



Key Risk Area (KRA)

KRA 2.2 Smoke-Free University Environments

1. Purpose

The University of Newcastle (University) is committed to providing a safe and healthy work and study environment. This document provides guidance on how the University intends to ensure a work and study environment free from exposure to tobacco and other smoke consistent with the *Smoke-free Environment Act 2000* (NSW).

2. Scope

This Guideline applies to all health, safety and wellbeing activities of staff, students, visitors (including volunteers and contractors), Council members, and other persons interacting with the University of Newcastle (workers); the operations of staff of University aligned Research Centres and controlled entities; and all activities conducted by or on behalf of the University of Newcastle on and outside of the University's campuses.

3. Guidelines

3.1. Smoke-free Work and Study Environment

The University has a general policy of prohibiting smoking on University campuses, other than in designated smoking areas as described in clause 3.2 below.

Smoking is also prohibited whilst participating in all activities under the management and control of the University, including off-campus activities and fieldwork.

In addition, smoking of any material or use of e-cigarettes or similar devices is prohibited by law in any enclosed University environment including;

- University controlled or occupied buildings;
- University controlled property; and
- University-owned and controlled vehicles.

Smoking is also prohibited by law in the following outdoor public places:

- within 4 metres of a pedestrian access point to a building (i.e. its entrance or exit)

- any outdoor seated dining area, and within 4 metres of such dining areas within licensed premises or restaurants
- waiting areas for public transport such as buses and taxis
- within 10 metres of children's outdoor play equipment
- areas set aside for or being used by spectators to watch an organised sporting event at a sports ground or other recreational area while the sporting event is being held
- a swimming pool complex.

Contravening these laws is an offence, and penalties can be imposed on persons who commit this offence by smoking in these 'smoke-free areas'

3.2. Designated Smoking Areas

The University has designated smoking areas which are the only places where smoking is permitted on University grounds.

Cigarettes, butts and matches are to be placed only in the ashtrays provided at the designated smoking areas and are not to be discarded as litter in any other areas on campus.

E-cigarettes can be used in the areas defined and publicised as designated smoking areas. Disposable vapes and e-cigarette litter must be taken away and disposed of appropriately as these may cause fire in the designated ashtray or bins on campus.

3.3. Temporary Designated Smoking Areas

A designated or temporary smoking area must be approved by Infrastructure and Facilities Services and must comply with the following criteria:

- It must not be in a 'smoke-free area' which includes an 'enclosed public place' and an 'outdoor public place' as those terms are defined in the Smoke-free Environment Act 2000 (NSW);
- It must not be on any balconies which are part of a University building;
- It must not be on any structures that form part of a building or connect buildings;
- It must not be in the physical proximity of the building which may require people using the entrance or exit to pass through any emission produced by smoking, or may result in any emission produced by smoking entering the building through doors, windows, or ventilation systems;
- It must not be in or near any area where combustibles or flammable liquids are stored, or any other fire hazards exist including natural hazards such as bushland.

3.4. University Funding, Investments, Agreements, Engagements and Affiliations

As stated in the [Tobacco Funding Policy](#), the University will not accept tobacco industry funding or funding from persons connected with the tobacco industry for any University purpose. This includes direct funding, as well as advertising, sponsorship, gifts or loans of goods or services, or funding by any other means.

The sale of tobacco and tobacco products from retail outlets or from vending machines will be prohibited at campuses from the date the University removes the tenant rights to do so area.

3.5. Raising Concerns

Any member of the University community who has concerns about a breach of this KRA is entitled to calmly and respectfully approach the person believed to be breaching the KRA, remind them of the KRA requirements, and request that they comply with the KRA and utilise a designated smoking area.

Students, visitors (including contractors) and other persons who have concerns about a breach of this KRA can also approach any staff member of the University in relation to those concerns. If the staff member is not confident with approaching the person who is believed to be contravening this KRA directly, they should approach their Leader/Supervisor.

If a matter cannot be resolved directly, a staff member may contact the Health, Safety and Wellbeing Team or report their concern as a hazard using the online [Incident / Hazard Reporting System](#) (AIMS).

Safety and Security Services should be contacted for assistance in enforcement of the KRA only in the event that a person who is smoking exhibits concerning or aggressive behaviour if approached. Areas that are not designated smoking areas but where smoking is observed to occur regularly in breach of this KRA can be reported as a hazard using the online [Incident / Hazard Reporting System](#). (AIMS).

3.6. University Support

The University may support smoking cessation courses for any staff member or student that requests and provide information on options available. The University Health Service can provide further information regarding quitting smoking.

For further information, staff are encouraged to contact the University's Health, Safety and Wellbeing Team.

3.7. Enforcement

The University will, so far as is reasonably practicable, enforce any breach of the Smoke-free Environment Act 2000 (NSW) if the smoking occurs within a smoke-free area.

4. Definitions

In the context of the Health and Safety Management System Framework:

Designated smoking area	A defined and clearly signposted area where smoking is permitted.
E-cigarettes	Devices that are designed to generate or release an aerosol or vapour by electronic means for inhalation by its user in a manner that replicates, or produces an experience similar to, the inhalation of smoke from an ignited tobacco product or ignited non-tobacco smoking product, as well as the liquid, aerosol, gas, vapour or other substance used in such devices. E-cigarettes are also called 'e-cigs' or 'vapes'.
Employer	Means the University of Newcastle (the University).
Executive Committee	Consisting of the Vice-Chancellor, the Deputy Vice-Chancellors, the Pro Vice-Chancellors, the Chief Operating Officer, Chief People and Culture Officer and the Chief Financial Officer, the University Secretary and the President of Academic Senate.
Leader / Supervisor	Any member of the University who is responsible for supervising staff and/or undergraduate or postgraduate students and/or for leading research projects.
Smoking	Using, consuming, holding or otherwise having control over a tobacco product, non-tobacco smoking product or e-cigarette that is generating smoke, aerosol or vapour.
Worker	Includes an employee, conjoint, student on work experience, contractor, sub-contractor, and volunteer. A person is a worker if the person carries out work in any capacity for the University or another person conducting a business or undertaking, including work as: (a) an employee, or (b) a contractor or subcontractor, or (c) an employee of a contractor or subcontractor, or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or (e) an outworker, or (f) an apprentice or trainee, or (g) a student gaining work experience, or (h) a volunteer, or (i) a person of a prescribed class.
Workplace	Means any recognised or defined area, location or vehicle where workers carry out their work.

5. Responsibilities

A comprehensive list of health, safety and wellbeing responsibilities is provided in [HSG 1.2 Roles and Responsibilities Guideline](#).

Specific responsibilities under this KRA include:

Infrastructure and Facility Services (IFS)

- Approval of a designated or temporary smoking area;
- Safety and Security Services assistance in enforcement of the KRA.

Supervisors and Leaders

- Ensure workers, visitors and contractors who report to them are aware of this KRA;
- Manage issues of non-compliance of staff or students in accordance with the KRA;
- Provide support to staff who wish to quit through programs and services.

Health, Safety and Wellbeing Team

- Monitor the effectiveness of this KRA and support its implementation;
- Implement and maintain procedures to support this KRA;
- Actively promote key messages supporting a healthy lifestyle;
- Provide support programs for staff and students who wish to quit through appropriate programs.

Workers

- All Workers must comply with the University's reasonable health and safety instructions, policies and procedures, including this KRA; and
- Advise issues to Supervisors/Leaders or the Health, Safety and Wellbeing Team.

6. References & Related Documents

The following documentation is referenced in, or applicable to this KRA:

[HSG 1.2 Roles and Responsibilities](#)

7. Amendment History

Version	Date of Issue	Approval	Section(s) Modified	Details of Amendment
1	June 2015	Director, People and Workforce Strategy	-	Original version KRA 2.2 Smoke-Free University.
2	February 2023	CPCO	All	1. Changed to KRA 2.2 Smoke-free University Environments and rescind Smoke-free University Policy

				2. Updated content in all sections and included reference to e-cigarettes and section 3.2 University Funding, Investments, Agreements, Engagements and Affiliations 3. Added new/renamed Related Documents 4. Added Amendment History 5. Amended document control header and footer
3	October 2023	CPCO	All	All sections reviewed for legal compliance.

8. Appendices

Nil