



## Copnor Primary School – Health and safety Policy

### C9 – Smoking at Work

#### **1. Rationale**

- 1.1. The Governing Body recognises the risks of smoking tobacco both to smokers and non-smokers. The aim of this policy is to minimise the harmful and unpleasant effects of smoking on staff and the public and to offer all employees who smoke positive assistance to give up.
- 1.2. It is the right of all employees not to be exposed to the inhalation of tobacco smoke whilst working. Employees do not have to work in a smoking environment. All smokers may receive support should they wish to stop smoking; it is the duty of all employees to conduct themselves in a manner which is conducive to the health and safety of others.
- 1.3. Passive smoking, breathing other people's tobacco smoke, has been medically proven to cause lung cancer and heart disease in non-smokers, as well as many other illnesses and minor conditions.
- 1.4. Section 2(2)(e) of the Health and Safety at Work etc. 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 as regards to facilities and arrangements for welfare at work."
- 1.5. Therefore, the following policy has been adopted concerning smoking in school.

#### **2. General principles**

- 2.1. The employer has a duty in common law to take reasonable care to protect the health of employees. An employer who receives a complaint about the effects of smoking, but ignores it, could be sued for any resultant damage to health. As part of the Management of Health and Safety at Work (Amendment) Regulations 1994, employers may find themselves liable for damage to an unborn child if a pregnant employee has been exposed to passive smoking. Tobacco smoke has also been proven to cause asthma and migraine attacks.
- 2.2. Under the Health and Safety at Work Act 1974, employees have a duty to take reasonable care of the health and safety of themselves and others and to co-operate with the employer as far as is necessary, to enable the employer to comply with the requirements of the Health and Safety at Work Act.
- 2.3. This smoking policy seeks to guarantee all employees the right to work in air that is free of tobacco smoke.
- 2.4. All premises will be designated smoke-free, with adequate signage complying with government regulations to inform employees and visitors of the smoke free status of the building.

#### **3. Responsibilities**

##### **3.1. Managers' responsibilities**

- 3.1.1. All members of staff that assume managerial responsibility are required to support the implementation of the smoking policy.

- 3.1.2. Managers are to ensure that all employees in their area of responsibility are made aware of the smoking policy.
- 3.1.3. Ensure all visitors, contractors etc that enter their area of responsibility are aware of the smoking policy.
- 3.1.4. Ensure that any employee in their area who smokes and wishes to stop, receives appropriate advice and support on smoking cessation.

### **3.2. Employee responsibilities**

- 3.2.1. All employees are required to be familiar with this policy in order to contribute towards its application. All employees are to remind visitors politely of the no smoking policy, if in their opinion they consider them to be in breach of the policy.
- 3.2.2. Employees, visitors, volunteers and contractors are requested to respect the school's neighbours by not smoking at entrances and exits.
- 3.2.3. Employees must not smoke whilst on duty.

## **4. Areas where smoking is not permitted**

Smoking is not allowed on the school premises, which includes

- Vehicles owned or hired by the school
- Lifts
- Corridors
- Stairways
- Staff rooms
- Meeting Rooms
- Toilets
- Reception Areas
- Entrances/Exits from premises
- Car Parks
- Any shelters, garden sheds or other similar structures that may have previously been designated as staff smoking areas

## **5. Home Visits**

- 5.1. Staff visiting people in their own homes (including Local Authority houses) are entitled to the same level of protection as when they are working in school premises.
- 5.2. Where practicable, employees who make home visits will request that the householder refrains from smoking in their presence during the visit. Such requests should be included in the text of all appointment letters wherever possible. Any request, either in writing or person, must be made in a courteous and respectful manner. If the person receiving the service does not comply, this does not mean that the service will not be provided.
- 5.3. Where people do not comply with this request, the appropriate line manager must be consulted before service is withdrawn on health and safety grounds or where there is a safeguarding issue. A risk assessment by the headteacher may be required.

## **6. Other Venues**

When attending meetings or other events at venues where smoking is permitted, staff are expected not to smoke, both because they are representing the school, and therefore its view on tackling smoking, and because it is important not to expose others to environmental tobacco smoke.

## **7. Work Areas**

Smoking is not permitted in any area of the school. This applies to all offices and work areas, whether occupied by one person, or shared by two or more.

## **8. Vehicles**

Smoking is not allowed in any vehicle owned or hired by the school. Personal vehicles are not required to be smoke free.

## **9. Uniformed Staff**

No staff should smoke whilst wearing any uniform associated with the school.

## **10. Consultation and Communication**

10.1. This policy has been devised through consultation with the recognised Trade Unions.

10.2. The school has made staff aware of the policy in advance and will provide all members of staff with access to a copy of this policy.

## **11. Visitors and temporary staff**

Visitors and temporary staff are expected to abide by the terms of this policy.

## **12. Recruitment Procedures**

Interviews should include reference to this policy. On their appointment, all new staff members will be given access to a copy of this policy. This will be reinforced through the induction process.

## **13. Gaining acceptance, support education and information**

The Council actively promotes the improvement of the health of its employees by providing information on the health risks and other problems related to smoking of tobacco products. Information on the effects of smoking (both active and second-hand)

and advice and help on stopping smoking will be readily available to employees at regular intervals. In an effort to help individual employees adjust to the changes, the following help may be provided:

- The school will have appropriate signage confirming that smoking is prohibited, to encourage compliance with the policy
- Smoking Cessation support meetings at the Council. An educational programme to inform employees about the financial and health impact of smoking for individuals and the National Health Service.
- Publicity and health promotion information on the health risks and other problems related to smoking tobacco products are readily available from the Health Improvement and Development Team, to help employees and visitors stop or reduce smoking.
- Emphasis to be given to this Policy during the employee induction checklist process.
- Requiring all employees to comply with the Policy.
- Informing all visitors of the Policy.

#### **14. Application of the policy**

- 14.1. The Policy will be communicated to staff and is available on the Learning Net.
- 14.2. Breaches of the Policy will be managed in a fair but effective manner.
- 14.3. Support will be provided in all cases of non-compliance. However, serious breaches of this Policy may be subject to disciplinary procedures.

#### **15. Help for those who smoke**

This policy recognises that passive smoking adversely affects the health of all employees. It is not concerned with whether anyone smokes and recognises the right of the individual to smoke, however, it is concerned with where they smoke, and the effect that this has on non-smoking colleagues. In an effort to help the individuals adjust to this change and for those who wish to give up, a number of support mechanisms can be put in place:

- Ringing or e-mailing the PCT Stop Smoking Service 02392 369234 or [PCPCTStop.SmokingService@ports.nhs.uk](mailto:PCPCTStop.SmokingService@ports.nhs.uk)
- NHS Smoking Helpline 0800 169 0169
- One-to-one support from pharmacists
- Contacting your GP

**16. Policy implementation, monitoring and review**

- 16.1. Responsibility for implementing and monitoring this policy rests with senior managers.
- 16.2. Review of this policy will be carried out at regular intervals.
- 16.3. Should visitors fail to observe the policy, they should be reminded of the non-smoking policy. It is the responsibility of all employees to ensure that visitors are aware of the non-smoking policy. In line with this policy, if visitors continue to breach the policy they will be asked to leave the premises.

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