



RYECROFT C. E. (C) MIDDLE SCHOOL

POLICY STATEMENT

SMOKING

The Governing Body of Ryecroft C.E. (C) Middle School has adopted the Smoking at Work Policy of Staffordshire County Council as the overall statements of their duties and obligations to all school staff, pupils and visitors. Certain parts of the Policy have been adapted to the individual circumstances of the school. **This policy applies to anything that can be smoked, including cigarettes, pipes, cigars, herbal cigarettes and electronic smoking devices i.e. E-Lites.**

Staffordshire County Council		HR Policy Handbook		
Reference Number HR 88	Issue 3	Approved By H&S Forum	Date November 2012	Review Date November 2014
Policy Title	Smoking at Work			

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Version Control

Version	Date Approved	Changes	Reasons for Alterations
Issue 1	June 2007	To reflect changes in legislation.	Introduction of specific legislation.
Issue 2	June 2009	Alterations to format and update of contacts	Specified review date and change to Corporate format.
Issue 3	November 2010	Inclusion of section regarding counterfeit tobacco	Requirement of participation in Breathe Easy Award
Issue 4	November 2012	Changes to Smoking Cessation Contacts	Review as per schedule

Success Indicators

- a) All premises display correct signage at suitable locations.
- b) Smoking shelters provided at a workplace are not to be enclosed or substantially enclosed.
- c) All second hand smoking risks within the workplace are effectively managed.
- d) Litter associated with smoking is effectively managed

1 Application

This policy applies to all County Council workplaces.

2. Introduction

From 1 July 2007, smoking in virtually all enclosed public places, workplaces and in public and work vehicles was prohibited. This will ensure a healthier environment, so everyone can socialise, relax, travel, shop and work free from second hand smoke.

3. Aims and Objectives

To protect all employees, service users, customers and visitors from exposure to second hand smoke and to assist compliance with legislation.

Smoking is not allowed in any enclosed or substantially enclosed workplace or public place. Indoor smoking rooms in public places and workplaces will no longer be allowed. The only exceptions are residential care homes and private dwellings.

4. The Arrangements for Applying the Policy

4.1 Keeping Workplaces and Work Vehicles Smokefree

It will be the responsibility of whoever controls or manages the smokefree premises and work vehicles to prevent people from smoking in them. The responsible person should:-

- have all the required no-smoking signs in place; and
- make sure that employees, service users, customers and visitors are aware that the premises and work vehicles are legally required to be smokefree.

If someone smokes in a smokefree place the responsible person should:-

- draw the person's attention to the no-smoking signs and ask them to stop smoking or go outside;
- point out that they are committing a criminal offence by smoking in a smokefree premises or vehicle and could be subject to criminal proceedings;
- remind the person that under the law you have responsibilities to prevent smoking and that you both could receive a fine; and/or
- advise an employee who breaks the law that disciplinary action may be taken.

4.2 Signage

All smokefree premises must display a no-smoking sign in a prominent position at each entrance that:-

- is A5 size (210mm x 148mm)
- displays the international no smoking symbol in colour (minimum of 70mm in diameter); and
- says in characters that can be easily read

“No smoking. It is against the law to smoke in these premises”

The words “these premises” may be changed to refer to the particular premises where the sign is displayed e.g. “this Area Office”.

For entrances to smokefree premises that are for staff only or are located within other smokefree premises (e.g. a shop within an indoor shopping centre) the no-smoking sign need only display the no-smoking symbol (minimum 70mm in diameter).

Smokefree vehicles will display a no-smoking sign in each enclosed compartment of the vehicle in which people can be carried. This must show the international no-smoking symbol in colour, at least 70mm in diameter.

In addition no-smoking signs will be displayed in locations where a risk assessment has identified a health and safety risk, this may include outdoor or open areas.

Signs can be downloaded and printed from smokefreeengland.co.uk/resources or from your normal stationery supplier.

Appendix 1 contains copies of the signs.

4.3 Vehicles

Enclosed vehicles must be smokefree at all times if they are used:-

- by members of the public;
- in the course of paid or voluntary work by more than one person, regardless of whether they are in the vehicle at the same time.

County owned vehicles must be smokefree. Other vehicles used for County Council business, including those privately owned or leased, must be smokefree when passengers are being transported in them.

The following persons have a legal duty to cause any person who is smoking in a smokefree vehicle to stop smoking:-

- the driver;
- any person with management responsibilities for the vehicle; and
- any person in a vehicle who is responsible for order or safety on it.

4.4 Community Settings

People will not be restricted from smoking in any part of their own private dwellings used for work if the work is to:-

- provide personal care for someone living in the dwelling;
- assist with the domestic work of the household;
- maintain the dwelling; or
- install, maintain or remove any service provided for the benefit of the people living there.

When working in the community staff can:-

- request that service users do not smoke whilst they are in attendance;
- encourage service users to allow ventilation i.e. opening windows when staff are in attendance; and
- advise service users on the health risks associated with smoking, and the safety precautions they should follow i.e. having heat/smoke detectors installed, using metal ashtrays and bins, checking that cigarettes are fully extinguished etc.

Where individual risks are identified with a service user smoking, an individual risk assessment must be completed by the supervisor/manager detailing control measures to minimise the risks.

4.5 Working from Home

In general, the law does not cover private dwellings. However, any part of a private dwelling used **solely** for work purposes will be required to be smokefree if:-

- it is used by more than one person who does not live at the dwelling;
- members of the public attend to deliver or to receive goods and services.

4.6 Facilities for Smokers

There is no legal requirement to provide outdoor smoking shelters for staff or members of the public. Where shelters are provided for smoking they must not be 'enclosed' or substantially enclosed' and provided with suitable cigarette extinguishing and disposal facilities. This will reduce the risk of fire and maintain a clean and tidy image for the County Council.

Access and egress points to and from workplaces must be smokefree to avoid users of these areas who are non-smokers from inhaling second hand smoke as they pass through them. Also, smoke must not be able to permeate into the building via open windows, doors or other apertures.

4.7 Litter associated with smoking

Litter associated with smoking outside Council buildings has a detrimental effect on the Council's image. Where managers are aware that smoking is taking place outside smoking shelters or in the street they must ensure that the issue of litter associated with smoking is effectively managed. It may be suitable to place a waste bin inside the entrance of the building.

4.8 Assistance to Employees on Smoking Cessation

For information on finding your local NHS Stop Smoking service call NHS Smokefree Helpline: 0800 022 4332 or visit <http://www.nhs.uk/livewell/smoking/Pages/stopsmokingnewhome.aspx>

4.9 Counterfeit Tobacco Products

The selling/storing or dealing of illegal cigarettes or tobacco on county council controlled premises is not permitted and may result in disciplinary action.

5. Legislative Framework

Part 1 of the Health Act:

- a) The Smoke-free (Premises and Enforcement) Regulations
- b) The Smoke-free (Signs) Regulations
- c) The Smoke-free (Exemptions and Vehicles) Regulations
- d) The Smoke-free (Penalties and Discounted Amounts) Regulations
- e) The Smoke-free (Vehicle Operators and Penalty Notices) Regulations

The Health and Safety at Work etc Act

Management of Health and Safety at Work Regulations

6. Glossary of Terms

Smoking.

The law applies to anything that can be smoked. This includes cigarettes, pipes, cigars and herbal cigarettes.

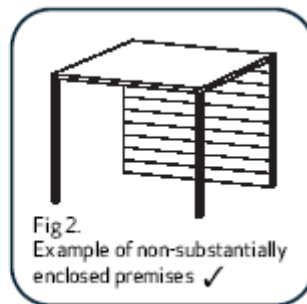
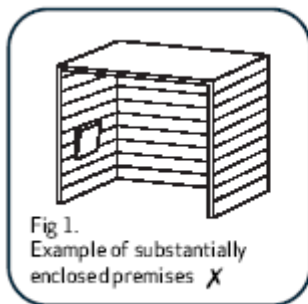
Enclosed Premises.

Premises will be considered '**enclosed**' if they have a ceiling or roof and, (except for doors, windows or passageways), are wholly enclosed, either on a permanent or temporary basis.

Substantially Enclosed Premises.

Premises will be considered '**substantially enclosed**' if they have a ceiling or roof, but have an opening in the walls, which is less than half of the total area of the walls. The area of the opening does not include doors, windows or other fittings that can be opened or shut. (See the figures 1 and 2.)

A roof includes any fixed or movable structures, such as canvas awnings. Tents, marquees or similar will also be classified as enclosed premises if they fall within the definition.



Signed on Behalf of the Governing Body:

Chair

Date.....

Example of signage for main entrances



Signage for areas within larger premises and vehicles

