

<b>Health &amp; Safety Non-Smoking policy</b>			
Policy✓	Code of Practice...	Guidance...	Procedure...
Organisation-wide✓		Local...	
Approved by the University Health & Safety Committee [amended by Vincent King to incorporate section 6 at the request of the University Health and Safety Committee 10 February 2016]			
Chairman Eliot Glover	Date	29 <sup>th</sup> November 2021	Review date 2024
The purpose of presenting this document to the University Health & Safety Committee Standard 3 year review✓Changes in practice and/or legislation... New policy document...			

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## **1. Introduction**

Brunel University London (Brunel) recognises the legal requirements placed upon it by the Health Act 2006 and its general duty of care to all premises users and responsibilities to students, staff and visitors to Brunel. Collectively, these require Brunel to implement a policy on smoking which not only protects the rights of all non-smokers to work and study in a non-smoking environment, but to also be proactive and take positive steps in encouraging and supporting smokers who may wish to stop smoking

## **2 Scope**

This Policy applies to the Uxbridge Campus as a whole and the buildings and/or vehicles owned, hired and or leased by Brunel.

## **3. Responsibilities**

To comply with legislation and as part of Brunel's commitment to provide a healthy and safe working environment for all students, staff and others on campus, smoking is prohibited in all Brunel premises, including bars, halls of residence and any vehicle owned, rented or leased by the University.

**3.1 Executive Board /Leadership Team** *(This group typically consists of the Vice-Chancellor and Principal, Secretary, Chief Governance Officer, Deans and Directors).*

Supporting the Vice Chancellor and Principal, the Executive Board (EB) is responsible for implementing the following Health & Safety Non-smoking policy within their area(s) of responsibility (this responsibility extends to those reporting to a member of EB).

### **3.2 Staff in supervisory positions and students**

Staff in supervisory positions are expected to enforce the requirements of the Non-smoking Policy in respect of those they supervise, as are staff and students in respect of their visitors. Staff who in any way supervise contractors on campus are similarly expected to enforce requirements.

### **3.3 General**

It is clearly understood by the University that the implementation of the Non-smoking Policy is only realistically achievable through the co-operation of all members of the Brunel community. All should accept the responsibility to politely challenge those who breach the policy, whilst smokers should accept the constraints placed on their smoking habit.

## **4. Arrangements**

### **4.1 Notices**

Since 1 July 2007, statutory notices prohibiting smoking, i.e. "No Smoking" notices, have been posted at all entrances to all University buildings. To provide reinforcement, guidance will be given to all new starters during their induction and health and safety ('housekeeping') announcements at the start of any 'event' or conference will clearly state the non-smoking requirement.

### **4.2 Smoking Locations**

Smoking is permitted only in open spaces well away from any building entrances or windows through which smoke could penetrate into a building to the detriment of occupants, as a general guide smoking shall not be permitted within 4 metres (12 feet) from any building.

Smokers who use designated external areas, which are identified by the "Smoking Area" signs for smoking, must put their discarded smoking materials in the waste receptacles provided. The University will designate "No Smoking" areas elsewhere on campus where deemed necessary to control fire or explosion risks or to protect the health or welfare of staff who are more vulnerable to the effects of tobacco smoke.

The Staff and Student Handbooks and all other similar course or departmental manuals circulated will contain a message stating the non-smoking policy.

#### **4.3 E - cigarettes**

Brunel's current position on E - cigarettes is, vaping and similar products is to treat them in the same way as other tobacco products and that they are currently prohibited in all Brunel premises, including bars, halls of residence and any vehicle owned, rented or leased by the Brunel.

#### **4.4 Smoking Cessation**

The University recognises its duty, and the responsibility associated with a non-smoking policy, of assisting and supporting those who smoke in encouraging them to break their habit. Help for those who wish to stop smoking is available from the NHS – details are to be found on <http://www.smokefree.nhs.uk/>.

### **5 Enforcement**

It is a criminal offence not to comply with the smoke free law and the law places responsibilities on all managers, staff and students to ensure it is upheld by others. Local councils can impose fines on anyone failing to comply with the law.

#### **5.1 Individuals**

Individuals caught smoking in a smoke free area can be fined £50 and could also face a fine of up to £200 and criminal prosecution if this is unpaid.

#### **5.2 Employers**

Employers failing to take reasonable steps to prevent smoking in a smoke free place can attract a fine of up to £2500.

Brunel expects smokers to respect the above measures. Repeated breaches of this policy by staff and students will be dealt with using Brunel's existing disciplinary procedures. Others, for example visitors or contractors, found smoking in a Brunel building will on the first occasion be reminded of the legal position and on any subsequent occasion will be barred from the campus.

### **6. Exemptions**

The Smoke-free (Exemptions and Vehicles) Regulations 2007, made under the 2006 Act, establish the following exemption to the prohibition of smoking which is applicable to Brunel and its activities and is therefore permissible as an exemption to this policy: -

*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.*

### **7. Review**

This policy will be kept under review and may be amended by Brunel after consultation. Appropriate measures will be taken to inform staff and students of any changes.