billion a year with the greatest costs borne by business and impacting the health of the workforce.

The North East has a clear ambition of a Smokefree Future and there is a shared [declaration](#) from Fresh, the Association of Directors of Public Health North East and the North East and North Cumbria NHS Integrated Care Board.

The checklist below is designed to help organisations develop a robust smokefree policy that is positive and supportive of healthy workplaces, moving beyond a simple "No Smoking" policy – which focuses on the single goal of prohibiting smoking in specific areas –to creating a wider, supportive smokefree environment that aims to promote health and wellbeing for all.

A smokefree policy should be specific to the organisation for which it is intended but there are a number of key elements which should be considered for best practice. This checklist can be used to ensure that your organisation’s smokefree policy adheres to national legislation and remains embedded in evidence-based practice to protect colleagues and external partners from the harms of combustible tobacco smoke, whilst continuing to proactively support those who smoke by maximising opportunities to make a quit attempt.

A good smokefree policy is **not just a set of rules**—it’s a living commitment to staff health, wellbeing, and equality. It blends evidence-based practice with a wider healthy workplace approach, recognising that supporting people to quit and promoting clean air benefits everyone. Embedding it into workplace culture will ensure that everyone—whether they smoke, vape, or neither—feels respected and supported.

There is an [evidence-based hub](#) available to support organisations to promote a healthier workforce and help people become smokefree.

Section	Recommendation	Useful resources	Completed?
Policy aim	The aims of a smoke-free policy should be to protect staff from the harmful effects of second-hand tobacco smoke, and promote health & wellbeing for all. In addition, the policy should make sure that employers, smokers, and non-smokers have a clear understanding of their rights and responsibilities.		
The importance of supporting a smokefree workplace	Outline the evidence: The policy should detail the latest evidence on the harms of tobacco including its impact on life expectancy, health inequalities,	ASH Ready Reckoner	

	and the economic costs to workplaces and other harms specific to your organisation	ASH – the economic impact of smoking ASH – smoking statistics NHS advice page	
	Align with position statements: Refer to the relevant Position Statements/ Pledges on helping smokers to quit and the importance of aligning to this	ADPHNE Position Statement on Helping Smokers to Quit The local Government Declaration on Tobacco Control The NHS Smokefree Pledge Supporting the North East Declaration for a Smokefree Future - Fresh Balance	
Current legislation	The Health and Safety at Work Act 1974: Note that employers have a duty to ensure, as far as is reasonably practicable, the health, safety and welfare at work of all employees.	https://www.legislation.gov.uk/ukpga/1974/37/section/2	
	The Management of Health and Safety at Work Regulations (1999): Employers are required to assess and control risks to employee health and safety, including those related to secondhand smoking.	https://www.legislation.gov.uk/uksi/1999/3242/contents	
	The Health Act 2006: This act mandates that most enclosed public places and workplaces, including work vehicles, must be smoke-free.	Health Act 2006 https://ash.org.uk/resources/view/smokefree-legislation	
	The Children and Families Act 2014: This legislation protects children from the harmful effects of secondhand smoke by making it illegal to smoke in private vehicles when a person under the age of 18 is present and prohibits adults from purchasing tobacco or nicotine	https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted	

	products on behalf of someone under 18.		
	<p>Future legislation: Keep up to date with legislative changes, such as the Tobacco and Vapes Bill, which will give the government powers to extend the ban on smoking in public places to some outdoor spaces and introduce some vape-free areas. It is expected that the Bill will be passed in 2025/26.</p>	<p>The Tobacco and Vapes Bill - ASH</p> <p>https://bills.parliament.uk/bills/3879</p>	
Smokefree site	<p>Smokefree sites: It is recommended that smoking should not be permitted anywhere on site including outdoor areas.</p>		
Creating a vape-friendly workplace	<p>Evidence base & guidance: Refer to the ADPHNE position statement on nicotine vaping</p>	<p>Position Statement on Nicotine Vaping North East</p>	
	<p>Distinguish vaping from smoking: Ensure that there is a clear definition of vapes / e-cigarettes and distinction from combustible tobacco.</p>	<p>https://www.freshquit.co.uk/ways-to-quit/vaping/</p>	
	<p>Vapes as a quitting aid: Highlight the role of vapes as an effective, NICE recommended stop smoking aid.</p>	<p>NHS- Vaping to quit smoking</p> <p>https://www.freshquit.co.uk/ways-to-quit/vaping/</p> <p><i>Opportunity to link/promote to any 'swap to stop' schemes for staff</i></p>	
	<p>Designated vaping areas: Designate specific areas on site where vaping is permitted. Ensure vapers are not required to use the same area as smokers.</p>		
	<p>Address safety concerns: You may wish to include a policy on charging e-cigarettes in line with fire safety guidance</p>	<p>https://nfcc.org.uk/our-services/position-statements/smoking-vaping-tobacco-position-statement/</p>	
	<p>Address other concerns: Note that the risks of secondhand harm from e-cigarettes/ vapes are likely to be very low.</p> <p>Staff concerns and advice regarding others' vaping should be</p>	<p>https://www.nhs.uk/better-health/quit-smoking/ready-to-quit-smoking/vaping-to-quit-smoking/vaping-</p>	

	<p>addressed using the latest evidence and resources available.</p> <p>Serious concerns can be escalated to an appropriate lead e.g. Public Health local tobacco control lead / organisational smokefree policy lead</p> <p>If your organisation records smoking status as part of health screening practices or staff surveys, this can be helpful in offering support and maintaining a healthy workforce.</p>	myths-and-the-facts/	
Supporting smokers to stop	<p>Promote quitting: Promote the many routes to quit, including local stop smoking services, swap to stop initiatives, the Smokefree app and digital self-help options. Sign-post staff who wish to stop smoking to www.freshquit.co.uk</p> <p>Consider how your organisation can support staff who wish to attend appointments for support</p>	https://www.freshquit.co.uk/ways-to-quit	
	<p>Offer quitting resources: Include other support pathways within the policy, including any local swap to stop initiatives and the free version of the Smokefree App</p>	https://smokefreeapp.com/	
	<p>Support at work: Encourage staff who are trying to stop smoking to use stop smoking aids and/or vapes to manage cravings whilst at work.</p>		
	<p>Promote stop smoking campaigns There are a number of national and regional communication campaigns that take place throughout the year, include Stoptober, No smoking day and various regional campaigns from Fresh</p>	<p>https://campaignresources.dhsc.gov.uk/campaigns/</p> <p>Today is the Day</p> <p>Media, communications and awareness - Fresh Balance</p>	
	<p>Smoking off-site: Remind staff who wish to smoke that this is only permitted off-site and a risk assessment may be necessary before allowing staff to</p>		

	leave the site to smoke. See FAQ for further information		
Training and policy awareness	Staff training: Ensure all management complete very brief advice (VBA) training as part of mandatory requirements and that this is also made accessible for all other staff	https://www.ncsct.co.uk/publications/VBA_2021	
	Awareness of support available: Provide information / signpost local referral pathways	https://www.freshquit.co.uk/ways-to-quit/local-support/	
	MECC training: Consider offering Making Every Contact Count (MECC) training accessible for all staff	https://www.meccgateway.co.uk/nenc/services/Smoking	
	Promote the policy: Ensure all staff are aware of the smokefree policy and regulations around smoking and vaping on site, through internal communications like the staff intranet, emails, and posters. Include references to the policy in training modules such as fire safety and induction.		
Policy enforcement	Collective responsibility: Supporting a smokefree organisation is everyone's business and all staff should help ensure compliance with the smokefree policy and support a smokefree environment		
	Communication techniques: Provide examples of supportive communication techniques that staff can use when approaching those in breach of the smokefree policy	E.g. <i>"You might not be aware but our site is smokefree as we are working to create a healthy and safe environment for everyone. Would you mind putting your cigarette out or moving off site if you wish to continue smoking?"</i>	
	Dealing with non-compliance Breaches of the policy should be dealt with in line with other HR policy breaches and managed by HR. In instances where a breach of policy also contravenes the law, appropriate action should be taken.		

	Local Authority Environmental Health are the lead authority.		
	Workplace settings Employers have a duty of care to protect employer health, no matter where they are working e.g. home visits, work vehicles, agile working settings. Communicate the policy to ensure staff and customers/clients are aware and adhering to the policy in all environments	See FAQ	
	Focus on behaviour, not individuals: Remind staff that the policy addresses the impact of smoking and is concerned with where people smoke, not whether they smoke.		

FAQs

- What is defined as smoking?**
Smoking is defined as being in possession of a lit substance such as tobacco or any other substance that can be smoked. This includes any type of cigarette, pipe, cigar or water pipe used to smoke tobacco.
- What does substantially enclosed mean?**
The term “enclosed or substantially enclosed” refers to a place that has a ceiling or roof, with walls (including doors and windows) around at least half the perimeter.
- What are employers required by law to do?**
Public health laws in the UK state that enclosed or substantially enclosed workplaces and public places must be smoke free. This means that employers have legal responsibilities to prevent people from smoking in relevant premises at work, as well as in certain workplace vehicles. Employers are required by law to display no-smoking signs in workplaces and work vehicles; take reasonable steps to make sure that staff, customers, members and visitors are aware that they may not smoke in the premises or in work vehicles; make sure that no one smokes on the premises or in vehicles.
- What are the employer responsibilities for staff who do home visits?**
Employers have a duty not to expose their workers to hazards, and must therefore take appropriate steps to prevent or minimise any risks. Working in someone else’s home may expose them to second-hand smoke. To deal with this risk, many employers and health promotion organisations now ask service users/clients not to smoke during or at least one hour before any visit, and to allow the worker to ventilate the rooms they walk in by opening windows.
- As an employer, where can I direct employees who wish to stop smoking?**
The regional stop smoking hub www.freshquit.co.uk provides information on all routes and support options for quitting smoking, including links to local stop smoking services, the Smokefree App, and information and advice on stop smoking aids such

as vapes and nicotine replacement therapy. The hub can be promoted within organisations including on company websites, internal news and bulletins and other communications routes so that employees feel supported to access help and potentially engage with their local Stop Smoking Services.

- **What is the guidance around extending a smokefree policy to outside of a building?**

There is no official guidance around smoking outside of a smokefree site and the law mainly covers internal areas. It is therefore up to individual employers or building owners to set rules about smoking near entrances within their smokefree policy. A 5-metre rule (sometimes called the “smoke-free buffer zone”) is commonly adopted in workplace health and safety policies. However, where an entrance opens to a public footpath this zone cannot be legally enforced but could be a voluntary smokefree zone.

- **What guidance is there around smoking and working remotely?**

Employers can set conditions of employment and conduct policies that apply during working hours, including when working remotely. It is recommended that in order to maintain a professional image and uphold the organisations smoke-free values, employees must refrain from smoking or vaping during work activities such as online meetings and video calls conducted as part of their role. Such policies are typically enforced as part of conduct expectations (like dress code or behaviour on video calls). Such conditions do not ban smoking in an employee’s home generally, only during work activities.

- **What is the law on smoking breaks?**

There is no statutory right to smoking breaks and employers are not legally required to provide smoking breaks or pay for them. It is recommended that employers encourage employees to use stop smoking aids and/or vapes to manage cravings whilst at work.