



UNIVERSITY POLICY AND MANAGEMENT PROCEDURE

Smoke-free Policy

Statement

*This University Policy and Management Procedure was approved and authorised by the Health, Safety and Welfare Committee on **05 June 2007** on behalf of the University of York Council and forms part of the Health and Safety Policy of the University of York.*

This document is University Policy for good health and safety management practice. This University Policy provides Deans of Faculty, Heads of Departments, Heads of College and all managers, staff and students with the necessary information to incorporate healthy and safe practices and relevant procedures into their activities. Divergence from this University Policy may result in Deans of Faculty, Heads of Departments, Heads of College and the University of York being exposed to possible legal proceedings.

The use of this University Policy and the incorporation of its requirements into working practices and activities will ensure that the University of York and its' community achieves compliance with its' legal duties with regard to health and safety.

The most recent version of this Management Procedure is available at <https://www.york.ac.uk/admin/hsas/safetynet/atoz.htm>

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<i>Date of Last Review</i>	<i>May 2018</i>	<i>By</i>	<i>The Director of Health, Safety and Security</i>
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POLICY

1. INTRODUCTION

The University of York (University) recognises the need to provide a healthy and safe environment for all employees, students, customers and visitors.

Exposure to second hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. There is strong medical evidence of a link between the smoking of tobacco, either directly or passively, and the serious risk of harm to health.

The right to work in a smoke-free environment is supported by statutory duties under the **Health Act 2006** and specifically, **The Smoke-free (Premises and Enforcement) Regulations 2006**. It is a criminal offence to smoke in a smoke-free place, and smokers in particular will often have a more general legal duty to prevent others from being exposed to environmental tobacco smoke.

The implementation of this Management Procedure will take into consideration the University's obligations with respect to equality and diversity.

2. POLICY STATEMENT

It is the policy of the University that all of its workplaces, teaching spaces and residential accommodation, including student study bedrooms, are smoke-free. All employees, students, customers and visitors have a right to work and study in a smoke-free environment.

Smoking is prohibited in **ALL** premises at the University.

Smoking will also not be permitted from windows, on balconies, roofs or in doorways. Smoking will be permitted under covered walkways where the walkway is open on at least three sides and in the grounds when these areas are at least 2 metres distant from buildings. This distance may be increased and managed at the discretion of the Head of Department/College (HoD/C), Business Unit or local resource group.

2.1 Definition of University Premises

For the purposes of this Management Procedure the University's premises comprise: all residential accommodation such as student study bedrooms; lecture theatres; licensed and social areas; dining areas; bars; seminar rooms; meeting rooms; offices; all other enclosed spaces or substantially-enclosed spaces controlled by the University; vehicles owned or leased by the University.

Smoking will not be permitted in any spaces that are 'Enclosed' if they have a ceiling or roof and, except for doors, windows and passageways, are wholly enclosed, whether on

a permanent or temporary basis, for example, offices, bars, kitchens, corridors, marquees and tents.

Spaces are 'Substantially Enclosed' if they have a ceiling or roof but there are openings in walls which are less than half of the total area of the walls, including structures which serve the premises, for example, external corridors in Derwent and Vanbrugh Colleges.

The prohibition of smoking will not apply to the University's grounds and open spaces, provided that smokers do not physically obstruct (directly or indirectly) access to or egress from any 'Enclosed' or 'Substantially Enclosed' space. In addition, smokers must ensure that their smoke does not enter any such spaces through windows, doors or other openings.

2.2 Electronic Smoking Devices (ESDs)

Currently there are no legal guidelines on the use of ESD and hence there are a number of differing views.

From a health and safety point of view, there are no significant risks associated with the use of ESDs. However, there are foreseeable circumstances surrounding the use of ESDs and possible confusion leading to a hazardous situation (for example violence and aggression), if challenged.

ESDs are not covered by the ban on smoking within enclosed workplaces and public places, but the University does have control over whether employees, students and visitors smoke on our premises. It is the policy of the University, that ESDs be treated as tobacco based products and be prohibited in line with this Management Procedure.

2.3 Application of this Management Procedure

The responsibility for implementing this Management Procedure will lie with the HoD/C. However, all employees and students have personal responsibility for ensuring that their guests and visitors comply with the Management Procedure. Employees and students should feel able to draw the Management Procedure to the attention of others, including visitors and customers of the University.

The HoD, HoC and Managers should be alert to the need to remind anyone found smoking in the University's buildings of this Management Procedure.