Richardson Dees Primary School

Smoke-Free Policy

Last updated: 26 October 2017

Contents

Statement of intent

1. Legal framework
2. Policy application
3. E-cigarettes on the premises
4. Smoking on the premises
5. Disciplinary sanctions
6. Support
7. Monitoring and review

Statement of intent

Richardson Dees Primary School has a duty to protect its employees and pupils from known hazards. We understand that the health risks associated with smoking are serious and detrimental for those who smoke, as well as people within close proximity.

Through this policy, we aim to:

- Create a smoke-free environment for all those within the school community, including staff, pupils, visitors, parents, etc.
- Create a smoke-free environment whilst attempting to be sensitive to those who find it difficult not to smoke on the premises.
- Clarify the use of e-cigarettes and cigarettes on, and around, the school premises.

Signed by:

_____ Headteacher Date: _____

_____ Chair of governors Date: _____

1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- Health Act 2006
- Children and Young Persons (Protection from Tobacco) Act 1991
- Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015
- Equality Act 2010

1.2. This policy also has due regard to guidance including, but not limited to, the following:

- Public Health England (2016) 'Use of e-cigarettes in public places and workplaces'

2. Policy application

2.1. The principles outlined in this policy apply to all staff, pupils, visitors, volunteers, contractors and parents.

2.2. The principles outlined in this policy also continue to apply whether or not 'no smoking' signs are displayed.

2.3. All areas of the school premises, including outdoor areas, are designated smoke-free environments and, as such, all individuals are prohibited from smoking anywhere on the premises.

3. E-cigarettes on the premises

3.1. For the purpose of the policy, the process of using an e-cigarette is defined as vaping.

3.2. The school recognises the use of e-cigarettes as having significant potential to reduce tobacco use, as well as the harmful effects it causes to smokers and those around them.

3.3. Although e-cigarettes are not covered by the Health Act 2006, the school adopts a fully smoke-free environment, and recognises that use of e-cigarettes, whilst significantly safer for health than cigarettes, still pose some hazards, particularly for those with asthma and respiratory conditions who may be affected by the vapour.

3.4. The school also recognises that e-cigarettes may create a nuisance for others in the production of vapour, particularly for non-users.

3.5. The school does not consider the use of e-cigarettes to be professional behaviour and, therefore, vaping is prohibited on the school premises at all times; there are no designated areas available on the school premises for vaping.

3.6. Vaping is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, where car mileage allowance is being claimed, and at times when pupils are present in the vehicle.

3.7. Vaping is not permitted in any personal vehicles on the school premises or within a one-mile radius during school hours.

3.8. Any individual witnessed vaping in personal vehicles as outlined above, or in vehicles used on behalf of the school, will be subject to disciplinary action as outlined in section 5 of this policy.

3.9. The school does not allow vaping breaks at any times during the school day. If an individual wishes to use their e-cigarette, they are only permitted to do so during arranged break times, e.g. lunch time, and in accordance with the principles outlined above.

NB. Only contractors, visitors and staff are permitted to leave the school premises during their break times to use e-cigarettes.

3.10. It is illegal for any individual under the age of 18 to use an e-cigarette. Any pupil witnessed using an e-cigarette on the premises during school hours will face disciplinary action.

3.11. Staff, visitors and contractors are prohibited from purchasing e-cigarettes for pupils and any other individuals under the age of 18 at the school, e.g. visitors.

4. Smoking on the premises

4.1. Smoking is prohibited on the school premises at all times; there are no designated areas available on the school premises for smoking.

4.2. Staff, contractors, visitors and pupils are not permitted to smoke within sight of the school premises during school hours; this is to reduce the risk of pupils, parents and other members of the school community witnessing the individual smoking, which may affect professional etiquette.

4.3. Any individual who is witnessed smoking on the premises, or within sight of the school premises during school hours, will be subject to disciplinary sanctions, as outlined in section 5 of this policy.

4.4. Smoking is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, whether or not pupils are present, or car mileage allowance is being claimed, as smoke fumes may linger in the vehicle and affect the health of other passengers.

4.5. Smoking is not permitted in any personal vehicles on the school premises or within sight of the school premises.

4.6. Any individual witnessed smoking in personal vehicles as outlined above, or in vehicles used on behalf of the school, will be subject to disciplinary action as outlined in section 5 of this policy.

4.7. The school does not allow smoking breaks at any times during the school day. If an individual wishes to smoke, they are only permitted to do so during arranged break times, e.g. lunch time, and in accordance with the principles outlined above.

NB. Only contractors, visitors and staff are permitted to leave the school premises during their break times to smoke.

4.8. It is illegal for any individual under the age of 18 to smoke. Any pupil witnessed using cigarettes on the premises or within sight of the school during school hours will face disciplinary action.

4.9. Staff, visitors and contractors are prohibited from purchasing cigarettes for pupils and any other individuals under the age of 18 at the school, e.g. visitors.

5. Disciplinary sanctions

5.1. If a member of staff breaches any of the guidelines in this policy, they will be subject to disciplinary action in accordance with the school's Staff Discipline Policy.

5.2. Staff may also be subject to a penalty fine and possible criminal prosecution depending on the nature of the breach.

5.3. Visitors and contractors who breach the guidelines in this policy will be asked to leave the premises. Refusal to comply with this request may result in the school contacting the police.

5.4. Pupils will be classed as smoking or vaping if:

- They are seen smoking or vaping.
- They are seen with a lit cigarette or e-cigarette in their hand.
- They are found to have cigarettes, an e-cigarette or other smoking materials openly in their possession.
- They are seen in the company of others who are smoking or vaping.
- They are witnessed within the designated vaping area.

5.5. Pupils caught smoking or vaping will receive a disciplinary sanction immediately in accordance with the school's Behavioural Policy and will be reported to the headteacher.

5.6. The headteacher will notify the pupil's parents of the incident and the disciplinary sanctions imposed on the pupil via a written letter.

5.7. If pupils are continuously caught smoking or vaping, their parents will be invited to a meeting with the headteacher, and further disciplinary sanctions may be imposed on the pupil in accordance with the Behavioural Policy.

6. Support

6.1. The school aims to implement effective, supportive procedures for those who want to quit smoking, and improve the health of both smokers and non-smokers.

6.2. The school regularly educates pupils about the effects of smoking, both through the requirements of the national curriculum, and through additional sessions, e.g. PSHE lessons and assemblies.

6.3. Pupils are encouraged to seek help if they would like further information about the effects of smoking, would like to quit smoking, or would like to know more about additional methods of support.

6.4. The school believes that the implementation of a vaping area actively supports staff to quit smoking, and will promote the use of e-cigarettes, in line with the procedures in this policy, to reduce the number of people who smoke.

7. Monitoring and review

7.1. This policy will be reviewed every two years by the headteacher; the next scheduled review date for this policy is June 2023.

7.2. Any changes made to this policy will be communicated to all members of staff, and pupils if necessary.

7.3. All staff, visitors and contractors are required to familiarise themselves with this policy as part of their induction periods, or upon their attendance at the school.