

# Policy A10 – Non-smoking Policy

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## 1. Aims and purpose

- 1.1. The University of Brighton Academies Trust (the ‘trust’) is committed to providing a smoke free environment for all of its pupils/students, staff, local board members, volunteers, contractors and all visitors including parents/carers. This is consistent with the objective of active health promotion within an education setting, and to assist compliance with the Health Act 2006.
- 1.2. This policy aims to:
  - provide a healthy, smoke free environment in each academy and its grounds
  - promote a healthy lifestyle and enable pupils/students to make responsible healthy choices in relation to smoking
- 1.3. **It is the trust’s policy that all trust / academy premises and vehicles are smoke free, and the following are not permitted:**
  - **Smoking tobacco and anything which contains tobacco**
  - **Smoking any other substance**
  - **Use of e-cigarettes**

## 2. Legal framework

- 2.1. Smoking has been prohibited by law in virtually all enclosed and substantially enclosed work and public places throughout the United Kingdom since July 2007. Smoke-free legislation in England forms part of the Health Act 2006.
- 2.2. The smoke-free law makes it a criminal offence to smoke in any of the following areas:
  - Premises used as a place of work or education.
  - All trust / academy vehicles.
  - Private vehicles, if used to carry members of staff, pupils/students or the public whilst carrying out trust / academy duties.
  - Premises where the public may have access.
- 2.3. The law clarifies that 'smoking' refers to smoking tobacco or anything which contains tobacco, or smoking any other substance. The law also includes being in possession of lit tobacco or anything lit which contains tobacco, or any other lit substance in a form in which it could be smoked (e.g. holding a lit cigarette).
- 2.4. Premises that are enclosed or substantially enclosed are covered by the law. A 'substantially enclosed area' is one which has a permanent or semi-permanent roof and has walls (including windows and doors whether they are open or not) enclosing more than 50% of its perimeter.
- 2.5. Under the Health and Safety at Work Act 1974, employers are also obliged “to ensure, so far as practical, the health, safety and welfare at work of all employees”.

## 3. Smoke free environment

- 3.1. The following statements apply to all pupils/students, staff, local board members, volunteers, contractors and all visitors to an academy including parents/carers:

- Smoking is not permitted in any part of an academy premises at any time. This includes:
  - all academy buildings
  - outside areas of the academy including playgrounds, sports fields or car parks
  - at entrances and exits to the academy site
  - within cars parked on academy premises
  - in contractors' compounds/property when this is on academy premises
- Smoking by anyone on an academy visit or trip in areas visible to pupils/students is not permitted.
- Smoking is not permitted:
  - in any trust / academy vehicles at any time
  - in private vehicles being used on trust/academy business when pupils/students or staff are passengers
- There are no designated smoking areas on any academy premises

3.2. Smoking in areas outside of academy premises but clearly visible to academy pupils/students is also strongly discouraged.

3.3. Appropriate 'no-smoking' signs will be clearly displayed at the entrances to and within the premises, and in all trust / academy vehicles.

#### 4. Help to stop smoking

4.1. 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. Alternatively you can text 'GIVE UP' and your full postcode to 88088 to find your local NHS Stop Smoking Service.

#### 5. Consequences of breaching the policy

5.1. The day to day implementation of this policy is the responsibility of the whole academy and trust community and everybody has a duty to respond to breaches of the policy.

5.2. Any persons who smoke on the premises will be asked to extinguish the offending item and/or leave the premises.

5.3. Breaches of this policy:

- by staff will be dealt with under the trust's Staff Disciplinary Policy and Procedures.
- by pupils/students will be dealt with under the academy's Behaviour Policy.
- by visitors will be dealt with under the trust Code of Conduct for Parents and Visitors
- by contractors or suppliers will be dealt with by informing their organisation

5.4. Local Councils can impose fines on anyone failing to comply with the law. Individuals caught smoking in a smoke free area will be fined £50 and could also face a fine of up to £200 and criminal prosecution if this is unpaid.

#### 6. Policy status and review

<b>Written by:</b>	Director of Policy and Governance
<b>Owner:</b>	Director of Policy and Governance
<b>Status:</b>	V1 = APPROVED
<b>Approval date:</b>	V1 = 9/11/16 (HAT) and 14/11/16 (UoBAT) V1a = Merger editorial changes 1 September 2017
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