



Smoking Policy

Berkeley Primary School

Policy agreed by Governors	November 2024
Review date	November 2029
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INTRODUCTION

- 1** As a responsible employer this school seeks to ensure the health, safety and welfare of its students, employees, governors, members of the public and all others affected by its activities. The school believes that all individuals should have the right to breathe smoke-free air.
- 2** This policy applies to all employees of the school. Furthermore the policy encompasses governors, members of the general public, contractors and students of the school and relates to all school premises including the entire school site, together with school transport, except where expressly stated.

LEGAL POSITION

- 3** It is against the law to smoke in virtually all enclosed public places, work places and public and work vehicles. The legislation applies to anything that can be smoked including cigarettes, pipes (including water pipes such as shisha and hookah pipes), cigars and herbal cigarettes.
- 4** In addition to this, the school does not permit the use of electronic cigarettes (ecigarettes), also known as 'vaping' on school premises or in school vehicles. Ecigarettes are battery powered products which release a visible vapour that contains liquid nicotine inhaled by the user. Ecigarettes fall outside the scope of the smoke free legislation but some models can, particularly from a distance, look like real cigarettes, making this policy difficult to enforce. This may also create an impression for visitors, other employees or students that it is acceptable to smoke on school premises.

STATEMENT OF PRINCIPLES

- 5** All school buildings and their immediate vicinity will be smoke free areas. This includes all work areas, public areas, class rooms, corridors, entrance halls, toilets, lifts, meeting rooms, recreation areas, staff rooms, common rooms and any rooms previously allocated as smoking rooms.
- 6** The immediate vicinity of the buildings is defined as all entrance/exit areas and attached hard standings.
- 7** All operational school vehicles will also be smoke free.
- 8** The school recognises the difficulty that some employees and governors may have in complying with this policy. It also acknowledges that not all smokers will wish to quit. However, any employee or governor considering stopping smoking can access the support of the North Lincolnshire Healthy Lifestyle Service. This service offers initial one-to-one assessments, help to access nicotine replacement, and other support for individuals wishing to become smoke free. The council's Confidential Staff Welfare and Counselling Service is also available for support.

THE POLICY RELATING TO EMPLOYEES AND GOVERNORS

- 9** Employees and governors must not smoke in school buildings or the immediate vicinity at any time.
- 10** Employees will not be permitted to smoke in operational school vehicles at any time.
- 11** Drivers must not smoke whilst travelling on school business, if so requested by a passenger in that vehicle. This is defined as any journey for which mileage may be claimed. The driver may also request passengers not to smoke.
- 12** Employees who hire a vehicle will not be permitted to smoke and will be responsible for ensuring that passengers do not smoke in the vehicle. This statement will be incorporated into the published conditions of hire. Each vehicle will display a 'No Smoking' sticker.



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- 13.** Substantially enclosed smoking rooms are no longer permitted.

Note 1: Enclosed or substantially enclosed is defined as a building, room, shelter or entrance which has a roof and an opening in the walls (excluding doors and windows) which are less than half of the total area of the walls. Put simply, a roof and three or more walls and more than 50% enclosed.

- 14.** Employees will not be allowed to take smoking breaks.
- 15.** The Headteacher or nominated officer involved in the recruitment process will be responsible for informing all job applicants of this policy before offers of appointment are made or accepted. In addition, recruitment material will highlight this policy and make all potential employees aware of its application at an early stage.
- 16.** Information on the policy will be included in the induction training for all employees and governors. This will include information on the support available for employees and governors trying to stop smoking.
- 17.** All contractors entering into a contract with the school must abide by the policy. This will be made clear in contract documentation prior to any contract being agreed.

THE POLICY RELATING TO THE PUBLIC

- 18.** Members of the public will not be permitted to smoke on school premises and will be discouraged from smoking in the immediate vicinity.
- 19.** Signs prohibiting smoking will be prominently displayed in every school building and a copy of this policy will be readily available.

THE POLICY RELATING TO THE SCHOOL AS A COMMUNITY LEADER

- 20.** The school will not approve the use of any of its buildings, outdoor facilities, vehicles or advertising space including publications, for any purpose which is promoted or sponsored, by any firm or organisation engaged in the sale of tobacco or tobacco products.
- 21.** Tobacco products will not be sold in the school building.

ENFORCING THE POLICY

- 22.** Employees who are in breach of the smoking policy will initially be advised that their behaviour breaches the policy, they will be reminded of/offered the use of the previously identified support that is available to them and warned that further breaches may result in formal disciplinary action.
- 23.** For those employees choosing to smoke in the environs of the school are reminded of their responsibility to dispose of all cigarette waste in a safe and appropriate manner. Failure to properly dispose of cigarette waste could result in individuals being issued with a fixed penalty notice.
- 24.** The Headteacher or nominated officer will be responsible for promoting the policy, ensuring compliance with the policy, its effective implementation and consistent application.
- 25.** Failure to comply with the legislation is a criminal offence and employees should be aware that smoking in smoke free premises or enclosed work vehicles can attract a fixed penalty, or if an individual is prosecuted, a substantial fine. Failure to display no smoking signs can also lead to a fixed penalty or if prosecuted, a substantial fine. Failure by the school to prevent smoking in a smoke free place can also lead to substantial fines.