Diocese of Norwich Education and Academies Trust

Smoke Free Policy

Policy Type:	**Trust Policy**
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Approved By:	**Trust Executive Team**
Approval Date:	**14/06/2023**
Review Date:	**June 2026**
Person Responsible:	**Head of Estates**

Summary of Changes

The model policy has been revised to reflect these changes to the local information and statutory guidance as outlined below.

Page Ref.	Section	Amendment	Date of Change
5	3	Section updated for clarity	March 21
3		Christian Ethos and Values and Our Roles and Responsibilities section updated	Apr 23
1	Cover page	Person Responsible updated in line with DoNESC structure	Apr 23
5	Statement of intent	Signatures removed	Apr 23

Our Christian Ethos and Values

All policies within the Diocese of Norwich Education and Academies Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

We have high ambition for all, and we truly value the wider educational experience.

We walk and talk our Christian values. We put people at the centre of the organisation and want to see them flourish and grow. Our schools are inclusive, welcoming those of all faiths and none.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation for each academy it sets out the responsibilities of the Trust, its Executive Officers, the Local Governing Body and the Principal / Head Teacher. The Principal / Head Teacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

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Statement of intent

Whitefriars Church of England Primary Academy

The Academy Trust has a duty to protect its employees and pupils from known hazards. We understand that the health risks associated with smoking are serious and detrimental for those who smoke, as well as people within close proximity.
Through this policy, we aim to:

- Create a smoke-free environment for all those within the school community, including staff, pupils, visitors, parents, etc.
- Create a smoke-free environment whilst attempting to be sensitive to those who find it difficult not to smoke.
- Clarify the use of e-cigarettes and cigarettes on, and around, the academy premises.

1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:
- Health and Safety at Work etc. Act 1974
- Health Act 2006
- Children and Young Persons (Protection from Tobacco) Act 1991
- Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015
- Equality Act 2010

1.2. This policy also has due regard to guidance including, but not limited to, the following:
- Public Health England (2016) 'Use of e-cigarettes in public places and workplaces'

2. Policy application

2.1. The principles outlined in this policy apply to all staff, pupils, visitors, contractors and parents.

2.2. This policy applies to all forms of smoking, including e-cigarettes/vaping. The term smoking will cover all such activities.

2.3. The principles outlined in this policy also continue to apply whether or not 'no smoking' signs are displayed.

2.4. All areas of the academy premises, including outdoor areas, are designated smoke-free environments and, as such, all individuals are prohibited from smoking anywhere on the premises.

3. Smoking on the premises

3.1. Smoking is prohibited on the academy premises at all times; there are no designated areas available on the academy premises for smoking.

3.2. Staff, contractors, visitors and pupils are not permitted to smoke within sight of the academy premises during school hours and must remove any identifying items such as lanyards and id cards; this is to reduce the risk of pupils, parents and other members of the school community witnessing the individual smoking, which may affect professional etiquette.

3.3. Any individual who is witnessed smoking on the premises, or within sight of the academy during school hours, or wearing identifying items anywhere whilst smoking, will be subject to disciplinary sanctions, as outlined in section 5 of this policy.

3.4. Smoking is not permitted at any time in vehicles being used on behalf of the academy, e.g. school minibuses, whether or not pupils are present, as smoke fumes may linger in the vehicle and affect the health of other passengers.

3.5. Smoking is not permitted in any personal vehicles on the academy premises or within sight of the academy

3.6. Any individual witnessed smoking in personal vehicles as outlined above, or in vehicles used on behalf of the academy, will be subject to disciplinary action as outlined in section 5 of this policy.

3.7. The academy does not allow smoking breaks at any times during the school day. If an individual wishes to smoke, they are only permitted to do so during arranged break times, e.g. lunch time, and in accordance with the principles outlined above.

NB. Only contractors, visitors and staff are permitted to leave the academy premises during their break times to smoke.

3.8. It is illegal for any individual under the age of 18 to smoke. Any pupil witnessed smoking on the premises or within a one-mile radius during school hours will face disciplinary action.

3.9. Staff, visitors and contractors are prohibited from purchasing cigarettes, e-cigarettes or smoking materials for pupils and any other individuals under the age of 18 at the academy, e.g. visitors.

4. Home visits

4.1 Academy staff may carry out home visits for a range of purposes, including, but not limited to; visits before children start in nursery/reception, for family support work, to promote attendance and for safeguarding

4.2 The Trust passive smoking home visits protocol (see appendix 1) should be shared with families before any visits, preferably in writing, to ensure that we can safeguard all staff who undertake such visits

5. Disciplinary sanctions

5.1. If a member of staff breaches any of the guidelines in this policy, they will be subject to disciplinary action in accordance with the academy's Staff Discipline Policy.

5.2. Visitors and contractors who breach the guidelines in this policy will be asked to leave the premises. Refusal to comply with this request may result in the academy contacting the police.

5.3. Pupils will be classed as smoking if:

- They are seen smoking or vaping.
- They are seen with a lit cigarette or e-cigarette in their hand.
- They are found to have cigarettes, an e-cigarette or other smoking materials openly in their possession.
- They are seen in the company of others who are smoking or vaping.

5.4. Pupils caught smoking will receive a disciplinary sanction immediately in accordance with the academy's Behavioural Policy and will be reported to the headteacher.

5.5. The headteacher will notify the pupil's parents of the incident and the disciplinary sanctions imposed on the pupil via a written letter.

5.6. The pupil will attend a meeting for health advice as soon as possible.

5.7. If pupils are continuously caught smoking, their parents will be invited to a meeting with the headteacher and further disciplinary sanctions may be imposed on the pupil in accordance with the Behavioural Policy.

6. Support

6.1. The academy aims to implement effective, supportive procedures for those who want to quit smoking, and improve the health of both smokers and non-smokers.

6.2. If an employee wishes to stop smoking, they are able to request a meeting with the headteacher to discuss what help is available.

6.3. The academy regularly educates pupils about the effects of smoking, both through the requirements of the national curriculum, and through additional sessions, e.g. PSHE lessons and assemblies.

6.4. Pupils are encouraged to seek help from the headteacher if they would like further information about the effects of smoking, would like to quit smoking, or would like to know more about additional methods of support.

7. Monitoring and review

7.1. This policy will be reviewed every three years by the Trust.

7.2. Any changes made to this policy will be communicated to all members of staff, and pupils if necessary.

7.3. All staff, visitors and contractors are required to familiarise themselves with this policy as part of their induction periods, or upon their attendance at the academy.

Appendix 1 – Trust passive smoking home visits protocol

1. In the case of scheduled visits all families should be given the following information, either verbally or in writing;
2. **"The Trust has 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 our Trust employees 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 do not smoke during their visit. Please note our definition of smoking also includes vaping/the use of e-cigarettes."**
3. If a family member says they cannot, or will not, adhere to the protocol before a visit is carried out, the line manager of the staff member due to conduct the visit must assess the risk to employees from passive smoking and decide what the best options are for reducing risks. The general risk assessment form can be used as a template for this. Discussion with the family to be visited will also help to identify mitigating actions or alternatives to the home visit. The person/householder should be informed of the next steps in writing.
4. If a staff member visits a household where someone is smoking, they will remind the smoker of the protocol, and check that they understand the reasoning behind it. Where the person/household refuses to refrain from smoking, the staff member should make an active risk assessment and is entitled, if the person refuses to stop smoking in their presence, to leave. If this happens the risk assessment steps outlined in 3. above should then be followed.
5. In emergency/unscheduled circumstances, where to insist on 'no smoking' could result in violence to employees, or add to the distress of individuals, staff may need to exercise a degree of flexibility. In urgent medical situations, the immediate medical needs of all concerned (staff, families and children) will be the key driver of our actions.