

No Smoking Policy

REVIEW CYCLE:	Triennial		
LATEST REVIEW (YEAR/MONTH):	2019-09	NEXT REVIEW DUE (YEAR/MONTH):	2022-09
POLICY OWNER (JOB TITLE AND INITIALS):	Vice Principal Finance & Resources (JS)		
IMPACT ASSESSED BY:		IMPACT ASSESSMENT DATE:	

APPROVAL:

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PUBLICATION:

WEBSITE Y/N	Y	STAFF INTRANET Y/N	Y	STUDENT VLE Y/N	Y	OTHER:	
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1.0 Scope

This No Smoking Policy is designed to secure a non-smoking healthy and safe environment for everyone who works, studies, visits or has business at Craven College and to ensure compliance with the Smoke-free (Exemptions and Vehicles) Regulations 2007. The following policy applies to all staff, students, contractors, members of the public, including any visitors to the College.

Links to other policies:

- Health and Safety Policy

2.0 Introduction

The College does not permit smoking in any of its premises or on any of its sites. People wishing to smoke may only smoke in a clearly signed, designated area.

Craven College has duties under the Health and Safety at Work Act 1974 to ensure the health, safety and welfare of its employees and make similar provision for non-employees including students and visitors who may be affected by the College's activities. The No Smoking Policy is designed to secure a healthy and safe working environment in compliance with the Health Act 2006. This is in the context that medical evidence continues to reinforce the link between inhalation of smoke both directly or indirectly, by passive smoking, and serious illness or the exacerbation of pre-existing health problems.

Smoking, for the purposes of this policy, is defined as being in possession of a substance such as tobacco or any other substance that can be smoked. This includes any type of tobacco products and paraphernalia including cigarettes, e-cigarettes, pipes, cigars or water pipes used to smoke tobacco.

3.0 Policy

The policy applies to all College staff and students as well as to visitors, contractors and sub-contractors whilst on College owned and controlled property.

Smoking is not permitted in any College building or on any College site unless an area is clearly signed as a designated smoking area. Smoking shelters will not be provided but locally designated smoking areas may be provided. These should 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. Cigarette waste should be disposed of properly and considerately and in a safe manner. Anyone wishing to smoke is asked to respect the rights of others to enjoy a smoke-free environment.

All College vehicles are designated as non-smoking. This includes College vehicles even if they are mainly used by one member of staff and also vehicles that are hired or leased for College business.

It is the responsibility of event organisers to ensure that all College events comply with this policy and current legislation by providing a smoke-free environment.

Please note that the regulations apply to enclosed or substantially enclosed premises so temporary structures such as marquees must also be smoke-free.

This smoking policy also applies to the use of electronic cigarettes. These devices directly undermine the effects and intentions of existing legislation including the ban on smoking in enclosed public spaces. Therefore, as a consequence, and to avoid confusion and misinterpretation on the no smoking policy, electronic cigarettes are prohibited wherever smoking is prohibited.

It is recognised that it would not be appropriate to totally exclude cigarette breaks or to put a restrictive number in place. Smokers should be mindful of the impact of their breaks on both their work and colleagues. As such smokers should limit their cigarette breaks during working hours by smoking outside of normal working hours or within designated break times. It will be the responsibility of the line manager to monitor this at a local level and to bring any concerns to the attention of the individual.

4.0 Signage

Signage will be clearly displayed at the entrances to and within College premises that is compliant with the Smoke-free (Signs) Regulations 2007. Facilities Managers are able to provide advice regarding signage.

Heads of School/Services responsible for the management of College vehicles must ensure that no-smoking signs are displayed in a prominent position in each compartment.

5.0 Enforcement of the policy

College disciplinary procedures will be followed if a member of staff or student fails to comply with this policy. Visitors and contractors who fail to comply through reasonable persuasion will be asked to leave the premises. Compliance with the legislation and the College policy must be managed on a local basis.

All Line Managers have responsibility for the implementation of the policy in their own areas. All staff have the responsibility to request that students cease smoking in non-designated areas, and if they refuse, student details should be taken and the Head of School should be informed.

Local Councils are responsible for enforcing the legislation. Those who do not comply with the smoke free law will be committing a criminal offence and may be liable to a fixed penalty fine and possible criminal prosecution.

6.0 Guidance on policy

6.1 Relevant Regulations

- Health Act 2006
- The Smoke-free (Exemptions and Vehicles) Regulations 2007

Individuals in breach of these legislative requirements may be liable to prosecution.

A person found smoking in a building can face a fine of up to £200 and the company a fine of up to £2500 for allowing smoking on their premises.

It is an offence under the Health Act 2006 to:

- smoke in a smoke-free place; and
- to fail to prevent smoking in a smoke-free place.

A substantially enclosed workplace is one which has a ceiling or roof and where openings (other than doors and windows) constitute less than half of the wall area.

The Regulations do not apply to vehicles that are used primarily for private purposes.

Regulation 6 provides a personal exemption for persons who are taking part in a performance where the artistic integrity of the performance makes it appropriate for them to smoke. However, a Health and Safety risk assessment must be carried out before the performance takes place.

6.2 Provision for smokers

Positive assistance will be given to smokers who wish to give up the habit of smoking. Help, advice and support is available through the Human Resources (staff) and Student Services (students) Departments.

Other services that are available nationally include:

- Local NHS stop smoking services, call 0800 022 4332 or <http://gosmokefree.nhs.uk/advice-and-information/>
- Visit <http://www.gosmokefree.co.uk/>
- Visit ASH (Action on Smoking and Health) <http://www.ash.org.uk/>
- Local GP practice, pharmacy or hospital