Kingsfield First School

Smoking and Vaping Policy

June 2024

The Smoking and Vaping Policy has been discussed and adopted by the Local Advisory Board	
Chair of Local Advisory Board:	*Mr C Clulow*
Responsible Officer:	*Headteacher – Mrs C Hodson*
Agreed and ratified by the Directors	*June 2024*
To be reviewed:	*June 2026*

The Children First Learning Partnership
Smoking and Vaping Policy 2024

INTRODUCTION

What is the Policy About?

The purpose of this guidance is to describe how the School will fulfil its legal obligation to provide, as far as possible, a smoke-free working environment for our employees, visitors and children in our care.
The Government continues to emphasise the dangers of second hand smoke to health and has legislated to reduce the risk of second hand smoke through the Health Act 2006 (as amended 2009), which came into effect on or after 1 April 2007. In addition, all employers have a duty under the Health and Safety at Work, etc Act 1974 to:
"Ensure, so far as is reasonably practicable, the health, safety and welfare at work of all their employees."
Therefore, all school buildings, grounds, car parks and vehicles which serve the public and/or are used for work purposes will be smoke-free, apart from any external designated smoking area. Where practical, an accessible designated smoking area may be allocated, but this must not be located near any entrance area to a school building or where its location will put at risk others from any second-hand smoke (section 2).

With the introduction into general public use of Electronic Nicotine Delivery Systems (ENDS), more commonly known as electronic or e-cigarettes, this No Smoking Policy has been updated to inform employees of the School's position on the use of e-cigarettes in schools premises.

Electronic cigarettes are battery powered devices which deliver a vaporised liquid nicotine solution to the inhaler and mimic a real cigarette in that they emit a 'smoke like' vapour when used. E-cigarettes are not a tobacco product and to date there is no statutory prohibition of their use in the workplace. However, as e-cigarettes are currently only covered by general product safety legislation and are unregulated as a smoking cessation aid, the safety of their use cannot be quantified at this time.

In enforcing the statutory ban brought under the Health Act 2006, the Children First Learning Partnership prohibition on the smoking of tobacco products in enclosed public and workplaces is extended, in this policy, to using electronic cigarettes, otherwise known as 'vaping', within all school workplaces and premises.

Therefore, all school buildings, grounds, car parks and vehicles which serve the public and/or are used for work purposes will continue to be smoke/vapour-free apart from those authorised and designated smoking areas.

This policy does not aim to dictate whether an employee has the right to smoke, but is concerned with where and when they smoke, or 'vape', when using an e-cigarette, together with its effect on colleagues and the wider community.

The primary aim is to secure a smoke/vapour-free workplace, thus minimising the effect of tobacco smoke or e-cigarette vapour within the school environment. Employees will not be permitted to smoke/vape during working time except in designated, authorised areas in the employee's own time.

The objectives of the policy are to:

• protect the health of employees;

• protect the health of children, visitors and contractors when visiting the school buildings or using our facilities;

• provide information to employees of their responsibilities in respect of the policy;

• support employees who smoke/vape to help them comply with the policy, including supporting anyone who wishes to give up smoking.

Who does the Policy Apply to?

This policy covers all employees of the school, service users, visitors, volunteers, contractors, agency staff, parents/carers, and other persons who enter the grounds and premises.

Employees and other individuals representing the school must also be aware of their responsibilities when working away from the school buildings and grounds. Smoking is not permitted when working on official school business. Where school premises are used for purposes other than school related activities the school smoking policy will still remain in operation.

Responsibilities

The Local Advisory Board have overall responsibility for implementing and evaluating the policy. The Headteacher is responsible for ensuring that the policy is adhered to within the school and must strive for effective implementation and consistent application. All employees have a responsibility to ensure this guidance is implemented and any individual will be supported if they challenge anyone breaching the policy. Further details about specific responsibilities can be found as Appendix A at the end of this policy.
Head Teachers must ensure clear and appropriate signage is posted around the school buildings, grounds and facilities.

Legislation

The legislation underpinning this policy is the Health Act 2006 (as amended 2009).
Additionally, the Health and Safety at Work Act 1974 informs employers they have a duty of care to their employees as mentioned in section 1.
There can be financial penalties for both employees and schools if smoking is not stopped in the workplace or if signs are not displayed.

Monitoring

It is intended the policy will be self-enforcing. An employee meeting visitors or clients at a school building or facility must politely advise them of this policy. However, all employees should not enter into any confrontational situation that may put at risk their own safety.

Support

There are opportunities available to help people give up smoking. Details can be found on the 'Sources of Further Assistance' (attached to the Policy as Appendix A).

Publicising/distribution of the Policy

A copy of this policy is available from the Head Teacher/Head of School and will be made available to employees on request. A copy of this policy is available via the staffroom notice board or staff shared area.
New employees will be informed of the existence of this policy in recruitment and induction information.
Periodic reminders of this policy, and its expectations should also be promoted through their respective communication channels, eg staff meetings and weekly briefings.

Reviewing the Policy

The operation of this policy will be kept under review and such changes will be made to the policy as deemed appropriate following necessary consultation with the trade unions.
This includes the elimination of unlawful discrimination, promoting diversity as a positive force and valuing and celebrating a diverse workforce and community.
An Equality and Diversity impact assessment has been carried out in the preparation of this policy document. The assessment will be reviewed in line with the formal policy review process.

OPERATIONAL GUIDANCE

Buildings and Grounds

Smoking/vaping will not be permitted in school buildings, grounds, car parks and vehicles which serve the public and/or are used for work purposes will continue to be smoke/vapour-free apart from those authorised and designated smoking areas apart from any external designated smoking area.

Employees

Employees will be permitted to smoke/vape when they are off-duty including official breaks such as meal breaks. Smoking/vaping breaks are not permitted during paid working time. Smoking/vaping in any designated area will only be possible during official breaks, for example a lunch break.

Health Guidance

DCC Public Health commission a countywide stop smoking service. Please see Appendix A – Sources of Further Assistance for more information on this service.

Support on stopping smoking can also be sought from the NHS Smokefree Helpline on 0800-0224 332 or at www.smokefree.nhs.uk/

Access to the NHS Pregnancy Smoking Helpline and details of helplines in other languages can be found in supporting documents to this policy on the intranet.

As an employee you have access to a free service, offering a confidential counselling and information service which is available 24 hours a day, 365 days a year. Telephone counselling can provide emotional support in helping you work through a range of personal and/or work related issues.

Employees who do smoke/vape in their own time are encouraged to minimise their identity as an employee; for example, badges, uniform and logos should be covered up.

All reasonable efforts will be made to minimise the exposure of employees to second-hand smoke or vapour. Any employee concerned about such exposure should seek advice and support through the Head Teacher or Occupational Health Service.

Recruitment Procedures

Information sent out to potential applicants within job packs will include reference to this policy. Head Teachers/Heads of School should re-affirm the school's position during the selection process.

Dealing with Breaches of the Policy

Where an individual, or group of individuals, infringe this policy, the Head Teacher/Head of School shall remind them of this policy's requirements and that breaches may be dealt with under the Disciplinary Procedure. This could ultimately lead to the dismissal of the employee.

Changes to the Policy

The school will seek to provide appropriate notice of any further changes to this policy.

SUPPORTING DOCUMENTS

Sources of Further Assistance can be found as Appendix A attached to this policy.

FURTHER INFORMATION

Confidentiality

All information will be handled sensitively and used only for its proper purpose.

Under the Data Protection Act 1998 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

Dealing with Abuses of the Policy

Employees who attempt to abuse this policy may face disciplinary action. The school takes false or misleading accusations very seriously which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith.

Equality and Diversity

The Children First Learning Partnership is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our policy is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

Adopted June 2022

Reviewed June 2024

Appendix A – Sources of Further Assistance

Smoking
NHS Smokefree
NHS Stop Smoking Services offers a range of services for people who want to give up smoking. For details of your local Stop Smoking Services contact: NHS National Smoking Helpline free on 08000224332 or log on to the NHS Smokefree website http://smokefree.nhs.uk/.
You may also be able to access NHS Stop Smoking Services through your GP practice or pharmacist.
For help on giving up smoking if you are pregnant call free on 08001699169 or visit the above NHS Smokefree web site.

Child Safety
For general advice on keeping children safe from the effects of second hand smoke in the home visit 'Take7stepsout' http://www.take7stepsout.co.uk/.

Crimestoppers
For reporting of illicit tobacco sales ring Crimestoppers free on 0800555111 or visit their website http://www.crimestoppers-uk.org/