

# SMOKE FREE

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This policy applies to all employees, parents, other users, contractors and visitors.

## **Purpose**

This policy has been developed to protect all employees, parents, pupils, other users, contractors and visitors from exposure to second-hand smoke and to assist compliance with the Health Act 2006.

Exposure to second-hand smoke increases the risk of lung cancer, heart disease and other serious illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

## **Policy**

It is the policy of Thomas Estley Community College that all our workplace is smoke free and all employees have a right to work in a smoke free environment. As per the College's Welfare Arrangements within its Health & Safety Policy, **SMOKING IS NOT ALLOWED** on site and this includes the use of e-cigarettes.

As a result of the smoke free law in England, smoking is prohibited in all enclosed and substantially enclosed premises in the workplace.

## Smoking on Duty

Smoking is not permitted by any staff during their directed work time, or when supervising or assisting in a voluntary capacity with any out of school activities (whether held inside or outside the premises or off site). During trips, staff need to make appropriate arrangements to ensure any pupils in their care have adequate supervision by others to accommodate a smoking break which must be taken away from the party.

## Smoking Outside

The College does not allow smoking outside/on its grounds or car park during the period that pupils/out of school club children are on site. After 6pm, smoking by community users outside cannot be policed but is discouraged. During hire of the facilities for parties etc, a bucket with sand in is available outside away from the front/rear entrance to the premises to prevent cigarette stubs being discarded on the grounds. Details of area is shared with the hiring parties. The aim is to stop smoke drifting into buildings through open windows or doors and make sure people don't have to walk through clouds of smoke to enter a building because smokers congregate outside.

## \*Smoking in Vehicles

Since 1 July 2007, the following requirements have applied:

- Smoking will not be allowed where more than one person is travelling in a lease or privately owned vehicle whilst on business, either by the driver or passengers;

For local amplification, the following will also apply:

- Smoking is prohibited in all vehicles being used for work related activities. This includes coaches, minibuses and private vehicles which are being used in a voluntary work capacity to transport any other employee, pupil or person.

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## Stop Smoking Support

The NHS offers a range of free services to help smokers give up. Visit [gosmokefree.co.uk](http://gosmokefree.co.uk) or call the NHS Smoking Helpline on 0800 169 0 169 for details. The College nurse is also available for staff to discuss routes to quit smoking.

## **Non-Compliance**

Staff in charge of the premises have a legal responsibility to prevent people smoking anywhere in the College. If someone does smoke, it is recommended that the practical steps on 'How to Deal with smoking in a Smoke free Place' provided on the NHS Smoke free England website is followed (copy attached).

The Governors are responsible for enforcing the smoking ban law in England. The College has a legal responsibility to ensure compliance with the smoke free law. Local disciplinary procedures will be followed if a member of staff does not comply with this policy. Anyone who does not comply with the smoke free law will be committing a criminal offence and may be liable to a fixed penalty fine and possible criminal prosecution.

## **Implementation and Review**

Overall responsibility for policy implementation and review rests with the Resources and Environment sub committee of the Governing Body, who will review this policy every 3 years or sooner if legislative changes require. The College Manager is responsible for organising its update via Resources and Environment committee consultation.

All staff are obliged to adhere to, and support the implementation of the policy. All existing employees were given a copy of this policy in June 2008. All new personnel will receive a copy of the policy on induction.

The policy is included in the procedures section of the wider College's Health and Safety Policy.

Appropriate 'no-smoking' signs will be clearly displayed at the entrances to and within the premises.

The College has extensive smoke and heat detectors throughout the building which are linked directly to an alarm call centre.

## **Equality Monitoring**

Thomas Estley Community College's commitment to equality and diversity means that this policy, via an Equality Impact Assessment, has been screened in relation to the use of gender-neutral language, recognition of the needs of disabled people, promotion of the positive duty in relation to race, age, disability and avoidance of stereotypes.

Based on the Equality Impact Assessment findings, this policy is judged to be of low impact against the equality strands of Race, Gender, Religion, Disability Sexual Orientation and Age. A copy of the Equality Impact Assessment of this policy is available from the Principal's PA.

This Policy is available in alternative formats on request. If you think we can improve the fairness of this Policy, please contact the individual who has responsibility for its update.