



**MELLERS PRIMARY SCHOOL  
SMOKE FREE POLICY  
SEPTEMBER 2013**

## **Purpose**

This policy has been developed to:

- Protect all staff, pupils, citizens and visitors from exposure to second-hand smoke
- Ensure compliance with the Health Act 2006 and the 2007 Smoke free Regulations and contribute to the Nottingham City Council's Health and Wellbeing at Work Strategy.

The policy aims to take all possible measures to protect stakeholders from the dangers of second-hand smoke and to raise awareness among the Nottingham community of the health risks associated with tobacco.

Local councils are responsible for enforcing the smoke free regulations. Nottingham City Council offers information and support to help businesses and others to meet their legal obligations. All schools are covered by the smoke free legislation. As employees of Nottingham City Council, adults in schools act as role models for pupils, so in order to reduce the uptake of smoking amongst young people it is recommended that governing bodies and head teachers continue to apply the smoke free policy as produced by the city council.

## **Background**

Smoking is the number one preventable cause of death in the United Kingdom (UK). Exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses. In Nottingham around 1 in 3 people smoke and this high level of smoking is a major contributor to the city's lower than average life expectancy. The Nottingham Plan (our Sustainable Community Strategy) has a target to reduce smoking prevalence in Nottingham to 20% by 2020. The council has a leading role to improve public health, and reduce the preventable death, disability and disease that smoking causes each year in the community.

The council prohibited smoking inside its office-based buildings and vehicles in 1993. This went a long way towards protecting our workforce from second-hand smoke. In 2005, a series of proposals to further restrict smoking by colleagues and citizens at city- controlled work areas and public places were phased in culminating in all council sites becoming smoke free.

England became smoke free on Sunday 1st July 2007. The law aims to protect colleagues and the public from the harmful effects of second-hand smoke. It is against the law to smoke in virtually all enclosed public places, workplaces and public and work vehicles and elements of this Policy reflect colleagues and the council's legal obligations under the smoke free legislation.

Furthermore, the Health and Safety at Work Act 1974 places a duty on employers to provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risk to health and adequate with regard to facilities and arrangements for welfare at work. Nottingham City Council recognises and fully accepts the responsibilities to provide a working environment where employee safety and health is of great importance.

## **Policy**

Smoking will not be permitted in school or council owned and operated buildings and associated outdoor areas such as depots, yards and car parks or in school vehicles. The restrictions apply to all colleagues, consultants, contractors, service users, visitors, volunteers, colleagues employed by other organisations, and to third parties hiring school premises.

School staff members are not permitted to smoke during working hours or to leave their place of work during work time to smoke. Smoking is only permitted during contractual breaks and lunchtimes regardless of location.

In line with the policy's aim to discourage tobacco, the use and sale of tobacco products, matches and lighters is prohibited in all school premises.

No-smoking signs are displayed in all smoke free premises and vehicles in accordance with the smoke free legislation.

Smoking is prohibited in all vehicles owned, leased or hired by the city council. Colleagues are strongly discouraged from smoking in their own vehicles while on council business, and are required not to smoke if they are carrying passengers in the vehicle for work purposes.

It is a criminal offence for anyone to sell, transport or possess illegal tobacco products. The selling, storing and dealing in any way of illegal cigarettes and tobacco on Council premises will not be tolerated.

## **Management**

Managers of smoke free premises and vehicles are responsible for preventing people from smoking. Managers with concerns about non-compliance in premises they manage should contact the Food and Health and Safety Team or the smoke free Nottingham Coordinator for advice.

Managers are expected to lead by example, and comply fully with the smoke free workplace policy. Managers will be responsible for the promotion of the policy and for ensuring that their teams comply.

All school staff members who wish to smoke during official breaks should stand well away from all buildings and site entrances. Wherever possible they should smoke out of sight of the general public and should dispose of their litter responsibly.

The Headteacher and Leadership Team must ensure that the smoke free workplace policy should be made clear to applicants at all stages of each recruitment process and to new colleagues as part of the induction process.

## **Employee Wellbeing**

Employee Wellbeing will provide support and advice to those colleagues who wish to stop smoking in partnership with stop smoking service providers e.g. New Leaf.

## **Non-compliance**

Any breach of the smoke free workplace policy will be viewed as potential misconduct under the disciplinary procedure and persistent breaches of the policy, potential gross misconduct. This will also apply to managers of facilities and buildings who persistently fail to impose the smoking ban at the sites under their control.

Any member of the public in breach of the policy at school or council-owned or controlled indoor and outdoor locations should be reminded the site is smoke free. Managers should advise colleagues to treat the breach in the usual manner and ask the person to extinguish their tobacco products, the incident should be reported to the line manager. If the person still refuses to comply, colleagues should ask the person to leave the site or premises, if it is safe to do so, as they are in breach of council policy. Documented health and safety risk assessments should be extended to cover the arrangements necessary to deal with these situations.

## **Help to Stop Smoking**

The headteacher recognises that nicotine is an addictive substance and that some colleagues who smoke may have great difficulties complying with the policy and it is essential that this is treated sensitively and with empathy; therefore for colleagues who want to stop smoking the following support will be in place to help them:

Information on the free local stop smoking service, New Leaf, will be made widely available to colleagues via HR, Employee Wellbeing, the Intranet and via their line manager. The school will give colleagues who smoke and wish to quit, up to 3.5 hours paid leave to attend New Leaf sessions. This will be by arrangement with, and monitored by, the Headteacher. If further sessions are needed, colleagues will be encouraged to arrange in their own time.

## **Useful Contacts**

New Leaf Nottingham – 08005612121

[www.smokefree.nhs.uk](http://www.smokefree.nhs.uk)

[www.smokefreeengland.co.uk](http://www.smokefreeengland.co.uk)

[www.hse.gov.uk](http://www.hse.gov.uk)

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