

PORTFIELD SCHOOL & SATELLITE CENTRES



NO SMOKING POLICY

Review of Policy

This policy will be reviewed biennially unless changes of circumstances or legislation requires it to be amended earlier.

Adopted by the Headteacher and Chair of Governors on 05/06/2019

To be reviewed by: June 2021

Our Mission Statement

Working together Learning together Achieving together

At Portfield School we strive to

- Create a happy, safe, supportive and stimulating learning environment
- Value everyone
- Develop everyone's personal, social, emotional health and wellbeing
- Promote relevant academic and vocational skills
- Meet individual needs through an imaginative and flexible approach
- Enable all learners to achieve their full potential

UNCRC United Nations Convention on the Rights of the Child

- Portfield School places the values and principles of the UNCRC at the heart all policies and practices
- Portfield School is a Rights Respecting School

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1. Introduction

- 1.1. Portfield School is committed to providing a smoke free environment for all its employees whilst they are at work.
- 1.2. Portfield School is committed to promoting the health and wellbeing of its employees and to provide information, advice and support for employees who wish to cease smoking. **[Appendix 1]**
- 1.2. Smoking, including Passive Smoking, has been proven to be a cause of lung cancer, heart disease and many other illnesses. Action on Smoking and Health (ASH) claim that every year in the UK 1,200 people (three a day) die due to passive smoking¹. Accordingly, the Government legislated in the Health Act 2006, for the prohibition of smoking in public places, premises and vehicles.

2. Scope

- 2.1 This Policy shall apply to all employees and students of the School, including school based staff, volunteers, Governors and contractors. To visitors and members of the public whilst on School premises.

3. Key Legislation

The legislation underpinning this Policy is contained in:

The Smoke-Free Premises etc (Wales) Regulations 2007 - sets out specific arrangements for smoke-free legislation in Wales, came into effect on 2nd April 2007.

makes provision for the prohibition of smoking in certain premises, places and vehicles; a person found guilty of an offence under these regulations is liable on summary conviction to a fine not exceeding a level on the standard scale specified in regulations made by the Secretary of State

it is the duty of any person who controls or is concerned in the management of smoke-free premises to cause a person smoking there to stop smoking, a person found guilty of an offence under this section is liable on summary conviction to a fine not exceeding a level on the standard scale specified in regulations made by the Secretary of State.

The Health and Safety at Work Act 1974 - employers have a general duty to ensure so far as is reasonably practicable the health, safety and welfare at work of all their employees whilst they are at work. Employees also have duties to take reasonable care for the health and safety of themselves and others and to co-operate with the employer as far as is necessary to enable the employer to comply with the requirements of the Health and Safety at Work etc Act.

4. Definitions

For the purposes of this Policy the following definitions apply:

"Smoking" means smoking by **any means**, whether cigarette, cigar, pipe, herbal cigarette, e-cigarette or any other product. Reference in this policy to cigarettes shall mean any of the aforementioned products.

"School Premises" shall include School buildings, and any enclosed areas which would come within the definition of "enclosed" and "substantially enclosed" workplaces

5. Responsibilities

- 5.1 The School shall ensure that employees' views on the implementation and operation of this Policy are sought and considered through the usual process of consultation.

1. ¹ ACTION ON SMOKING AND HEALTH. (2003) *Killer on the loose: passive smoking at work kills three people every day*. Press release. London: ASH. Available at: <http://www.ash.org.uk/html/press/030408.html>

- 5.3 The Headteacher with Health and Safety responsibilities shall ensure, so far as is reasonably practicable, that this Policy is adhered to by all employees, contractors and visitors to the School Premises **[Appendix 2]**.
- 5.4 Notices will be prominently displayed at the entrances to the school showing that Portfield School is a smoke free organization.
- 5.4 Employees shall ensure, so far as is reasonably practicable, that any visitor to School premises, complies with this Policy **[Appendix 2]**.
- 5.6 Employees shall co-operate with the School in the implementation and operation of this Policy.
- 5.7 Any employee who wishes to make representations regarding the operation of this Policy, should refer the matter to the Headteacher.

6. Policy

- 6.1 Portfield School operates a NO SMOKING policy on the school premises and immediate surroundings.
- 6.2 Employees, contractors & visitors are forbidden from smoking in the immediate surroundings of the School including steps, entrance-ways, exits, ramps, forecourts, and porches
- 6.3 Smoking will not be permitted in any vehicle bearing the County Council logo, carrying pupils, or at the wish of any occupant in vehicles carrying employees in the course of their duties.
- 6.4 Employees are permitted to smoke away from the immediate surroundings of the School property provided they are not 'at work' at the time.
- 6.5 Employees wishing to smoke will be permitted to smoke in their own time during the designated break and lunch times off the school premises and should ensure that smoking related rubbish is suitably disposed of.
- 6.6 Employees are not permitted to smoke whilst they are 'at work', irrespective of their work location. The definition of 'at work' therefore includes employees who typically work outdoors,
- 6.7 The School, in partnership with Voluntary Agencies, will assist any employee who wishes to stop smoking. Such employees should contact Occupational Health for further information. **[Appendix 1]**.
- 6.8 The Council will regard any breach of this Policy as a disciplinary offence.
- 6.9 Any person in breach of this Policy and **The Smoke-Free Premises etc (Wales) Regulations 2007** will be subject to penalties for non-compliance.
- 6.10 "No Smoking" signage will be displayed in the School.
- 6.11 The school does not allow the sale of tobacco products and materials on its premises. The display and advertising of tobacco products is prohibited on the premises and the school does not hold any tobacco stocks or shares.
- Addition of e-cigarettes in the smoking policy and on the website.

7. Monitoring and Review

The policy will be reviewed in consultation with staff, parents and governors in line with the planned cycle of monitoring outlined in the School Development Plan.
Amendments will only be made after full consultation with staff and governors

8. Record Keeping

The Head will retain a copy of any written complaint or request relating to this Policy, and will pass such copy to the Governors

Appendix 1

Help in Stopping Smoking

The following sources of support are available for smokers who want to stop.

<https://www.nhs.uk/live-well/quit-smoking/nhs-stop-smoking-services-help-you-quit/>

National NHS Smokers Helpline (0800 169 0 169)

Pembrokeshire County Council
Occupational Health
Haverfordia House
Winch Lane
Haverfordwest
Tel: 01437 775318
tina.blackmore@pembrokeshire.gov.uk

Stop Smoking Wales (0808 223 0706)

<https://www.helpmequit.wales/>

Action on Smoking and Health (ASH)

6th floor, Suites 59-63,
New House,
67-68 Hatton Garden,
London EC1N 8JY
Tel: 020 7404 0242
<http://www.ash.org.uk/>

ASH Cymru
<https://ash.wales/>
Tel: 029 2049 0621

Welsh Government

The Smoke-Free Premises etc (Wales) Regulations 2007

The regulations cover issues such as exemptions to the ban on smoking in enclosed public places and workplaces, the no-smoking signage requirements and arrangements for enforcement of the ban.

<http://www.legislation.gov.uk/wsi/2007/787/contents/made>

Appendix 2 while most people will respect the new law on smoking, the following chart outlines some steps for dealing with someone who decides to smoke on Council Property.

