

Newman University
No-Smoking and No Vaping Policy

Preamble

The University accepts the Government's objectives in implementing smoke-free legislation to reduce the risks to health from exposure to second-hand smoke and for a person's right to be protected from harm and breathe smoke-free air. For the purpose of this policy, the University treats the use of electronic devices such as e-cigarettes and vaporisers in the same way as smoking tobacco or other substances.

This policy has been developed in conjunction with the guidance issued by the Health and Safety Executive and Department of Health.

1. Policy Statement

- 1.1 The weight of scientific evidence leads the University to believe that smoking could be injurious to the health of not only those who smoke but also to others through passive smoking. Additionally, smoking represents a fire hazard to the University and its occupants; for these reasons the University believes that the habit of smoking should be discouraged.

- 1.2 It is the policy of the University to provide a safe and healthy working environment which is free from smoke. Smoking and/or vaping are prohibited on the University's premises, other than in specifically designated smoking areas. Smoking and/or vaping are prohibited in vehicles owned, rented or leased by the University.

2. Scope

- 2.1. This policy applies to all staff, students, contractors and visitors to the premises owned, managed, occupied by, or otherwise under the control of the Newman University, including all student residences and vehicles owned, rented or leased by the University. The University treats the use of electronic devices such as e-cigarettes and vaporisers in the same way as smoking tobacco or other substances.

3. Legal Context

- 3.1 The following regulations provide a legal framework in which the University operates its no smoking and vaping policy.
 - The Health and Safety at Work etc. Act 1974
 - The Health Act 2006
 - The Smoke-Free (Premises and Enforcement) Regulations 2006 7
 - The Smoke-Free (Signs) Regulations 2012)
 - The Smoke-Free (Exemptions and Vehicles) Regulations 2007
 - The Smoke-Free (Penalties and Discounted Amounts) Regulations 2007
 - The Smoke-Free (Vehicle Operators and Penalty Notices) Regulations 2007

The above regulations ban smoking in public places, and places where public have access. A breach of these regulations is a criminal offence.

4. Policy Principles

- 4.1 The University has made all premises owned, managed, occupied by, or otherwise under its control, including student residences and off-campus premises, smoke-free other than in specifically designated areas.
- 4.2 All vehicles owned, rented or leased by the University are smoke and vape free.
- 4.3 The University has made all premises owned, managed, occupied by, or otherwise under its control, including student residences and off-campus premises, smoke and vape free other than in specifically designated areas.
- 4.4 All outside areas are smoke and vape free and where designated smoking and vaping areas are permitted, they will be at least a 5 metre distance from abuilding/structure or assembly area. The University may also designate further smoke-free restrictions in order to: -
 - 4.4.1 Give precedence to the needs of non-smokers who do not wish to breathe second-hand smoke.
 - 4.4.2 Control the risk of fire and explosion.
- 4.5 See appendix one for the site map detailing the locations of the designated smoking and vaping areas.

5. Responsibilities

- 5.1 The Vice Chancellor is the duty-holder for the part of the Health Act 2006 relating to smoke free premises. The Vice Chancellor delegates responsibility for aspects of the duties under the Health Act to the following areas and post-holders:
- 5.2 **Chair of the Health and Safety Committee**

To ensure the implementation of and compliance with the policy through the auspices of the Health & Safety Committee.
- 5.3 **Health and Safety Service**

- 5.3.1 Provide advice and guidance in the development and review of this and related policies, procedures and practices; and
- 5.3.2 Provide advice and guidance to encourage compliance with the requirements of the policy and where appropriate take steps to support line managers and or academic tutors in discharging their responsibilities.

5.4 Estates and Facilities Service

- 5.4.1 Post and maintain suitable signage on university premises and vehicles (including those rented and or leased) indicating the smoke-free environment and smoking restrictions;
- 5.4.2 Ensure suitable designated smoking and vaping facilities are provided, maintained and information communicated with site maps updated as necessary, in accordance with this policy;
- 5.4.3 Ensure residents and visitors are informed of the University's smoke and vape free environment and smoking and vaping restrictions; and
- 5.4.4 Where individual residents and or visitors are identified as not complying with this policy, taking appropriate steps to encourage compliance with the requirements of the policy and applying sanctions in respect of those contravening the restrictions.

5.5 Security Officers

- 5.5.1 Whilst performing regular patrols, make reasonable steps to prevent others from smoking and vaping in non-permitted areas; and
- 5.5.2 Where necessary ask staff, students, contractors and or visitors, who refuse to comply, to leave the premises.

5.6 Line Managers and Heads of Department

- 5.6.1 Ensure that staff, students, and visitors under their supervision and or area of responsibility are informed of the policy and are made aware of where smoking is, and is not, permitted;
- 5.6.2 Take reasonable steps to ensure that staff and students under their supervision and or area of responsibility do not smoke or vape in non-permitted areas;
- 5.6.3 Ensure all relevant University vehicles (including those rented or leased) under their control or area of responsibility are smoke and vape free and display the required signs; and
- 5.6.4 Where individual contractors and visitors are identified as not complying with this policy, taking appropriate steps to encourage compliance with the requirements of the policy and applying sanctions in respect of those contravening the restrictions.

5.7 Employees

- 5.7.1 Must comply with all restrictions on smoking including the use of electronic devices; and
- 5.7.2 Ensure all relevant University vehicles (including those rented or leased) under their control or area of responsibility are smoke and vape free and display the required signs; and
- 5.7.3 Take reasonable steps to prevent others from smoking and vaping in non-permitted areas, including where and when appropriate, requesting people not to smoke or vape in those areas.

5.8 Students, contractors and visitors

- 5.8.1 Must comply with all restrictions on smoking including the use of electronic devices; and

6. Health Awareness for Smokers

- 6.1 The University takes a positive attitude regarding the health, safety and wellbeing safety of its staff and students and actively discourages smoking as it believes it is injurious to the health of not only those who smoke but also to others through passive smoking. Every encouragement will be given to smokers who wish to give up the habit of smoking. Support in stopping smoking is available through the free NHS stop smoking service (New Leaf which can be accessed directly or by referral through GP's. Further information can be obtained from the Employee Assistance Programme (EAP) or via the New Leaf web site; the free NHS Smoke-free National Helpline on 0300 123 1044.
- 6.2 All staff and students receive health and safety induction and periodic refresher and or other briefings to ensure they are aware and comply with the University's No Smoking Policy.

7. Disposal of Smoking Materials

- 7.1 In designated areas where smoking and/or vaping is permitted, all smoking or vaping materials must be disposed of in a responsible and safe manner using bins provided. Smoking or vaping waste is regarded as any other litter and careless discarding will not be tolerated.

8. Implementation and Enforcement of the Policy

- 8.1 As with other aspects of health and safety policy, all staff, students, contractors and visitors have a responsibility to observe general health and safety for themselves and others and are expected to comply with this policy as part of the health and safety provisions of the University

- 8.2 It is expected that staff and students will co-operate voluntarily and adopt a responsible attitude in making the policy work without the need for more formal measures to ensure its effectiveness and improve the health, safety, wellbeing and environment of individuals. In the event of persistent non-compliance with this policy or in response to specific and or repeated breaches and or complaints, appropriate action will be taken including, where applicable, disciplinary action under the University's Disciplinary Policy and Procedure (for both staff and students).

9. Visitors & Contractors

- 9.1 Where visitors or contractors are brought onto University premises, it is the responsibility of the person or department/area allowing them onto the site to ensure that they are fully aware of this policy and its requirements.

10. Electronic Cigarettes and Vaping Products

- 10.1 The University adheres to the current World Health Organisation advice and European Union developments on the regulation of electronic cigarettes (e-cigarettes) and vaping products and the position statement issued by the British Medical Association. As a consequence, and to avoid confusion on the interpretation and enforcement of the No-Smoking Policy, e-cigarettes and/or vaping products will be treated as cigarettes under this policy i.e. prohibited inside or near to buildings, windows and building entrants.
- 10.2 E-cigarettes and/or vaping products are not to be charged on campus or University premises other than for private use in student residences. When charging appliances the University policy must be adhered to.
- 10.3 Users of e-cigarettes and/or vaping products should ensure that the device being used is certified for use in the EU and is purchased from a reputable company. Fake devices and some non-European imports are dangerous to users and people around them, and they also pose a serious fire risk.

11. Policy Review

This policy will normally be reviewed in five years' time or earlier should its provisions be superseded by new or relevant legislation, advisory or regulatory body.

Authorised by: Health & Safety Committee [ratified by University Operations Team]

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Vice-Chair of H&S Committee Signature:

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