

SMOKE FREE POLICY

Updated: November 2022

Review: November 2024

1. Aims of the Policy

1.1 St Anne's Catholic Voluntary Academy will, so far as is reasonably practicable, promote the health and wellbeing of staff. However, this falls outside the scope of this policy.

1.2 This policy recognises that second-hand smoke adversely affects the health of all employees. It is not concerned with whether anyone smokes but with where they smoke and the effect this has on staff and other members of the public.

1.3 We would encourage employees to reduce or stop smoking outside the times and circumstances set out in this policy, in the interests of their own health and well-being. However, this falls outside the scope of this policy.

1.4 The policy seeks to:

- Promote a healthy working environment and protect the current and future health of employees and members of the public
- Support the right of everyone to breathe in air free from tobacco smoke
- Comply with health and safety legislation and employment law
- Raise awareness of the dangers associated with exposure to tobacco smoke
- Take account of the needs of those who choose to smoke and to support those who wish to stop

2. Introduction

2.1 On 1 July 2007, The Smoke-free Regulations (from the Health Act) 2006 come into effect. This new legislation makes provision for the prohibition of smoking in certain premises, places and vehicles. Section 2 states:

'that premises must be smoke free if they are used as a place of work including vehicles.'

2.2 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 practicable, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.'

2.3 Second-hand smoke breathing other people's tobacco smoke and side-stream smoke has now been shown to cause lung cancer and heart disease in non-smokers, as well as other significant medical conditions.

2.4 The law also states that all enclosed public places and workplaces will become smoke free. This means:

- it will be an offence to smoke in smoke free premises or vehicles
- it will be an offence for those who control or manage smoke free premises or vehicles to permit others to smoke in the premises or vehicles
- it will be an offence for people who occupy or manage smoke free premises or vehicles to not display the required no-smoking signs at the premises or within the vehicle

2.5 Further detail on the Health Act 2006 and the regulations associated with it is available on the smoke-free England website - <http://www.smokefreeengland.co.uk/>

3. General Principles and Scope

3.1 The aim of this policy is to:

- Protect the health of staff
- Protect the health of visitors, contractors and users and/or clients of our services or products
- Inform staff and managers of their responsibilities in respect of the policy
- Support smokers to help them cope with increased restrictions on their smoking during the working day
- Promote the culture of a smoke free organisation

3.2 This policy will apply to all staff, visitors, contractors and other persons who enter the premises of St Anne's Catholic Voluntary Academy.

4. Restrictions on Smoking

4.1 Smoking (including the use of e-cigarettes) is not permitted in or on any part of the premises, including entrance ways, at any time, by any person regardless of their status or business.

4.2 Premises is defined as 'any building or substantially enclosed public or private area occupied by one or more members of the general public or a workspace whether used by one or more members of staff'. Such spaces include lifts, corridors, stairways, lavatories, rest rooms, reception areas or entrances.

4.3 An enclosed area is one which has a permanent or semi-permanent roof and has walls (including windows and doors) enclosing more than 50% of its perimeter.

5. Visitors

5.1 All visitors, contractors and delivery staff 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.

6. Staff

6.1 Staff are only permitted to smoke whilst off duty (on unpaid breaks) and are only permitted to smoke away from the school and whilst not on school property. *

7. Vehicles

7.1 Smoking is not permitted in vehicles belonging to or hired by the school.

It is also not permitted for staff to smoke in their private vehicles (including lease cars) if used to carry members of staff or members of the public whilst carrying out the duties of an employee.

8. Support for Smokers

8.1 Information on stopping smoking with support from local cessation services will be provided for smokers. The local smoke stop contact is [Stopping smoking - Live Life Better Derbyshire](#)
The NHS Smoking Helpline number is 0800 169 0169 alternatively please visit their website <http://smokefree.nhs.uk/>.

9. Nicotine inhalers

9.1 These are used as part of nicotine replacement therapy (NRT) and are recognised by the NHS, typically prescribed by GPs or Pharmacists. Nicotine inhalers are not covered by this policy as they do not provide vapour or anything that looks like smoke; they are not designed to look like cigarettes.

9.2 Employees can use nicotine inhalers during the working day, but not during work time and only when it is safe to do so (i.e. not whilst driving).

**'Away' means 'not on the premises' and staff and visitors will be directed to a public footpath or highway.*

10. Electronic Cigarettes

10.1 These are not currently recognised as NRT by the NHS, are not regulated and have caused significant alarm to members of the public who think that someone is actually smoking where they should not.

10.2 The school supports the ethos of a smoke-free workplace and will actively seek to promote this image and practice by not permitting the use of electronic cigarettes within its buildings or any part of its premises.

11. Introduction and Implementation of the Policy

11.1 Staff, whether employed or voluntary, are personally responsible for complying with this policy.

11.2 Responsibility for implementing this policy rests with the headteacher.

11.3 To ensure that everyone understands that smoking is only allowed in areas away from school buildings and premises, clear signs will be displayed.

11.4 Tenders and contracts will stipulate adherence to this policy as a contractual condition. Existing contracts should be modified as soon as possible.

12. Disciplinary Action

12.1 Any member of staff who does not comply with this policy by smoking in unauthorised areas will be liable to disciplinary action in accordance with the school's Disciplinary Policy.

12.2 All staff have a role to play in enforcing the policy and are required to deal with any observed or reported breaches. If managers or staff feel apprehensive about their own safety in regard to addressing any breach they should seek management support. It is important to note that primary emphasis should be placed on prevention of such situations arising.

12.3 In the event of a breach of the policy by a visitor or staff member of other organisations, they should be asked to extinguish all smoking materials and be informed of the availability of external smoking areas. If they continue to smoke the matter should be referred to the appropriate manager. In the event that staff of other organisations continue to breach the policy, the appropriate organisation should be advised in writing of the school's policy requirements.

13. Monitoring and review

13.1 Implementation of this policy will be monitored in the following ways:

- That prospective employees are advised of the policy
- That the policy forms part of the induction programme
- That disciplinary action is taken against those who fail to comply with the policy

13.2 The policy will be regularly reviewed for its effectiveness in line with the school's commitment to continuous improvement and the promotion of a smoke free environment to improve the health and wellbeing of staff, service users and visitors.