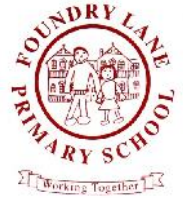


Foundry Lane Primary School
Smoking Policy



1. Position Statement

- 1.1 Health and Safety at Work legislation places a duty on all employers to provide and maintain a working environment which is safe and provides no risks to health, and to take appropriate protective and preventative measures to eliminate or reduce risk. The school's smoking policy reflects its duty to provide a safe working environment for its employees.
- 1.2 Smoking is prohibited by law in all of the school's workplaces. The rights of employees to work in a smoke free environment will always take precedence.

2. Purpose

- 2.1 To explain the restrictions placed on smoking at work by the school.

3. This applies to:

- 3.1 All employees, agency and contractors undertaking work for the school. In addition it applies to visitors, clients and members of the public when visiting school premises.

4. Roles and responsibilities

Managers must:

-) Be aware of the school's position regarding smoking at work
-) Ensure employees are aware of the school's position on smoking at work
-) Assertively challenge any employee smoking in prohibited areas

Employees must:

-) Be aware of the school's position regarding smoking at work
-) Not smoke in prohibited areas
-) Assertively challenge any employee smoking in prohibited areas. If they feel unable to do this, employees should report this to their manager.

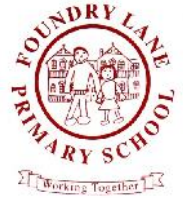
5. Definitions

5.1. Enclosed or substantially enclosed premises

Employees are not to smoke in any enclosed or substantially enclosed areas of work premises.

Buildings and premises are considered to be "enclosed" if they have a roof or a ceiling - which can be fixed, or a moveable device such a

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canvas awning - and, except for windows, passageways or doors, are wholly enclosed, whether on a permanent or a temporary basis.

6. Principles

6.1 The law does not prevent individuals smoking in private dwellings when they are receiving a service such as personal care, assistance with domestic work, or maintenance of the dwelling. However clients may be asked to refrain from smoking while employees are working.

6.2 No smoking areas

Smoking is prohibited at all times in:

- a) Anywhere on site of all school buildings and premises. Smoking areas or rooms will not be provided.
- b) Within the surrounds of any school
- c) School vehicles and private vehicles used to transport staff and pupils, e.g minibuses – this applies even if other users of the vehicle do not object.
- d) Within 10 metres of doors/windows or air intakes of any premises controlled by the school.

6.3 Signage

The school displays signs that make it clear that smoking is prohibited on its premises. The school also requires that no-smoking signs are displayed in all its vehicles.

6.4 Homeworkers

Homeworkers are not required to refrain from smoking during the course of work that is carried out for the school in their home, unless they invite others into an area of their home for work purposes, in which case this procedure will apply.

6.5 Electronic cigarettes

The school acknowledges that some employees may wish to make use of electronic cigarettes ("e-cigarettes") in the workplace, particularly as an aid to giving up smoking. Electronic cigarettes, also known as electronic nicotine delivery systems (ENDS), are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user.

Although they fall outside the scope of smoke-free legislation, the school prohibits the use of e-cigarettes in the workplace. The school's rationale for a ban on e-cigarettes is that:

-) There is currently no evidence of their efficacy as an aid to stopping smoking, or of their safety.
-) There is a known fire risk and several house fires have been reported caused by faulty battery packs/charger units.
-) Although they do not produce smoke, e-cigarettes produce a vapour that could provide an annoyance or health risk to other employees;
-) Some e-cigarette models can, particularly from a distance, look like real cigarettes, creating an impression that it is permissible to smoke.

6.6 Smoke Breaks

There is no requirement within the legislation to allow a break specifically for smoking as this would introduce an inequality for those who do not smoke, and as such the school has adopted this position of not allowing smoking breaks in core time.

6.7 Assistance for employees to give up smoking

Managers should actively encourage staff to stop smoking due to the known health risks. The school recognises the difficulties that some employees who wish to give up smoking may face. People are 4 times more likely to quit if they use the help of an NHS stop smoking service, who can provide expert support and guidance along with the best medication to make it easier to stop smoking. Below are some sources of support available to employees who wish to give up smoking, in addition to their GP:

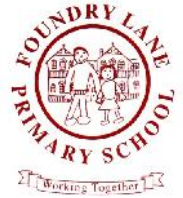
NHS Quitters 0300 123 3791

Quit4Life - <https://www.quit4life.nhs.uk/>

NHS Smokefree - <https://www.nhs.uk/smokefree>

Employees should attend appointments outside working hours where possible. However if this is not possible managers are expected to be flexible in allowing employees to attend, subject to operational

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requirements. This time will be unpaid or employees will be expected to make the time up.

6.8 Non-compliance

Any infringement of these rules by an employee may result in appropriate disciplinary action, which will be dealt with in accordance with the relevant disciplinary procedure. Refer to the Schools Model Disciplinary Policy and Procedure for more information.

For the first few breaches a quiet word may be all that is required to change behaviour. However if a pattern of repeated/persistent breaches occurs, it may be appropriate to progress to the formal stages of the disciplinary procedure for refusal of a reasonable management instruction and a breach of health and safety legislation.

Employees are also reminded that it is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.

6.9 Littering

Employees should be reminded that if they smoke, that cigarette butts should only be disposed of in the correct designated receptacles. Littering is unlawful, unsightly and creates an added burden on our City Services Street Cleaning operatives.

7. Links to related topics

7.1 Disciplinary Policy and Procedure

8. Review

Review Dates:

Reviewed June 2019

Next review date June 2021