

# SMOKEFREE POLICY

DATE OF REVIEW: March 2024

DATE OF NEXT REVIEW: Spring 2026

TO BE REVIEWED BY: Well Being Committee



## 1. Introduction

1.1 This smokefree policy has been adopted by Hatherleigh Community Primary School with the aim of:

- Creating a smokefree setting that promotes and supports smokefree lifestyles.

1.2 The objectives of the policy are to:

- protect all children, parents and carers, employees and visitors from exposure to second hand smoke and vapour on the school site
- Proactively promote the smokefree agenda.

1.3 The policy provides guidance for staff and users of the setting on why we are a smokefree centre and what this means in practice. The policy applies to everyone using the premises (including all grounds and buildings) for any purpose, at any time

1.4 The use of e-cigarettes is covered under this policy. Although the evidence does not currently show e-cigarettes to be acting as a gateway into smoking for young people, there is still concern that allowing their use on-site could threaten what has become the norm of not smoking in early year's settings. .

## 2. Rationale

- Smoking in pregnancy can cause increased risk of miscarriage, stillbirth, preterm birth and low birth weight. It has been found to increase infant mortality by about 40%.
- Although E-cigarettes are around 95% safer than smoking so can be a useful quitting aid for some individuals, vaping is discouraged within early years settings due to the role modelling from adults and mimicking behaviour of children.

## 3. National strategy and legislation

3.1 This policy is informed by Healthy Lives, Healthy People: A Tobacco Plan for England (2011). It supports compliance with Health & Safety Legislation and Employment Law. The Health Act 2006 bans smoking in all enclosed public spaces and section 2(2) of the Health and safety at Work Act 1974 places a duty on employers to:

- '...provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.'

#### 4. **What does this policy mean in practice?**

##### 4.1 School premises:

- Smoking, including e-cigarettes and vaping, are not permitted in any part of the premises and grounds including the entrance area to the setting or on land owned by the setting (e.g. walkways, playgrounds, playing fields etc).
- There will be no designated smoking or vaping areas provided within the school's settings grounds.
- This policy applies to young people, parents and carers, employees, visitors, members of the public, contractors or others working or using the early years settings premises or vehicles.
- The smoke free policy will apply to all activities held in school at any time regardless of whether children are present or not.

4.2 **Visitors:** All visitors, contractors and deliverers are required to abide by the smoke free policy. Staff members are expected to inform visitors of the policy. However, they are not expected to enter into any confrontation that may put their personal safety at risk.

4.3 **Staff:** Staff who choose to smoke are only permitted to smoke while off duty (in official unpaid break times only). They are expected to be out of uniform (if applicable) while smoking and not on the premises. Staff are not permitted to smoke at any time in public when representing or attending meetings on behalf of Hatherleigh Community Primary School wherever these are held.

4.4 **Vehicles:** Smoking is not permitted in staff members' private vehicles while used on Hatherleigh Primary School business. Since 1<sup>st</sup> October 2015, it is now illegal to smoke in vehicles with someone under the age of 18 present, to protect children and young people from the dangers of secondhand smoke.

4.5 **Contractors:** Contractors working on behalf of Hatherleigh School should adhere to this policy. The following wording will be added to any written contractor agreements: Hatherleigh School has a duty to protect the health of its employees and residents. As part of this, contractors undertaking work on behalf of Hatherleigh School will abide by the school's smoke free policy which requires staff to refrain from smoking while on duty. This includes smoking in vehicles or on breaks if in uniform."

#### 5. **Disciplinary Action**

5.1 Any member of staff refusing to observe the policy by smoking in unauthorised areas will be liable to disciplinary action in accordance with Hatherleigh School's Disciplinary Policy. In the event of a breach of the policy by a visitor or staff member of other organizations, they should be asked to extinguish all smoking materials. If they continue to smoke, the matter should be referred to the appropriate manager. Those who do not comply with the smokefree law may also be liable to a fixed penalty fine and possible criminal prosecution.

#### **Links:**

OFSTED Statutory Framework for the Early Years Foundation Stage