

Smoke Free Policy

October 2022



1. Document Control

Primary Contact:	ATLP Operations & Estates Team Andrew Birch Health & Safety Manager a.birch@atlp.org.uk
Version:	02
Status:	Final
Updated:	October 2022 March 2020
Related Documents:	ATLP Staff Code of Conduct ATLP Student Behavioural Policy ATLP Health & Safety Policy
Review Date:	Biennial or upon legislative change October 2024
Approved/Ratified by:	Trust Board 17 th October 2022

2. Statement of Intent

The Arthur Terry Learning Partnership (ATLP) has a duty to protect its employees and students from known hazards. We understand that the health risks associated with smoking & vaping are serious and detrimental for those who smoke and vape, as well as people within close proximity.

Through this policy, the ATLP aims to:

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

3. Legislative Framework

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

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'

4. Policy Application

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

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

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

E-cigarettes on the Premises

For the purposes of the policy, the process of using e-cigarette is defined as vaping.

Vaping on school premises is prohibited at all times. There are no designated areas available on the school premises for vaping.

Vaping is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, where car mileage allowance is being claimed, and at times when students are present in the vehicle.

Vaping is not permitted in any personal vehicles on the school premises.

Any individual witnessed vaping as outlined above will be subject to disciplinary action as outlined in section 5 of this policy.

The school does not allow vaping breaks at any times during the school day. If an individual wishes to use their e-cigarette, 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 school premises during their break times to use e-cigarettes.

It is illegal for any individual under the age of 18 to use an e-cigarette. Any student witnessed using an e-cigarette on the premises will face disciplinary action.

Staff, visitors and contractors are prohibited from purchasing e-cigarettes or e-liquids (refill containers) for students and any other individuals under the age of 18 at the school, e.g. visitors.

Smoking on the Premises

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

Staff, contractors, visitors and students are not permitted to smoke on site.

Any individual who is witnessed smoking on the premises, will be subject to disciplinary sanctions, as outlined in section 5 of this policy.

Smoking is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, whether or not students are present, or car mileage allowance is being claimed.

Smoking is not permitted in any personal vehicles on the school premises.

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

The school 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 school premises during their break times to smoke.

It is illegal for any individual under the age of 18 to smoke. Any student witnessed using cigarettes on the premises will face disciplinary action.

Staff, visitors and contractors are prohibited from purchasing cigarettes for students and any other individuals under the age of 18 at the school, e.g. visitors.

5. Disciplinary Sanctions

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

Staff may also be subject to a penalty fine and possible criminal prosecution depending on the nature of the breach.

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 school contacting the police.

Students will be classed as smoking or vaping 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.

Students caught smoking or vaping will receive a disciplinary sanction immediately in accordance with the school's **Behaviour Policy**.

The **school** will notify the student's **parents** of the incident and the disciplinary sanctions imposed on the student via a written letter.

If students are continuously caught smoking or vaping, their parents will be invited to a meeting with the **school**, and further disciplinary sanctions may be imposed on the Student in accordance with the **Behaviour Policy**.

6. Support

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

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

7. Monitoring and Review

This policy will be reviewed on a biennial basis by the ATLP Health & Safety Manager, in conjunction with the ATLP Governance & Compliance Manager, and ratified by Trust Board if any changes are recommended.

Any changes made to this policy will be communicated to all members of staff, and Students as necessary.