



# Smoking Policy

<b>Originator name:</b>	Director of Health and Safety
<b>Section / Dept:</b>	Health and Safety
<b>Implementation date:</b>	March 2017
<b>Date of next review:</b>	March 2019
<b>Related policies:</b>	Health and Safety Policy
<b>Policy history:</b>	Previous Version 2009

## Version History

Version	Author	Revisions Made	Date
0	C Parkinson	First Draft (old format)	2009
1	N Izzard	Reviewed in light of E-cigarettes	2013
2	N Izzard	Reviewed in light of designated smoking areas	2017

## Approval History

### Equality Analysis

Version	Reviewed by	Comments	Date
1	Equality & Diversity Jo McCarthy Holland	Compliant with E&D Analysis	Mar 2014
2	Equality & Diversity Jo McCarthy Holland	Compliant with E&D Analysis	Mar 2017

### Committee Sign Off

Version	Committee Name	Date of Sign Off
1	Health and Safety Committee	20 March 2014
2	Health and Safety Committee	10 February 2017
	Executive Board	30 March 2017

<b>1</b>	<b>Introduction</b>
<b>1.1</b>	<b>Purpose</b>
1.1.1	This Policy sets out the University arrangements for compliance with the Smoke-free Regulations (2007) introduced to address smoking at work and to control exposure to environmental tobacco smoke whilst at work.
<b>1.2</b>	<b>Scope</b>
1.2.1	<p>This policy applies at all times and to all employees, students, visitors, contractors and others who work at or visit the University premises.</p> <p>The Policy applies to all buildings in the ownership of the University (whether on or off campus) or leased by the University and to University owned vehicles.</p> <p>This Smoking Policy also applies to the use of electronic cigarettes/Vaping. The use of electronic cigarettes/Vaping is prohibited in all buildings, vehicles and designated smoke free areas. Electronic cigarette/Vaping users however, do not have to share designated smoking areas with smokers and are free to use these devices outside.</p> <p>Performers and Research and Testing Facilities are excluded from this policy (see exemptions).</p>
<b>1.3</b>	<b>Equality Analysis</b>
1.3.1	<p>The University is strongly committed to equality of opportunity and the promotion of diversity for the benefit of all members of the University community. The University's approach is to promote equality across the full range of its activities, in employment, teaching and learning and as a partner working with and within local, national and international communities. Equality analysis has been carried out in this context.</p> <p><i>It is noted that any areas that are designated as 'permissible for smoking' will need to be accessible.</i></p>
<b>1.4</b>	<b>Definitions</b>
1.4.1	<p><b>Designated Smoke-Free External Areas</b></p> <p>Where environmental tobacco smoke is drawn into a building and causes a nuisance to occupants the University can designate areas falling within two metres of a University owned or managed building as a smoke free external area.</p>
1.4.2	<p><b>Enclosed and substantially enclosed premises</b></p> <p>The Smoke-free (Premises and Enforcement) Regulations define enclosed and substantially enclosed premises as being:</p> <p><i>"Premises which have a roof or ceiling and have more than half of the area enclosed by walls or other structures that serve the purpose of walls and constitute the perimeter of the premise."</i></p>
1.4.3	

	<p><b>Enclosed vehicles</b> Enclosed vehicle and any enclosed part of a vehicle is smoke-free if it is used:</p> <p>(a) by members of the public or a section of the public (whether or not for reward or hire); or</p> <p>(b) in the course of paid or voluntary work by more than one person (even if those persons use the vehicle at different times, or only intermittently).</p>
1.4.4	<p><b>Training and Briefing</b> Training is equipping staff, students (and others where the University has a duty-of-care) with relevant skills to deal appropriately with a given Health and Safety situation. Briefing is informing such persons of relevant knowledge in relation to Health and Safety. Training and briefing will be made available in a range of formats according to the needs of the trainee and different groups of staff, students and others.</p>
1.4.5	<p><b>Accessibility</b> The duty to make reasonable adjustments, as far as possible, to ensure that all staff and students (and others where the University has a duty-of-care) with a disability have equal access to everything they need to do a job or studies as those persons without a disability.</p>
<b>1.5</b>	<b>Legislative Context</b>
1.5.1	<p>The main aspects of the Smoke-Free Regulations are to ban smoking in enclosed public places, workplaces and public and work vehicles. Other implications are a requirement to sign premises and vehicles and the creation of new offences of smoking or failing to prevent smoking (for those that control or manager premises and vehicles) in smoke-free premises and vehicles. Penalties for breach of these various regulations are Section 3.4 of this policy.</p>
<b>1.6</b>	<b>Health and Safety Implications</b>
1.6.1	<p>This Policy forms part of the University Health and Safety Policy</p>
<b>2</b>	<b>Policy</b>
<b>2.1</b>	<b>Principles</b>
2.1.1	<p>The University intends to comply fully with the Smoke-free (Premises and Enforcement) Regulations and associated Regulations introduced on the 1<sup>st</sup> July 2007. The overarching aim of this Policy is to encourage a sensible approach to smoking and to accommodate the views of both smokers and non-smokers. However, it is recognised that smoking is detrimental to health and the University will continue to promote the culture of a smoke free University.</p>
2.1.2	<p>To achieve the smoking policy the University will:</p> <p>a) Prohibit smoking in any non-residential premises managed by the University or by the University of Surrey Student Union including restaurants, bars and other licensed premises.</p>

	<p>b) Prohibit smoking in any University managed vehicle or vehicle hired for business purposes. These restrictions also apply to private vehicles used on University business when there is more than one person being carried in the vehicle.</p> <p>c) Prohibit smoking in all student accommodation in University residences or University-managed residences. These restrictions apply to private study bedrooms and all shared areas such as corridors, stairways, rest rooms, kitchens, entrances or reception areas.</p> <p>d) Prohibit smoking in external areas adjacent to buildings where environmental tobacco smoke could be drawn into the building and cause nuisance to occupants.</p> <p>e) Designate smoking shelters in areas that will be a suitable distance away from buildings to avoid smoke drifting through open doors or windows or people having to pass through a smoking area to access a building. These areas should be well lit to ensure during out of hours use, they would be safe. Cigarette waste should be disposed of properly and considerately in a safe manner.</p> <p>f) Inform staff and managers of their responsibilities in respect of the policy.</p> <p>g) Faculties and Directorates must liaise with Estates and Facilities who are responsible for the display of appropriate 'No smoking' signs at the entrance to and within premises and also in vehicles. Although every effort will be made to sign no-smoking areas, the absence of a no-smoking sign cannot be taken to indicate that smoking is permitted.</p> <p>h) The University is able to offer advice and assistance to individuals who encounter difficulty in complying with the policy or who wish to stop smoking altogether. Staff wishing to avail themselves of this service should contact the Robens Centre for Occupational Health and Safety. Students should contact the Centre for Wellbeing and Guildowns University Medical Centre or the Students Union.</p>
<p><b>2.2</b></p>	<p><b>Roles and Responsibilities</b></p>
<p>2.2.1</p>	<p><b><i>Roles and responsibilities are set out as below:</i></b></p> <p><b><i>Director of Estates and Facilities Management</i></b></p> <ul style="list-style-type: none"> <li>• To comply with the smoke-free (signs) Regulations.</li> <li>• To designate external areas as smoke-free external areas.</li> <li>• To designate external areas as smoking shelters.</li> </ul> <p><b><i>Director of Health &amp; Safety</i></b></p> <ul style="list-style-type: none"> <li>• To update and review the Policy on a regular basis.</li> <li>• To provide advice and guidance on the policy, and maintain an oversight of issues that arise.</li> </ul> <p><b><i>Managers</i></b></p> <ul style="list-style-type: none"> <li>• To inform staff and those under their control that they must comply with the Policy.</li> </ul>

	<ul style="list-style-type: none"> <li>• To manage the day-to-day implementation of and compliance with the Policy.</li> <li>• Those with control over University vehicles must ensure that staff using such vehicles comply with the Policy.</li> <li>• To deal with any observed or reported breaches of the Policy.</li> </ul> <p><b>Staff and Students</b></p> <ul style="list-style-type: none"> <li>• To comply with the Policy;</li> <li>• To comply with smoke-free policies in force in other premises when carrying out University business.</li> </ul> <p><b>Drivers of smoke-free vehicles</b></p> <ul style="list-style-type: none"> <li>• To comply with the Policy and to ensure that passengers also comply.</li> </ul> <p><b>Visitors and Contractors</b></p> <ul style="list-style-type: none"> <li>• To comply with the Policy.</li> </ul>
2.2.2	<p><b>Failure to comply:</b></p> <p>Staff and students breaching this policy <b>may</b> be subject to relevant University disciplinary procedures. Where an individual is concerned about the observance of the policy that they should in the first instance raise the matter with their line manager/personal tutor as appropriate, who will ensure that the matter is handled appropriately and logged with the Health &amp; Safety Department via <a href="mailto:safety@surrey.ac.uk">safety@surrey.ac.uk</a>. Advice may also be sought from the Director of Health &amp; Safety. Those who do not comply with the smoke-free laws are also liable to a fixed penalty fine or possible criminal prosecution.</p>
<b>3</b>	<b>Governance Requirements</b>
<b>3.1</b>	<b>Responsibility</b>
3.1.1	This Policy is monitored and regularly reviewed by the Director of Health and Safety.
<b>3.2</b>	<b>Implementation / Communication Plan</b>
3.2.1	The policy is communicated to all staff as part of the University Induction. Along with the University Health and Safety Handbook.
<b>3.3</b>	<b>Exceptions to this Policy</b>
3.3.1	<ul style="list-style-type: none"> <li>• <b>Performers:</b> Where the artistic integrity of a performance makes it appropriate for a person who is taking part in that performance to smoke; the part of the premises in which that person performs is not smoke-free in relation to that person during his performance. Rehearsals are excluded from this exemption.</li> <li>• <b>Research and testing facilities:</b> Designated rooms in a research or testing facility are not smoke-free whilst it is being used for any research or tests specified in the regulations.</li> </ul>

<b>3.4</b>	<b>Supporting documentation</b>
3.4.1	<p><b>Penalties Enforced by University Wardens</b></p> <ul style="list-style-type: none"><li>• There are penalties for smoking by students and/or their guests in residences. These are administered by the Wardens (e.g. £50 for a first offence).</li></ul> <p><b>Penalties Enforced by Local Authority</b></p> <ul style="list-style-type: none"><li>• <i>Smoking in smoke-free premises, smoke free external areas or work vehicles</i> A fixed penalty notice of £50 imposed on the person smoking or a maximum of £200 if convicted by a court.</li><li>• <i>Failing to prevent smoking in a smoke-free place</i> A maximum fine of £2500 imposed on whoever manages or controls the smoke-free premises or vehicle.</li><li>• <i>Failure to display no-smoking signs</i> A fixed penalty notice of £200 imposed on whoever manages or occupies the smoke-free premise or vehicle or a maximum fine of £1000 if convicted by a court.</li></ul>

# Equality Analysis Template

## for all University Policies

For Equality & Diversity Team to Complete:

<b>Organisational Sign Off by Equality and Diversity Team:</b>	<b>NAME OF POLICY:</b> <u>Smoking Policy</u>
	<input checked="" type="checkbox"/> <b>Low Equality Impact (Minor input to Policy to reflect equality considerations)*</b>
	<input type="checkbox"/> <b>Medium to High Equality Impact (Equality Analysis template completed)</b>
	<input checked="" type="checkbox"/> <b>Sign off received</b>
	<b>Signed off by:</b> <u>Jo McCarthy-Holland</u>
	<b>Position:</b> <u>Equality Adviser</u>
<b>Date:</b> <u>12/3/14</u>	

Note: This Template must be used in conjunction with the associated Equality Analysis Guidance Notes, which can be accessed from the [Equality and Diversity Website](#)

\* Confirmation to be obtained from the Equality and Diversity Team where policies are deemed to be Low Equality Impact.