

Smoking and vaping at work

1. Aim

This policy is designed to comply with legislation about smoking in the workplace and clarify The University's position on the use of e-cigarettes at work.

2. Legislation

Across the UK and Republic of Ireland **smoking** is not permitted in any workplaces or public places, including bars and restaurants, which are enclosed or substantially enclosed. Substantially enclosed in this context means structures which have a roof or ceiling and which are at least 50% surrounded by walls or windows etc. Smoking is also not permitted in any work vehicles that are used by more than one person.

It is against the law for employers to fail to prevent smoking in a smoke-free place and for people to smoke in one. Non-compliance can lead to substantial fines both for individuals and for employers.

Vaping and the use of e-cigarettes is not prohibited by law in the workplace, but it is University policy to treat it similarly to smoking.

3. Scope

Everyone working at, or visiting, OU premises for any purpose and at any time will be covered by this policy. Colleagues should inform any visitors of the policy.

4. Policy

All **University managed premises** are designated smoke and vape free. Smoking and vaping is not allowed in any part of any building, including bars and eating areas.

This includes the smoking of tobacco in all forms and the smoking of herbal substitutes. It also includes vaping e-cigarettes or other nicotine containing products.

Smoking and vaping is not permitted in or at entrances to buildings. Smoking while on site is only allowed outdoors in designated areas (these are clearly marked).

Vaping can take place outside of premises and well away from buildings and windows. Staff who vape are not expected to use the designated smoking areas.

Colleagues are not prohibited from smoking or vaping whilst **working from home**, whether their home is their designated place of work or not but are advised to refrain from smoking in any area of their home also used by another person for work purposes.

Colleagues working at **another third-party location**, such as a venue used for tutorials must not smoke in any enclosed or public space and should observe any local arrangements for designated smoking areas.

Smoking or vaping is not permitted in any **University vehicle**. The only exception is for vehicles which have been allocated to one person and which are being used by one person only (i.e. where passengers are not being carried).

Colleagues using their **own vehicle for work purposes** are advised not to smoke or vape when carrying passengers.

All buildings and University vehicles will display the appropriate signage in accordance with the legislation.

Colleagues who wish to smoke or vape will be expected to do so in their own time.

Due to the potential fire risk of unattended, incorrectly used or maintained chargers, the charging of e-cigarettes is not permitted in Open University premises. Information about the [hazards associated with lithium-ion batteries](#), as found in e-cigarettes, can be found on the Health and Safety intranet.

5. Responsibilities

Managers	Line management is responsible for communicating, monitoring and enforcing the smoking policy.
Employees	All employees must adhere to the requirements of the policy. Those who show a disregard for the policy may render themselves liable to disciplinary action.
Visitors	Visitors, contractors and members of the public are expected to comply with this policy or leave the premises.

6. Support for Staff Who Want to Stop Smoking

The NHS website offers support for anyone considering giving up smoking. The services cover England, Scotland, Wales and Northern Ireland.

7. Equality, Diversity and Inclusion

Our policies are inclusive of all Open University staff, regardless of age, care experience, caring status or dependency, civil

status, disability, family status, gender, gender expression, gender identity, gender reassignment, marital status, marriage and civil partnership, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, sex, sexual orientation, socio-economic background or trades union membership status.

8. Useful References

[Designated Smoking Areas](#) – Walton Hall Campus. Please refer locally for designated smoking areas at other OU locations.

[Take charge of battery safety when using e-cigarettes – GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/take-charge-of-battery-safety-when-using-e-cigarettes)

[Lithium Ion Batteries Overview](#) – Health and Safety intranet page.