



St Edward's Church of England
Primary School

Workplace Smoking Policy and Procedure

November 2015

**This policy is based on the
London Borough of Havering's
Workplace Smoking Policy and Procedure.**



WORKPLACE SMOKING POLICY AND PROCEDURE

SECTION ONE: POLICY OVERVIEW

1.0 INTRODUCTION

- 1.1 Exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses.
- 1.2 As an employer, the school has a duty, in common law, to take reasonable care to protect the health of its staff. The school acknowledges that breathing other people's tobacco smoke is both a public health hazard and a staff welfare issue. The Government also recognised this and introduced the Health Act 2006 to prohibit smoking in public buildings (including workplaces) from 1 July 2007.
- 1.3 The Health and Safety at Work etc. Act 1974 places a duty on employers to provide a working environment for its workers that is so far as is reasonably practicable:

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

Therefore, in order to meet its current legal obligations and to fulfil its role as a caring employer and service provider, the school has adopted the following policy concerning smoking at work.

2.0 PURPOSE OF THIS POLICY

The purpose of this policy is to set out the school's position regarding smoking at work and to provide information to help protect all staff, pupils, parents and visitors from the effect of smoke and second-hand smoke. Also, to update each individual on the laws surrounding smoking in the workplace and give guidance and support on how to stop smoking should a member of staff wish to stop smoking.

3.0 AIMS OF THIS POLICY

- 3.1 By introducing a policy on workplace smoking, the school aims to:
 - contribute to the school's vision and to government strategies for a healthier nation;
 - create a healthier workforce and reduce sickness absence;
 - create a healthier and more pleasant environment for all pupils, staff, parents and visitors by eliminating tobacco smoke from all school premises;
 - comply with its legal duties to protect the health, safety and welfare of its staff from the effect of passive smoke.

4.0 SCOPE OF THIS POLICY

This policy and procedure applies to everyone who works in the school, including contractors, consultants and Temporary Agency Workers (TAWs).

SECTION TWO: PROCEDURE

5.0 GENERAL PRINCIPLES

- 5.1 This policy retains many of the school's previously stated aims on tobacco smoking. It also seeks to strengthen those aims relating to smoking at work and the impact on the health of everyone who works at the school.
- 5.2 This policy seeks to provide everyone who works in the school, including contractors and TAWs, the right to work in an environment free from tobacco smoke and E-cigarette emissions, whilst recognising that some staff may wish to quit and others may not. Therefore, the policy offers support for those staff who wish to quit and clear guidance for those who do not.
- 5.3 The school **expects and requires** everyone who works in the school, including contractors, consultants and TAWs, to refrain from smoking whilst working on school premises.
- 5.4 The school expects all staff and visitors to refrain from smoking:
- on all school premises and associated grounds, including the school car parks;
 - in all school vehicles or vehicles used for school business.
- 5.5 Risk assessments will have to be carried out and special arrangements made, where necessary, in order to protect the staff's health in workplaces that are:
- within a service user's home; or
 - in places where the school has no control and staff may be subject to second-hand smoke.
- 5.6 **Staff are not permitted to leave their place of work during paid work time for the purposes of smoking. School staff who wish to smoke are to do so offsite in their own time.**
- 5.7 School staff, Local Authority staff, contract workers, TAWs, parents, carers, visitors and members of the public can be fined a penalty of up to £200 for smoking in any of the school's buildings.

6.0 E-CIGARETTES

6.1 E-cigarettes produce a visible vapour that can be seen by other staff, pupils, parents and members of the public. The vapour emission can possibly contain nicotine and other harmful and toxic substances, which may affect other staff's and pupils' wellbeing.

6.2 E-cigarettes are normally used for helping people to stop smoking. However, E-cigarettes are not allowed to be smoked on the school premises and all staff must refrain from smoking E-cigarettes during paid work time.

6.3 The school expects all staff and visitors to refrain from smoking E-cigarettes:

- on all school premises and associated grounds, including the school car parks;
- in all school vehicles or vehicles used for school business.

6.4 Risk assessments will have to be made and special arrangements implemented, where necessary, in order to protect the staff's health in workplaces that are:

- within a service user's home; or
- in places where the school has no control and the staff may be subject to second-hand smoke.

6.5 **Staff are not permitted to leave their place of work during paid work time for the purposes of smoking E-cigarettes. School staff who wish to smoke E-cigarettes are to do so offsite in their own time.**

7.0 BENEFITS OF A SMOKE-FREE WORKPLACE

7.1 For staff:

- a smoke-free environment helps to create a safe and healthy workplace;
- a thorough and efficient plan to address the effect of smoking on staff's health, and that of their families, to help show that the school cares about their staff's welfare;
- all staff will be protected from passive smoking in the workplace;
- staff who smoke are expected to respect the school's Workplace Smoking Policy, and adhere to the school's rules and regulations surrounding smoking, in order to support the school's aims towards protecting the health of its staff through having a smoke-free environment;
- it allows managers to control the issue of smoking and the taking of 'smoking breaks' better by having a clear structure to follow and being able to inform staff of the help and support they can receive to stop smoking.

7.2 For the employer:

- a smoke-free environment helps to create a safe and healthy workplace and improve the wellbeing of staff, including contractors and TAWs;
- direct health costs to the school may be reduced;
- maintenance costs will decrease when smoking amenities (butts, matches, etc.) are eliminated from school premises;
- school property and equipment will last longer;
- a future possibility to negotiate lower health, life and disability cover because smoking has been reduced and the staff is becoming healthier;
- the risk of a fire within the school premises will be significantly reduced.

8.0 ENFORCEMENT OF THE POLICY

8.1 The responsibility for enforcement of this policy lies with:

- the Head Teacher and Line Managers for breaches related to smoking during work time; and
- the Governing Body and Head Teacher for breaches related to smoking on school premises.

8.2 Breaches of this policy will be subject to the normal disciplinary procedures for staff.

8.3 Both staff and managers should challenge breaches of the policy by members of the public. Members of the public, who breach the regulations set out in the Workplace Smoking Policy, and refuse to comply, should be politely asked to leave the school's premises

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9.0 INFORMING SCHOOL STAFF OF THIS POLICY

9.1 This policy will be published on the school's Intranet (Fronter) for access by staff. Printed copies will only be made available by managers for staff who do not have access to the school's Intranet via a PC.

10.0 VISITORS AND TEMPORARY WORKERS IN SCHOOL

10.1 This policy applies equally to all visitors and anyone working on a temporary basis in school, including contractors, consultants, TAWs, etc., whether employed/engaged by the school or visiting the school premises for business or other reasons.

10.2 The following arrangements should be made for assisting compliance by visitors and temporary workers with this policy:

- suitable and sufficient signage should be provided on school premises to indicate that the site is a 'no smoking' environment and that there should be no smoking on the school's buildings or the school's grounds at any time;
- the receptionist, or person greeting the visitor or temporary worker, should inform them of the requirements of this policy and that there should be no smoking within the school's buildings or the school's grounds at any time.

11.0 SMOKING AND VEHICLES

11.1 Smoking, or the use of E-cigarettes, is not permitted in school-owned vehicles at any time.

11.2 The position regarding vehicles owned by staff is as follows:

- the school is 'smoke free' for all staff, including contractors, consultants and TAWs during working hours. Staff may only smoke off-site before or after work, or during their lunch break, in line with any relevant location requirements set out in this policy;
- the school regards smoking, or use of E-cigarettes, by staff alone in their own vehicles to be beyond its jurisdiction.
- If a member of staff is claiming a mileage allowance, he/she would be expected to provide transport for other colleagues travelling to the same destination. In that circumstance, they would not be permitted to smoke albeit that they are the owners of the vehicle. If the member of staff wishes to travel independently, he/she may not be permitted to claim mileage allowance.

12.0 RECRUITMENT PROCEDURES

12.1 Details of this policy should be included in the online or hard-copy recruitment packs associated with all job applications.

12.2 All job applicants should be made aware of the school's Workplace Smoking Policy at the interview stage.

12.3 On appointment, and in subsequent induction processes, all new members of staff should be provided with access to a copy of this policy.

13.0 HELP FOR STAFF WHO SMOKE

13.1 This policy recognises that second-hand smoke adversely affects the health of all staff. The school would wish to encourage its staff to give up smoking and seeks to influence

this by controlling **when** and **where** they smoke, thereby limiting the effects that smoking has on non-smoking colleagues and members of the public.

13.2 It is recognised that these changes may impact on the working lives of staff who smoke. In an effort to help individual staff in adjusting to the changes, the following assistance will be provided:

- free Smoking Cessation Support in work time for a limited period following the introduction of this policy;
- Occupational Health advice;
- counselling.

13.2 Havering Stop Smoking Service provides free information and support to people who would like to stop smoking. Specialist trained advisors are based throughout the Havering area. Further information can be found at www.nhs.uk/smokefree or by telephoning the Stop Smoking Service on 0208 532 6284.

13.3 Time off for attendance at Smoking Cessation Groups in work time will be allowed for a limited period following the introduction of the new policy. Arrangements for attendance must be agreed with line managers and the Head Teacher.

13.4 Support arrangements for employees should not interfere with the delivery of the school's services.

14.0 IMPLEMENTATION, MONITORING AND REVIEW

14.1 The responsibility for implementing this policy rests with the Governing Body, the Head Teacher and all school based staff.

14.2 The responsibility for monitoring the policy rests with the Governing Body and the Head Teacher.

15.0 CHANGES TO THIS POLICY

15.1 Reasonable notice will be given regarding any changes made to this policy. Trade Unions and Health and Safety representatives will be consulted with in good time about any proposed changes.

16.0 CONSULTATION

This policy is based on the London Borough of Havering's Workplace Smoking Policy and Procedure, which was devised in full consultation with Trade Unions representatives and those concerned with Health and Safety in Havering Council.

WORKPLACE SMOKING POLICY AND PROCEDURE

Approved by Head Teacher:

Head Teacher

Date