

Schools HR Policy & Procedure Handbook



Minsterley Primary School

No Smoking Policy

This Policy has been agreed by the following professional associations and Trade Unions representing Teachers, Headteachers and Support Staff:

- National Education Union
- National Association of Schoolmasters Union of Women Teachers
- National Association of Headteachers
- Association of School and College Leaders
- Unison
- GMB

This policy has been adopted by the governing body

on

October 2023

and will ordinarily be reviewed every year

CONTENTS

1.	Introduction	Page 3
2.	Legislation & Additional Supporting Guidance	Page 3
3.	Scope	Page 4
4.	Roles and Responsibilities	Page 5
5.	The Policy	Page 5
6.	Staff who make Visits to Student's Homes and Third Party Premises	Page 5
7.	Breaching the conditions of the policy	Page 6
8.	Support for Staff Wishing to Stop Smoking	Page 6
9.	Links to other Policies	Page 6
10.	Monitor and Review	Page 6

Appendices

A	Support for Staff Wishing to Stop Smoking	Page 7
B	Suggested Teacher Resources: Smoking	Page 9

1 Introduction

Smoking remains the main cause of preventable disease and premature death in the UK. Research has shown that smoking kills not only those who smoke cigarettes but also those who breathe in the smoke through passive smoking.

The Health Act 2006 was established 'to make provision for the prohibition of *smoking in premises, places and vehicles; for amending the minimum age of persons to whom tobacco may be sold and to make provision in relation to the prevention and control of health care associated infections.*' The legislation made virtually all indoor workplaces and public places in England smoke-free from 2007, and meant that all schools and colleges were required to be smoke-free in all enclosed, or substantially enclosed buildings.

All schools in Shropshire extended this legislation to include outdoor areas and the entire school site.

Since 2007, there have been substantial changes in smoking trends and legislation. These include the increased popularity of electronic cigarettes and water pipes, national campaigns such as 'Stoptober' and in order to protect children from the effects of second-hand smoke, legislation to prohibit smoking in cars carrying children.

This policy references these changes and offers guidance on emerging issues.

2 Legislation

The Health Act 2006
Health and Safety at Work Etc. Act 1974

Additional Supporting Guidance

The DFE and ACPO Drugs Guidance for Schools (2012) contains the following guidance on Smoke Free Schools:

Tobacco – Smoke Free Schools

The minimum age for smoking is 18 and schools are subject to the same smoke free legislation as other premises.

In most schools:

- The school is a smoke-free site (though if there is a caretaker's house this may be excepted);
- Children, young people, staff, parents/carers and governors have been involved in the development and implementation of a smoke-free site;
- The school provides information and support for smokers to quit e.g. promoting access to smoking cessation classes, which may be provided on the school site.

Children and young people should understand the non-smoking policy.

The National Institute for Clinical Excellence (NICE) has developed guidance on school based interventions to prevent the uptake of smoking amongst young people.
<http://guidance.nice.org.uk/PH23>

Suggested Teacher Resources may be found in Appendix B.

Ref: ACPO Drug Guidance for Schools, 2012.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270169/drug_advice_for_schools.pdf

3 Scope

The No Smoking policy applies to all staff, governors, students, volunteers, parents, visitors and contractors, whilst they are on the school site. It also extends to staff employed directly through any third-party provider of contracted services, for example, catering or cleaning services. The requirement for this policy to be communicated and adhered to must be set out in Service Level Agreements and/or any other appropriate documentation governing a supplier arrangement.

The policy also applies to the use of electronic cigarettes, water pipes and other similar devices plus any associated items, such as filters, lighters, chargers etc. The use of such devices is prohibited wherever smoking is prohibited.

The use of licensed nicotine-containing products (nicotine replacement therapy, such as patches or gum) used as an aid to smoking cessation, is permitted.

Organisations and clubs who use the school premises outside of school hours are required to comply with the school's No Smoking Policy.

All transport provided by or in partnership with the school is smoke free, and will display the compulsory signage as required by the Health Act 2006.

4 Roles and Responsibilities

It is the responsibility of the Governing Body to communicate this policy timeously to all stakeholders, and to continuously monitor and review its effectiveness.

All workplaces must comply with Section 2(2) (e) of the Health and Safety at Work Etc. Act 1974, which places a duty to provide a working environment for employees that is '*safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work*'.

It is the duty of any person who occupies or is concerned in the management of smoke-free premises to display 'no-smoking' signs, appropriately. The school will take all reasonable steps to

ensure that visitors are made aware that a 'smoke free' environment exists within the perimeter of the school grounds.

Whilst committed to promoting a healthy working environment, the Governing Body recognises that smoking is addictive, and is keen to support staff and students in giving up. Further source advice and guidance can be found in Appendix A.

5 The Policy

Smoking is not permitted anywhere within the school grounds or buildings at any time, to include vehicles parked on school site. The policy extends to school events held outside normal school hours.

Staff are required to refrain from smoking in their own vehicles whilst on duty or when used on school business and when carrying passengers on school business. Staff and parent helpers are expected to refrain from smoking on all school trips. Employees are reminded that it is an offence to smoke, or not to prevent smoking, in a private vehicle which is carrying children under the age of 18.

5 Staff who make Visits to Student's Homes and Third Party Premises

Certain premises to which staff may make professional visits may not be directly covered by the provisions of the Health Act 2006. Nevertheless, the school believes that staff should be protected when visiting students, parents and carers in their homes or other settings.

Where a visit is pre-planned, staff, who, as part of their duties are required to visit students outside of school, should, where appropriate, advise the persons responsible for the premises of the school's No Smoking Policy.

When making such arrangements, it is important to identify individuals who have a pre-existing condition that could be made worse by exposure to tobacco smoke, or who face additional risks. This includes pregnant women and those with asthma or other respiratory diseases. Individuals who have such conditions are at higher risk and particular care will be taken to prevent or minimise their exposure to tobacco smoke.

Staff will aim to contact those to be visited in order to arrange for a non-smoking area to be provided for the duration of the visit. Where this is not possible, a request will be made that there will be no smoking inside the premises or in the meeting area, for at least one hour before the visit takes place, and for the duration of the visit.

In circumstances where it is not possible to make such arrangements in advance of a visit, staff should seek the advice of their line manager who will take all reasonable steps to protect them from exposure to second-hand smoke. The risk of entering premises where smoking is or may be taking place, needs to be weighed against the risk of not undertaking the visit.

7 Breaching the conditions of the policy

Staff breaches of this policy will be subject to Disciplinary procedures. Those who do not comply with the law may also be liable to a fixed penalty fine and possible criminal prosecution.

Any visitor to school site breaching the conditions of this policy, will be asked to stop smoking, or to leave the premises.

8. Support for Staff Wishing to Stop Smoking

The school actively encourages employees who want to give up smoking to take advantage of all support offered. This includes a confidential advisory service available to all staff to discuss, in complete confidence, work-related health issues. The telephone number is 01743 252833.

Further advice and support for smokers wishing to quit are available at a wide range of venues across Shropshire. For further details, see Appendix A.

9. Links to other Policies

Disciplinary procedure

10 Monitor and Review

This policy will be reviewed on an annual basis by the Governing Body.

Appendix A: ‘Help to Quit’ - Suggested Sources of Support for Staff and Students

Stop smoking services: This service is managed by [Shropshire Community Health NHS Trust](#)

Help 2 Quit is a free NHS stop smoking service in Shropshire – you are four times more likely to quit with our help than if you attempt to stop smoking on your own. Help 2 Quit is available in almost all GP surgeries in Shropshire. Ask at your GP practice to see the Help 2 Quit Nurse.

Help 2 Quit is also provided in many:

- Pharmacies
- Community venues
- Hospitals
- Selective supermarkets

Help 2 Quit offers free advice, support and treatment to help you stop smoking. Prescription charges may apply. Specially trained Help 2 Quit advisers, including practice nurses, midwives, pharmacists and school nurses, are available in venues across the county to help you to put your plan to stop smoking into action.

Shropshire Community Health NHS Trust: Help2Quit – PDF document listing contact details for local GP surgeries and pharmacies

<https://www.shropscommunityhealth.nhs.uk/content/doclib/10162.pdf>

Healthy Shropshire: Simple advice on keeping yourself healthy – *search ‘stop smoking’*

<http://www.healthyshropshire.co.uk/>

South Staffordshire and Shropshire Healthcare NHS Foundation Trust: Local directory of ‘stop smoking’ support services

<http://mentalhealth.sssft.nhs.uk/137-corporate-content/smoke-free/1081-stop-smoking-services>

NHS Live Well: Stop smoking

<http://www.nhs.uk/livewell/smoking/Pages/stopsmokingnewhome.aspx>

British Heart Foundation

<https://www.bhf.org.uk/heart-health/risk-factors/smoking>

BBC World Service: A guide to giving up cigarettes (iPlayer Radio)

<http://www.bbc.co.uk/programmes/p037727n>

On the phone

You can also call the NHS Smoking Helpline:

In England	0300 123 1044
In Wales	0800 085 2219
In Scotland	0800 84 84 84
In Northern Ireland	0808 812 8008

In person in your area

Your doctor, practice nurse or pharmacist can give you advice on quitting and information on:

- joining a stop smoking clinic or stop smoking group,
- using nicotine replacement products, and
- taking medication to help you stop smoking.

Appendix B

Suggested Teacher Resources: Smoking

Smoke's No Joke The resources that appear on the Smoke's No Joke website were initially designed and developed for NHS Hull, the commissioning body. Due to public sector changes, these resources are now maintained by Hull City Council. They are suitable for KS1 – KS4.

<http://www.smokesnojoke.org.uk/>

'Look Out! Tobacco' is a website for children of 7 – 11 years old, their parents/ carers and teachers. Children will find lots of information about tobacco as they explore this resource, looking for clues to answer questions which will help them to discover and photograph small, friendly aliens. These resources are maintained by Lancashire County Council.

<https://lookoutzone.co.uk/tobacco/info.html>

QUIT's youth service helps young people make informed choices about tobacco use, provide tailored support and offers a wide range of stop smoking advice. QUITs youth services are part funded by the British Heart Foundation.

To find out what youth services are available in your area, please contact QUIT's Head of Youth Services: Nick Faraday on 0207 553 2108 or email n.faraday@quit.org.uk

<http://www.quit.org.uk/youth-services/>

NHS Choices: under-18s guide to quitting smoking

<http://www.nhs.uk/Livewell/smoking/Pages/Teensmokersquit.aspx>