



CLARE COLLEGE

UNIVERSITY OF CAMBRIDGE

Smoking Policy

Introduction

Clare College aims to provide an environment which is safe and minimizes the health-risks for our staff, students and visitors.

It is illegal for anybody to smoke in a public room. In addition, we have a legal responsibility to protect people against the effects of passive smoking and so we cannot permit smoking anywhere inside college buildings; this restriction applies to fellows' rooms and to students' rooms, both of which are regularly entered by housekeeping staff and other students.

Clare College has adopted the following policy concerning smoking within the College and its grounds. This policy sets out how we intend to manage smoking within our environment.

Scope of this policy

This policy applies to all employees, residents, fellows, students and visitors regardless of seniority; it applies to private accommodation as well as to public rooms; it applies to all college sites and buildings, wherever they are located in Cambridge.

Aims of this policy

This policy seeks to ensure as far as possible that non-smokers breathe only air that is free of tobacco smoke, while also taking account of the needs of those who do smoke.

Legal background

The following pieces of legislation apply to this policy:

- The Health Act 2006 and the Smoke-free (Premises and Enforcement) Regulations 2006
- The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006
- The Smoke Free Premises etc. (Wales) Regulations 2007.

In addition, employers have a common law duty to provide a safe place and system of work under the Health and Safety at Work etc. Act 1974 (HASAWA).

Definitions

Section 1 of the Health Act 2006 defines smoking as 'smoking tobacco or anything which contains tobacco, or smoking any other substance' and states that 'smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which it could be smoked.' 'Enclosed' means premises that have a ceiling or roof, and (excluding doors, windows and passageways) are wholly enclosed whether permanently or temporarily. Tents and marquees are therefore included.

Bans on smoking

- a) Smoking is prohibited in any enclosed area on our premises. This includes the Porters' Lodge and entrances, corridors, stairs and lifts, meeting rooms, rest rooms and toilets. , as well as outside areas that are not designated as smoking areas.
- b) Smoking is also banned in all outside areas unless they are specifically exempted: see the section Designated Smoking Areas. In particular, there is to be no smoking in the entire Old Court complex except for some Friday evenings.

- c) Employees are only permitted to smoke during any recognised rest period or lunch break. Employees who smoke will not be allowed longer or more frequent breaks than their non-smoking colleagues; use of the Designated Smoking Areas must not interfere with normal job performance.

Designated smoking areas (to be implemented from October 2015)

We recognise that some people may have difficulties in breaking the habit and so there are a few outdoors Designated Smoking Areas. The College provides litter/ash bins at these Designated Smoking Areas. Cigarettes, cigars and pipes must be extinguished using the receptacles provided and smokers should ensure that there is no risk of fire. These areas will be monitored to ensure an acceptable standard of cleanliness and adherence to safety.

1. Old Court

Smoking is normally completely banned in the whole Old Court area. There are only two exceptions:

- a) On Friday ENTS nights, there is a temporary smoking area between 9pm and 1pm located on the north side of Old Court between H staircase and the chapel. A bench will be placed there and the area will be cordoned off. The responsibility for setting this up and for leaving the area completely clean and free of cigarette butts lies with the ENTS team; any infringements will result in the removal of this privilege.
- b) At the May Ball, smoking is allowed in the Fellows' Garden.

2. Memorial Court

Students should not congregate to smoke on University property just the other side of the exit by the Gate House: this would be unpleasant for everybody passing through. There are three Designated Smoking Areas in Memorial Court:

- a) The preferred area is the car turning bay on the northern side of the Memorial Court complex, just behind Burrell's Walk. The back portion is cordoned off to protect smokers and leave enough room for cars to turn.
- b) For students reluctant to undertake a considerable walk at night, there is a partially paved over area on the southern side of Memorial Court.
- c) There is a bench under shelter outside the FML as far away from the steps as possible.

3. The Colony

Because the complex is so big, there are currently no designated areas, which might quickly become over-contaminated; instead, students should choose suitable out-of-the way corners across the property.

Visitors, contractors and temporary staff

Visitors, customers, suppliers, contractors and temporary staff are expected to comply with this policy. Anybody who is bringing visitors to the College, or who is responsible for temporary staff or contractors, should explain our policy and ensure compliance.

Assistance to those who smoke

Passive smoking adversely affects the health of everyone. Some smokers may wish to reduce or give up smoking, but may have difficulty in doing so. Some details of where to obtain advice and guidance on giving up smoking are listed below:

Quit line: 0800 002 200

NHS smoking helpline: 0800 169 0 169 and from their website: <http://www.gosmokefree.co.uk>

Electronic cigarettes

The use of electronic cigarettes is also banned within College premises, even though they are not officially covered by the smoking legislation. Guidance from the British Medical Association states

that there is a lack of evidence about the health risks to the user and to those in close proximity, and the College has a duty of protection. In addition, the College is concerned that electronic cigarettes may create the false impression that smoking is accepted within the workplace, especially as it can be difficult to differentiate visually between e-cigarettes and normal cigarettes.

Enforcement and monitoring of this policy

Smoking in any area other than those designated as a smoking area will be dealt with in accordance with the following disciplinary procedures.

1. Smoking inside rooms

We have a responsibility to protect the health of our employees, students and fellows. Any bedder who notices that a room is smoky will no longer enter and clean it, but will immediately report the matter to the Accommodation Manager, who will report it to the Dean of Students. The student will be given one warning, followed for any subsequent offences by a fine of £25, increasing in £25 steps to a maximum of £75. After three offences, the student will be asked to leave college accommodation. If it is necessary to clean carpets and curtains, the student will be charged in full.

2. Smoking outside away from Designated Smoking Areas

Reports of students seen smoking should be sent directly to the Dean of Students. Students will receive one warning, followed by fines starting at £25 and increasing in £25 increments with no upper limits.

Implementation, monitoring and review of this policy

The College Council has overall responsibility for implementing and monitoring this policy, which will be reviewed on request or when there are relevant changes in legislation.