## Hillside Primary School

# No Smoking Policy





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## Smoke Free Premises Policy P627

### 1. Introduction

Tobacco smoking is probably the largest single preventable cause of ill health, and as such is now regarded by the Health and Safety Executive as a significant health risk to employees.

Research now also shows that, in addition to the possible harm caused to people who smoke, there are also risks relating to passive smoking.

Norfolk County Council (NCC) has operated a tobacco smoke-free policy since 1989 in the buildings under its control. In 2006 legislation was introduced to prevent smoking in public premises following consultation on restricting smoking in workplaces and other public buildings.

The use of Nicotine Vapourisers (NVs) also known as E-cigarettes, personal vaporizers (PVs), and electronic nicotine delivery systems (ENDS) is becoming more popular.

This policy on Smoke Free premises outlines our approach to ensuring compliance with the legal requirements as well as promoting healthy working environments more generally, including the use of NVs.

Employees should note that the law places requirements both on the smoker and the employer. Where employees smoke in premises or vehicles that it is illegal to do so they are liable to receive a fixed penalty notice and fine or may even be prosecuted by the enforcement authority.

### 2. Scope

In the main this policy relates to how our buildings are used and as such it applies to all users of our buildings including employees, members and service users. There are also sections in the policy that apply to employees who visit service users in their homes.

### 3. Principles

- Smoking is not permitted in or on any part of NCC premises or any part of any building controlled by NCC except suitably located, designated external smoking points.
- NCC employees are not permitted to smoke in service users homes even if those service users are themselves smokers. Where necessary, managers should seek service users co-operation to not smoke for 2 hours prior to a visit and whilst NCC workers are in their homes.
- Smoking is not permitted at any time in NCC owned vehicles or in any lease vehicle which is mainly used for work.
- NCC employees who smoke and use NCC lease cars that are mainly used for private purposes, or their own cars when travelling on NCC business:

    - Must not smoke when carrying passengers (colleagues or service users)
    - Are strongly encouraged not to smoke when driving – this may impair proper control of the vehicle.



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It is the responsibility of employees to ensure that the private versus work mileage test is applied and the relevant requirements complied with. You may personally receive a fixed penalty notice and fine for smoking in a prohibited vehicle.

- It is a legal requirement a legible no smoking sign is displayed in buildings and vehicles that are required to be smoke free. However, all no smoking areas must also be clearly identified as such through information and signage both to the occupants of the building and visitors.
- Use of NVs is prohibited in NCC buildings. NV users are not expected to use the designated smoking points but will be free to use the devices anywhere outside.
- Use of NV chargers is prohibited in NCC buildings due to the fire risk presented by these devices.

## 4. School environment

- The school site is at all times an entirely smoke free environment. Smoking is not permitted at any time anywhere in the school grounds or in the school buildings including toilets, corridors, staff rooms, car parks and playing fields.
- This policy applies to staff, pupils, parents, visitors, work experience students and contractors when they are on the school site. It also applies to all organisations who use the school premises at any time
- Signage around school is put up to remind all visitors of the school's smoke free policy. Compulsory signage is displayed as required by the Health Act. All transport provided or contracted by the school is smoke free and will display the compulsory signage as required by the Health Act.
- All staff and parent helpers are expected to refrain from smoking on all school trips, activities and events.

## 5. Visiting people in their homes

In the case of scheduled services delivered at home, the appointment letter/documentation to all people who use our service should include the following paragraph:-

"Norfolk County Council has introduced a Passive Smoking Home Visits Protocol. If you are a smoker, or live in a household where someone else smokes, please help to minimise the possible harmful effects of passive smoking by seeing the Norfolk County Council professional in a smoke free room/area. If possible, this should be in a room/area where no one has smoked for at least two hours. We would also request that you consider not smoking during their visit."

If the first appointment is made over the phone, the person can be advised of the Policy at that time. When an employee visits for the first time to a household where someone smokes, they will remind the person using our service of the Policy and check that they understand the reasoning behind it.

Where the person using our service and/or member of the household refuses to refrain from smoking, the Manager must assess the risk to employees from passive smoking to



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help them decide what the best options are for reducing risks. The general risk assessment form available on Infospace can be used as a template for this.

The service user should be informed that this is the next step in writing advising that although their right to smoke in their home is respected, their refusal to help minimise the risk of passive smoking to our employees may affect the service they receive.

The risk assessment and welfare judgement should consider:-

- The location, number of people smoking, quantity and type of tobacco smoke
- The length of time that staff members are exposed to passive/environmental tobacco smoke
- Any other relevant circumstances.

An assessment can be made on the scale of the problem, i.e.

- Where does the person using our service / family member smoke
- How many people smoke in the house?
- How bad does the smoke get (the density of tobacco smoke can vary)

From this assessment, managers should be able to determine what options are available for controlling exposure to any tobacco smoke. For example, for staff subjected to smoke in a person's home, consideration may be given to adopting a system of work that reduces the time an employee is exposed to smoke by including different staff members visiting on alternative visits.

Consideration must also be given to the cumulative effects of having more than one person who uses our service that smokes on an employee's caseload.

It is important to identify members of staff who have a pre-existing condition that is made worse by exposure to tobacco smoke, such as asthma, or who face additional risks e.g. due to pregnancy.

The outcome of the assessment will be shared with the person using our service.

Ultimately, if the person using our service/member of the household still refuse to comply with the request to stop smoking prior/during visits, and this is causing problems for our employees, then decisions will need to be made around the service delivery. Written notification of any agreed changes/reduction in service should be sent to the person using our service.



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In some circumstances, there will be people using our service and/or members of the household who are unable, rather than unwilling, to comply with the request not to smoke. In such circumstances, the Manager will still undertake the risk assessment and consider alternative ways of working, balancing the need to protect our employees whilst providing a vital service.

In emergency/unscheduled circumstances, where to insist on 'no smoking' could result in violence to employees, or add to the distress of those using our service, employees may need to exercise a degree of flexibility. In urgent medical situations, the immediate medical needs of a person using our service will always be paramount.

## 6. Nicotine Vapourisers (NVs)

Whilst it is not illegal to use NVs indoors, in consideration for other employees and people using our buildings, it is NCC policy that they are prohibited on school premises.

NVs are predominantly battery operated devices that mimic tobacco smoking and are often used as an alternative to smoking. They produce a vapour, including a variety of flavours/aromas either with or without nicotine.

Unlike Nicotine Replacement Therapy products (patches, gum etc) and other stop smoking medications NVs are not currently licensed or regulated, and therefore there are no guarantees about their safety, efficacy and quality. There is also some evidence that the vapour produced may cause an irritant to others for example those with respiratory health conditions such as asthma, particularly when used in enclosed and substantially enclosed public places. Therefore, public health experts would not recommend their use until they become a regulated product and there is clear and established evidence of safety and long term health impacts.

## 7. Smoking Breaks

NCC employees who wish to smoke (including NVs) must do so in non-work time (i.e. before or after work or during their lunch break). Where employees feel they are unable to wait until their meal break or the end of the working day for a smoking break, they may, at the discretion of their manager take unpaid breaks. These breaks are subject to the exigencies of the service and managers should oversee these agreements to ensure they are not abused to the detriment of non-smoking staff. As a guide, NCC considers that no more than three unpaid smoking breaks (including the meal break) should be taken per day/shift.

## 8. Parents and adult helpers

- Parents/adult helpers will be informed of the schools no smoking policy when engaged in any in or out of school event, visit, or attendance.



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- Parents will be discouraged from smoking at entrances and exits to the school site whilst delivering or collecting their child to avoid portraying smoking as acceptable to children and young people.

## 9. Contractors, visitors and other users of the school site

- Contractors and users of the school site will be informed of the school's no smoking policy during the making of arrangements to carry out work or use the school site.
- Contractors, visitors and users of the school site will be discouraged from smoking at exits and entrances to the school grounds, especially in view of pupils, in order not to undermine the school's no-smoking policy or to portray smoking as acceptable.
- Smoking inside work vehicles on site is not permitted.
- Breaches of the school's no-smoking policy by contractors will be reported to the relevant company via the headteacher.

## 10. Stop Smoking Services

If employees want to give up smoking the first place to start is to talk to your GP. They will not only give you advice but they could also enrol you in a 'stop smoking' clinic and prescribe nicotine patches/gum or stop smoking medication.

You could also improve your chances of successfully going smoke free with free advice and support from local stop smoking services.

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| www.norfolkslivingwell.org.uk | Telephone 0344 800 8029 |
| www.cignificant.co.uk | Telephone 0800 0854113 |

**Name/Signature of Governor**: Sue Stinton

**Name/Signature of Headteacher**: Simon Minter

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