

WOLFRETON SCHOOL and SIXTH FORM COLLEGE

Policy Document ANTI-SMOKING POLICY

Written in May 2018 by:	
Assistant Headteacher – Behaviour and Support	
Frequency of Review	Every Two Years
Adopted	September 2019
Reviewed	September 2019
Review Date Due	July 2021

1. Statement of intent

Wolfreton School and Sixth Form College has a duty to protect its employees and young people from known hazards. We promote the physical and emotional well-being of our academy and local community. We understand that the health risks associated with smoking are serious and detrimental for those who smoke, as well as people within close proximity. Therefore, as a result of the damaging effects of both active and passive smoking, smoking is prohibited anywhere on the grounds or the immediate surroundings of the academy. This policy covers both nicotine, other substances which can be smoked and vaping.

Through this policy, we aim to:

- Create a smoke-free environment for all those within the academy community, including staff, young people, visitors, parents, carers, 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 academy premises.

2. Legal 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'

This policy will be implemented in conjunction with the Academy's:

- Searching and Confiscation Policy

3. Policy application

- The principles outlined in this policy apply to all staff, young people, visitors, contractors, parents and carers.
- The principles outlined in this policy also continue to apply whether or not 'no smoking' signs are displayed.
- All areas of the academy premises, including outdoor areas, are designated smoke-free environments and, as such, all individuals are prohibited from smoking anywhere on the premises.

4. Smoking and E-cigarettes on the premises

- For the purpose of the policy, the process of using an e-cigarette is defined as vaping.
- Smoking or vaping is prohibited on the academy premises at all times; there are no designated areas available on the academy premises for smoking or vaping.
- Staff, contractors, visitors and young people are not permitted to smoke or vape within the immediate surrounding area of the academy premises during academy hours; this is to reduce the risk of young people, parents and other members of the academy community witnessing the individual smoking, which may affect professional etiquette.
- Any individual who is witnessed smoking on the premises, or within the immediate surrounding area during academy hours, will be subject to disciplinary sanctions, as outlined in section 5 of this policy.
- Although e-cigarettes are not covered by the Health Act 2006, the academy adopts a fully smoke-free environment, and recognises that use of e-cigarettes, still pose some hazards, particularly for those with asthma and respiratory conditions who may be affected by the vapour.
- Smoking or vaping is not permitted at any time in vehicles being used on behalf of the academy, e.g. academy minibuses, whether or not young people are present, or car mileage allowance is being claimed, as smoke fumes may linger in the vehicle and affect the health of other passengers.
- Smoking or vaping is not permitted in any personal vehicles on the academy premises or within the immediate surrounding area.
- Any individual witnessed smoking or vaping in personal vehicles as outlined above, or in vehicles used on behalf of the academy, will be subject to disciplinary action as outlined in section 6 of this policy.
- It is illegal for any individual under the age of 18 to smoke or vape. Any young person witnessed using cigarettes or e-cigarettes on the premises or within the immediate surrounding area during academy hours will face disciplinary action.
- Staff, visitors and contractors are prohibited from purchasing cigarettes or e-cigarettes for young people and any other individuals under the age of 18 at the academy, e.g. visitors.

5. Disciplinary sanctions

- Young people 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.
- Young people caught smoking or vaping will receive a disciplinary sanction immediately in accordance with the academy's Positive Discipline Behaviour Policy and will be reported to their Head of House.
- House Teams will notify the young person's parent/carer of the incident and the disciplinary sanctions imposed on the young person.
- The young person will be encouraged to seek health advice as soon as possible.
- If young people are repeatedly caught smoking or vaping, their parents/carers will be invited to a meeting with the Head of House and further disciplinary sanctions may be imposed in accordance with the Positive Discipline Behaviour Policy.
- Students will be dealt with by the academy. In addition, the names of persistent offenders will be communicated to the Police and further incidents will result in more serious sanctions being considered by the academy. These will include extended detentions, internal isolations and fixed term exclusions. The academy may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice. The penalties and fines for the smoke-free offences set out in Health Act 2006 are; a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200). These fines may be subject to change."
- If a member of staff breaches any of the guidelines in this policy, they will be subject to disciplinary action in accordance with Trust 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 academy contacting the police.

7. Support

- The academy aims to implement effective, supportive procedures for those who want to quit smoking, and improve the health of both smokers and non-smokers.
- The academy regularly educates young people about the effects of smoking, both through the requirements of the national curriculum, and through additional sessions, e.g. PSHE lessons and assemblies.
- Young people are encouraged to seek help from other professionals about the effects of smoking, if they would like to quit smoking, or would like to know more about additional methods of support.
- If an employee wishes to stop smoking, they are able to request a referral to the Trusts Occupational Health provider to discuss what help is available.

8. Monitoring and review

- This policy will be reviewed every two years by the Assistant Headteacher – Behaviour and Support; the next scheduled review date for this policy is June 2021.
- Any changes made to this policy will be communicated to all members of staff, and young people if necessary.
- All staff, visitors and contractors are required to familiarise themselves with this policy as part of their induction periods, or upon their attendance at the academy.

Letter 1: Initial Notification Letter

Dear Parent or Carer

Smoking or Vaping on or in the immediate vicinity of the Academy

I regret to notify you that (insert name) has been caught smoking / vaping on or in the immediate vicinity of the academy premises. This is a serious breach of the academy rules, the Trust's no smoking Policy and the 2006 legislation which makes it unlawful to purchase or smoke cigarettes below the age of 18 or to smoke in public spaces.

As a consequence of this (insert name) will be set a detention as a first sanction.

Whilst it's important for our young people to realise there is a consequence for their actions it is also important for them to realise that the academy takes its responsibilities in supporting them with their health and well being also very seriously. To this end we encourage our young people to seek help and advice about the long-term health dangers of smoking and to give them advice on "giving up."

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Latest available figures from the NHS state there were 489,300 hospital admissions attributable to smoking (2017/18).

Yours sincerely

(Insert name of Pastoral Manager)

Letter 2: Persistent Smoking

Dear Parent or Carer

Smoking or Vaping on or in the immediate vicinity of the Academy

I regret to notify you that (insert name) has been caught smoking / vaping on or in the immediate vicinity of the academy premises. As you will be aware, this is a serious breach of the academy rules and the 2006 Smoke-Free legislation which makes it unlawful to purchase cigarettes below the age of 18 or to smoke in public spaces.

This is not the first incident of this nature and this cannot continue. As a consequence of this repeated breach of the academy rules (insert name) will be isolated for a day.

The academy smoking policy makes our position clear on persistent smoking and the following is an extract from that policy.

“The academy will forward the names of persistent offenders to the Police and further incidents will result in more serious sanctions being considered by the academy. These will include extended detentions, internal isolations and fixed term exclusions. The academy may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice.”

The penalties and fines for the smoke-free offences set out in Health Act 2006 are; a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200). These fines may be subject to change.”

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Latest available figures from the NHS state there were 489,300 hospital admissions attributable to smoking (2017/18).

Yours sincerely
(Insert name of Pastoral Manager)

Letter 3: Parental Involvement

Dear Parent or Carer

Smoking or Vaping on or in the immediate vicinity of the Academy

I regret to notify you that (insert name) has again been caught smoking on or in the immediate vicinity of the academy premises. As you will know this is a serious breach of the academy rules, and the 2006 Smoke-Free legislation which makes it unlawful to purchase cigarettes below the age of 18 or to smoke in public spaces.

As a consequence of this (insert name) will (insert sanction)

(insert name) is persistently breaking the anti smoking rules as there have been several incidents of this nature and it appears that strategies adopted previously seem to be having little or no effect. We cannot allow this to continue. The academy smoking policy makes our position clear on persistent smoking and the following is an extract from that policy.

“The academy will forward the names of persistent offenders to the the Police and further incidents will result in more serious sanctions being considered by the academy. These will include extended detentions, internal isolations and fixed term exclusions. The academy may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice.

The penalties and fines for the smoke-free offences set out in Health Act 2006 are; a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200). These fines may be subject to change.”

An appointment has been made with (insert name of staff) on (insert day and time) in order to discuss the severity of the situation and explore ways in which both academy and (insert name) can move forward from this point in order to prevent the full weight of academy sanctions being deployed.

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Latest available figures from the nhs state there were 489,300 hospital admissions attributable to smoking (2017/18).

Yours sincerely

(Insert name – Head of House)

Home – Academy Contract

What we believe in:

At Wolfreton School and Sixth Form College are committed to providing the highest quality of education and social development for our young people to ensure their emotional and physical well-being. We are committed to the compliance with anti-smoking legislation, namely Smoke -free (Premises and Enforcement) Regulations 2006 and that from the 1st July 2007 all workplaces in England must be smoke free, rendering it a criminal offence to smoke on the academy premises.

We are committed to providing a healthy, clean and safe working environment for all employees, young people, parents, contractors and other visitors.

What we will do:

- Help all young people to make healthy, informed choices by helping them to learn about the dangers and health risks associated with smoking and by challenging attitudes towards smoking.
- Help our young people to get appropriate personal support to help them to stop smoking.

What parents/carers will do:

- Support you through encouragement, rewards and incentives to ensure you do the right thing
- Listen and help you
- Help the academy to support you

What you will do as a young person:

- Refrain from bringing any smoking or vaping related material into academy including cigarettes, e-cigarettes, lighters, matches, tobacco, cigarette papers or any such like material.
- Remain within the allowed bounds of the academy and not venture into spaces deemed to be “out of bounds”, or be outside the academy during normal academy hours or in any other such like place.
- Engage with all the strategies that academy use in order to help you to stop smoking including attending any sessions with health professionals, working with outside agencies who have expertise in this area or any other strategy that academy uses for the purpose of support.
- Refrain from smoking or vaping on the academy site.

I understand that Wolfreton has a duty of care and a legal responsibility to take these measures to prevent me from smoking / vaping on academy premises. I am also aware of the seriousness of the position I find myself in and understand that further breach of the school rules may result in further action being taken.

Young person

I _____ agree to abide by the contract above

Signed _____ Date _____

Parent / Carer

Name _____

Signed _____ Date _____

On behalf of the academy

Name _____

Signed _____ Date _____