

LANCASHIRE COUNTY COUNCIL

MODEL SCHOOL SMOKE FREE POLICY (REVISED SEPTEMBER 2019)

Statement of Policy

One of the County Council's corporate objectives is to improve health and wellbeing. Lancashire County Council now encompasses Public Health, and one of the key Public Health priorities is to support people to stop smoking. The County Council is committed to reducing rates of smoking and promoting a smoke free lifestyle to all employees, contractors and visitors. The Governing Body of (*insert name of school*) shares the same belief and has decided to adopt the policy set out below.

The policy applies to all employees of the school and other workers including casual workers, agency workers and volunteers. The policy also applied to visitors and contractors.

The safety of electronic cigarettes (e-cigarettes) has not been fully clinically tested and therefore the World Health Organisation advises that their use should be prohibited anywhere that the use of conventional cigarettes is banned. In view of this, the policy applies to both tobacco cigarettes and e-cigarettes.

- Smoking is not allowed at any time when employees (or workers) are at work;
- Smoking is not permitted when driving whilst on duty or travelling to and from meetings for school business.
- Smoking is banned in the School's premises and grounds and in any school vehicles used for transporting pupils, employees, parents and visitors;
- Smoking is not allowed by employees or others on land owned or controlled by the County Council or the School e.g., car parks, playing fields, playgrounds. This applies whilst on duty and off duty (for example the policy applies to someone smoking in their car on a school or council controlled car park at breaks or lunchtimes);
- Smoking is not permitted near any windows or entrances to School or council buildings at any time;
- Smoking breaks are not permitted during working time;
- Visitors and Governors are reminded that the School in conjunction with the County Council is smoke-free and they are requested not to smoke near any access point, doorway or window fronting onto public roads or land.
- This Smoke-free Policy will be brought to the attention of partnership organisations, businesses providing services and other stakeholders who may interact with the School's employees and students and their co-operation in implementing both the spirit and letter of the policy will be requested and accepted as part of the partnership or working arrangements;
- Any special arrangements in place with regard to employees or private individuals living in School or council owned or controlled residential establishments must

comply with the legislation and guidance from the appropriate regulatory bodies. These arrangements must be updated in accordance with any changes to legislation or guidance;

- All School and council owned or controlled buildings and vehicles must display the appropriate smoke-free signage;
- Enforcement of the School's policy is by management action and disciplinary procedures.

Implementation

The Governing Body should ensure that appropriate arrangements exist for implementing the policy within their School and /or areas of responsibility.

Information

Quitting cigarettes, shisha and e-cigarettes completely and being addiction-free is the best way to protect health. With support from a local stop smoking service, tobacco and nicotine users are four times more likely to quit than going it alone. They can help with one to one support and access to licensed medicines that can be used to help to beat the cravings.

Information is available on the NHS choices website and from local district councils. For help to quit smoking, shisha and e-cigarettes, call your local service:

- 0800 328 6297

Breaches of the Policy

Headteachers need to take action if an employee or worker smokes in contravention of this policy. A record of any action should be recorded. Breaches of this policy by school staff may lead to disciplinary action being taken. Visitors smoking will be asked to leave the school grounds.

Monitoring of the Policy

The operation of the policy will be monitored and reviewed as required.

Review Date

The above policy was implemented with effect from 1 July 2007 and is reviewed annually or in the event of any changes in legislation.

SMOKE FREE POLICY FOR SCHOOLS FAQs

- When did the Smoke-free Policy come into force?
- Why do we need a smoke-free policy if smoking is banned under government policy?
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- Can I smoke on the street outside a School entrance?
- Is this a form of discrimination against a minority of people?
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- Does the Policy apply to Contractors/ Sub-contractors?
- Can staff smoke during their lunch break away from LCC/School premises?
- Can I smoke an electronic cigarette at or near LCC/School premises?

When did the Smoke-free Policy come into force?

The Smoke-free Policy came into force in all County Council buildings on 1 May 2007, and in schools on 1 July 2007. The government's legislative ban on smoking in enclosed public spaces, workplaces and vehicles came into effect from 1st July 2007.

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Why do we need a smoke-free policy if smoking is banned under government policy?

The Schools Smoke-free Policy is an expression of the county council's commitment to meeting its corporate objective of "making Lancashire a place where people can live healthy lives." As the largest employer in the region, the council can have a positive influence on the health and wellbeing of a large part of the population through its policies.

Please note that both the model Schools Smoke-free Policy and the County Council's Policy go further than the government's ban in seeking to encourage employees and others not to smoke:

- whilst they are at work or on school business
- on County Council/school owned land
- in County Council/school owned vehicles

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Are there any exceptions to the Smoke-free Policy?

The only exceptions to the policy will be for private individuals in their own private accommodation, where they are living in school, county council owned or controlled establishments or other premises where these are deemed to be their home.

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Can I smoke outside, alone or with another smoker?

No. Whilst you are at work, the Smoke-free policy will apply even if you are on your own or with someone else who smokes.

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Can employees smoke in their cars on work car parks or on work business?

No.

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Do I get time off to go to smoking cessation groups?

No. However, local NHS Stop Smoking Services offer free local support to people in the local community who want to quit smoking. NHS specialists usually run their sessions at different times, in different areas of the county. It is not possible to provide employees with time off to attend these sessions.

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Will there be any provision for smoking breaks?

No. Under the Smoke-free Policy, there will be no provision for smoking breaks.

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Will I lose my job if I continue to take smoking breaks?

Under the Smoke-free policy, smoking is not allowed by employees whilst they are at work. Employees breaching the policy could face disciplinary proceedings in line with the school's disciplinary procedure.

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Can I smoke in my own car on the way to work?

Providing you are not in a county council or school owned or operated vehicle, and if you are in your own time and not carrying any passengers who are at work or on county council or school business, then the Smoke-free Policy would not apply to you.

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If I drive a work vehicle as part of my job, and have no passengers, can I smoke?

No. The Smoke-free Policy applies to all employees whilst they are at work. Therefore, if you are the driver of a county council or school owned or operated vehicle, even if not carrying any passengers, you will not be allowed to smoke. Furthermore, the government's ban on smoking will extend to vehicles that are deemed to be workplaces and the law will ban smoking in such vehicles.

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Can I smoke on the street outside a School entrance?

No. If you are an employee at work, then you would not be allowed to smoke anywhere at any time during working hours.

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Is this a form of discrimination against a minority of people?

No. The Smoke-free Policy reiterates some key elements of the government's ban on smoking on public health improvement grounds, in enclosed public spaces, workplaces and vehicles that came into force on 1st July 2007. Like the government's ban, the Smoke-free Policy is intended to improve the health of both smokers and non-smokers, and is therefore not discriminatory and not unlawful under current anti-discrimination legislation.

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Where can I access help to stop smoking?

No. However help and information to help you stop smoking is available from the [NHS choices](#) website. For help to quit smoking call your local Stop Smoking Service:

- 0800 328 6297

The Lancashire Healthy Schools Programme website can be accessed at www.lhsp.org.uk

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Does the policy still apply if I do a sleep in after completing a shift?

The Smoke-free Policy will apply whilst you are on duty prior to your sleep in. During your sleep-in you are considered to be on duty and therefore at work as you may receive an allowance to cover this. The Smoke-free Policy will therefore continue to apply.

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Does the Policy apply to Contractors/ Sub-contractors?

Yes. Under the Smoke-free Policy agency employees, contractors and visitors are not allowed to smoke anywhere at any time whilst at work or on business on or in Lancashire County Council or school owned or controlled property.

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Can staff smoke during their lunch break away from LCC/School premises?

Providing that the employee is not on Lancashire County Council owned or controlled premises, or at work, and the break is not a paid break, then the policy would not apply.

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Can I smoke an electronic cigarette at or near LCC/School premises?

Advice has been sought from the NHS, health and safety officers, and the local Stop Smoking Service about the use of electronic cigarettes. The consensus of the advice given is clearly that such devices have not been fully clinically tested or evaluated and that there is no medical evidence to show that they are effective or safe. In these circumstances, the Authority cannot agree to their use in the workplace