



Hollinswood Primary School & Nursery

No Smoking/ Vaping Policy

July 2023

Document Status -

Policy Authors	Corporate Health & Safety – Telford & Wrekin Council
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1. Background –

This policy is based on the Local Authority Internal Health and Safety Smoking/vaping Policy.

One of the key priorities of Telford & Wrekin Council and **Hollinswood Primary School & Nursery** includes improvement of the health and wellbeing of our communities. Telford & Wrekin Council also takes its responsibility for the health and safety of its employees very seriously.

The Health Act 2006 bans smoking/vaping in enclosed public places, including workplace.

2. Policy –

- ✓ **Aims** - This policy aims:
 - To protect the health of everyone who **attends the school** or uses its services.
 - To give everyone the right to work in air that is free of tobacco/**vape** smoke.
 - To arrange **school** business so that not smoking/vaping is both the healthiest and the easiest option.
 - To ensure that employees set a good example to children, young people and vulnerable adults.
- ✓ **Application** This policy applies throughout to all employees. The policy will also apply to contractors, **visiting professionals**, visitors and members of the public whilst on school site.
- ✓ **Smoke free buildings** **Smoking/vaping is not allowed on the school site (within the perimeter of the school fence)**
- ✓ **Smoke free working hours** Employees and members are not allowed to smoke during working hours. 'Working hours' are defined as the individual's own working hours, this does not include official breaks. Unofficial smoking/vaping breaks are not allowed.
- ✓ **Smoking/vaping in the open air – some restrictions** Smoking/vaping in the vicinity of the school site is discouraged.
- ✓ **Protecting children and vulnerable adults** Employees should present a healthy role model and must not smoke within the view of children when smoking/vaping during their official break off the school site. Employees must not put anyone at risk as a result of bringing their smoking/vaping products and any associated goods to work.

- ✓ **Smoke free home visits** Employees must not smoke when visiting people in their home on school business. Employees on such home visits should request that no one smokes/vapes/vapes in the house whilst they are there. If the request is refused and causes concern, then the decision remains with the Headteacher as to whether home visits can be provided in future. Advice on negotiating smoke-free home visits is given in **appendix 1**.
- ✓ **Smoke free vehicles** Smoking/vaping is not allowed in the minibus or any vehicle used to transport the children. Smoke free vehicles extends to staff carrying children (anyone under 18 years of age) in a private vehicle. It is illegal to smoke in a private vehicle with someone under the age of 18 present.
- ✓ **Protection from smoke in other workplaces** The needs of employees and members to be protected from cigarette smoke whilst working in premises not controlled by the Telford & Wrekin Council are recognised. The person in control of any work place must comply with the Health Act 2006 and prevent smoking/vaping in the building. If school employees find that smoking/vaping is being permitted in the building then they should report this to the Council's Environmental Health section 01952 381818.

3. Employee support

- ✓ Whilst being keen to promote a healthy working environment the Telford & Wrekin Council and the Headteacher and Governors at Hollinswood Primary School & Nursery recognises that smoking/vaping can be highly addictive, therefore the school should support and assist employees in giving up. It is recognised that stopping smoking/vaping is difficult, often takes several attempts and that some people do not wish to give up smoking/vaping (which is matter of personal choice).
- ✓ Employees who smoke and wish to stop can obtain support from Occupational Health (01952 383630) and also the Healthy Lifestyles team (01952 382582)
- ✓ Telford & Wrekin Stop Smoking/vaping Service operates through many GP surgeries in the Telford & Wrekin area in several community and pharmacy venues across the borough. The success rate amongst people using the Stop Smoking/vaping Support Services is twice that of other methods. The programme lasts for three months starting with a 20 minute assessment followed up by weekly 10 minute appointments to check progress and help with any withdrawal symptoms. After the first month appointments may be weekly or fortnightly.
- ✓ Employees who do not yet wish to give up smoking/vaping and would find compliance with this policy difficult, may find that the use of nicotine replacement therapy, particularly gum, useful in controlling cravings between official breaks and a help to cut down on smoking/vaping. Employees and members who will need to cut down on smoking/vaping to be able to comply with the policy are advised to contact their GP to obtain a prescription for suitable nicotine replacement therapy. This route is cheaper and safer than

purchasing nicotine replacement products direct from supermarkets or pharmacies without medical advice.

- ✓ The effectiveness of electronic cigarettes as a means to support smokers wishing to give up smoking/vaping is, as yet un proven, we like the HSE will keep this evidence under ongoing review. The use and recharging of e cigarettes therefore, is **not allowed** within the school or any Telford & Wrekin workplace.
- ✓ Employees are discouraged from gathering to smoke in public areas as this creates a negative impression of the school to many people. In particular smoking/vaping waste, including cigarette ends/vape canisters must be disposed of correctly and not dropped as litter. A fixed penalty fine can be imposed on anyone who fails to observe this.

4. Non-compliance with this policy

- ✓ In the event of non-compliance with any condition of this policy appropriate disciplinary action may be taken where informal measures have failed. For employees such action will be taken in the first instance by the employee's line manager or the member's group leader.
- ✓ Contravening the Health Act 2006 (smoking/vaping in an enclosed public place or vehicle) renders the smoker liable to a fine of up to £200 and the person in control of the premises/vehicle to a fine of up to £2500. Failure to display minimum no smoking/vaping signs carries a penalty of up to £1000. This legislation is enforced by the Council's Environmental Health section.
- ✓ If any visitors to our school break the conditions of this policy they will be asked to stop smoking/vaping/vaping or to leave the premises.

5. This policy

- ✓ Will be available on the Intranet and for schools, on the T&W Commercial Services Website.
- ✓ Will be communicated to all employees, members, visitors and external clients
- ✓ Will be referred to in job advertisements and job descriptions
- ✓ Will be made available to all new employees during induction
- ✓ Will be reviewed regularly at intervals of not more than three years and whenever the need arises.

Appendix 1

Smokefree Home Visits

The Health Act 2006 prevents smoking/vaping in enclosed public places and work places but this law does not protect anyone working in a client's home. Employers and employees have to rely on the understanding and goodwill of the client.

When arranging the appointment employees should establish whether smokers/vapers are likely to be present. If so they should verbally request that no one smokes/vapes during the visit and that the area being used has been free of smoke for at least one hour before the scheduled appointment time.

Ensure that the request for a smoke free working environment is included in all written correspondence with the service user. Where appropriate an information leaflet could be included. A suggested wording is shown below:

Important information for people receiving home visits.

Please consider the need of our employees and provide them with a smoke/vape free environment.

Second hand smoke/vape harms people's health. It can cause heart disease, stroke and lung cancer. Being exposed to second hand smoke/vape even for a short time can cause eye irritation, headache, cough, sore throat, dizziness and nausea.

How you can help.

- ✓ Don't smoke/vape in the house for at least an hour before your appointment time.
- ✓ Open windows and doors to ventilate the area.
- ✓ Try to keep one room smoke/vape free at all times.

During the visit

- ✓ Do not smoke/vape and do not let anyone else in the house smoke/vape in the area being used by the Council's employee.
- ✓ Wherever possible while our employee is in the house ask smokers/vapers to go outside to smoke/vape.

Our undertaking to you.

All routine visits will be pre - booked and you will be given a time for the visit. If the employee is delayed you will be contacted as soon as possible.

Our policy

We ask our employees to assess whether any environment they enter is safe for them to work in. If a smoke/vape -free environment cannot be provided we will need to look at ways of reducing the risk as far as is reasonably practicable. In some cases this may include staff leaving a situation that they deem to be unsafe and alternative ways of providing a service to you arranged.

When the nature of the service requires regular visits to work in a client's home then a written contract that outlines the responsibilities of the service provider and the service user can be useful to make this clear e.g.

- In order to protect staff who visit clients in their own homes, when clients refuse reasonable requests for no smoking/vaping during the visit, line managers will

provide a letter to the client, requesting that the client and their family do not smoke/vape during the visit. If the client or occupants do not respect this, the manager will ask for an alternative venue for the appointment where reasonably practicable.

- Employees who are pregnant, suffer from asthma or other chronic respiratory condition may be at increased risk from exposure to second-hand smoke/vape, the employee should make their line manager aware of their condition. Alternative arrangements will need to be made to avoid them having to work in smoky homes.
- Employees who smoke/vape are not allowed to smoke during working hours regardless of where they are and this includes the homes of smokers/vapers.
- There will be a few exceptional circumstances where the dynamic assessment of the risk of attempting to insist on a smoke/vape-free environment or withdrawing from the situation will be outweighed by the risk from the resulting failure to provide the service. Examples of such home visits include:
 - ✓ Visits in connection with some child and vulnerable adult protection cases.
 - ✓ Situations where the service user is likely to be acutely distressed.
 - ✓ Situations where the service user's or other person's immediate health or safety would be compromised if the service was not provided at that time.
 - ✓ Where the service user is known to be terminally ill.

