

Anti-Smoking Policy

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| Authorised By: | Local Governance Committee |
| Sponsor: | Mr James Loten |
| Author: | Mr James Loten |
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Ownership and Control

History

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| Staff, Students, Governors | Shared Google and website |

AMENDMENT TRACKER

Name of reviewer: James Loten

Date of review: July 2021

Addition of “ i.e. they stand with smokers whilst they are smoking” to bullet point 4 on page 4 under the heading “Protocol for non-compliance on school premises by pupils”.

Principles

Harwich and Dovercourt High School has a duty to protect its employees and pupils from known hazards. We understand that the health risks associated with smoking are serious and detrimental for those who smoke, as well as people within close proximity.

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

Aims

1. To enable all pupils and staff to make healthy, informed choices by increasing knowledge and challenging attitudes towards smoking.
2. To provide a programme of education and accurate information about the health risks associated with smoking.
3. To seek to minimise the risks and possible legal consequences for pupils and staff from smoking in prohibited places.
4. To enable young people and staff to identify sources of appropriate personal support to help with the cessation of smoking and these support mechanisms are open to them when they are needed.
5. To monitor, as far as possible, pupil and staff involvement in smoking in order to inform school programs for prevention.
6. To have clear procedures for dealing with anyone found smoking on the premises or in the case of pupils found to be in possession of smoking materials, to ensure that such procedures are consistent and clearly understood.
7. To ensure an adequate program for Personal, Social Education & Health, with appropriate resourcing and staff training is in place to help young people make informed decisions about smoking.
8. To ensure that pupils, staff, parents, contractors and any other visitors are informed about the school's policy and procedures relating to smoking.
9. To ensure that both penalties for smoking on the school site and support procedures are consistently and fairly applied.
10. To enter into an agreement with parents, carer and pupils which clearly identifies the responsibilities of all involved and that this "agreement" is signed by both school and pupils.
11. To ensure, in the interest of health and hygiene, that smoking is not permitted around the school gates or external perimeter.

Practice

The school seeks to create the conditions in which pupils and staff take responsibility for their own health and behaviour. For this to take place, staff, pupils and parents should work to an agreed set of standards which clearly identifies the consequences of a failure to work towards them. This Smoking Policy will, therefore, clearly define the penalties for noncompliance and so create the correct, healthy and clean conditions within school in which everyone can work. The school will also work within Local Authority (LA) and Local Council guidelines and strategies for promoting health, safety and well-being for all within the school.

Harwich and Dovercourt High School will seek to build an effective partnership between the school, parents and pupils and will inform parents about the non-compliance of their children with this policy. The school will acknowledge and support the efforts of its pupils and staff to improve their health through the cessation of smoking and will promote non-smoking through pastoral programs, curriculum materials, assemblies and appropriate displays. The school will challenge the behaviour of those pupils and parents who give low priority to the elimination of smoking on school premises.

The measures contained within this policy can include measures to regulate and control the behaviour of staff or pupils when they are not being educated within school, e.g. when attending college placements, on work experience, school visits, or on any other occasion when pupils are not on the school premises but are in the charge of the school, as per the behaviour policy.

Sanctions

- **Protocol for non-compliance on school premises by staff:**

Disciplinary procedures may be followed if a member of staff does not comply with this policy. Staff may also be liable to a fixed penalty fine and possible criminal prosecution.

- **Protocol for non-compliance on school premises by visitors:**

Visitors who do not comply with this policy will be asked to leave the premises. Refusal to comply with this request may result in the Police or Local Enforcement Officer being informed.

- **Protocol for non-compliance on school premises by pupils**

Pupils will be punished for 'smoking' if:

- They are seen smoking.
- They are seen with a lit cigarette in their possession.
- They are found to have cigarettes and/or other smoking materials (including lighters and/or nicotine/non-nicotine based cartridge inserts) in their possession.
- They are associating themselves with others who have been caught in the act of smoking, i.e they stand with smokers whilst they are smoking.
- They are doing any of the above with an e-cigarette or "vape".

1. If pupils are found to be smoking they will receive a sanction as soon as practicable from the time of transgression. This sanction will be an isolation with a member of the year team or by a member of the leadership team, as per the behaviour policy. Furthermore,

students associating with those caught in the act of smoking may receive a sanction, as per the behaviour policy.

2. A report of the incident will be completed by the relevant member of staff.
3. The incident will be logged on the schools information management system (Go 4 Schools) and a copy of the report will be placed on the pupil's file.
4. Parents or carers of the pupil concerned will be contacted.
5. The pastoral team will act to support strategies for cessation and/or notify the school nurse of the incident and an appointment will be made for the pupil concerned to meet with the nurse for health and cessation advice.
6. The term 'smoking' applies in full to tobacco based cigarettes and any form of electronic cigarette, nicotine and non-nicotine based, that enacts smoking or the act of smoking.
7. The school reserves the right to search for any contraband and to confiscate any material associated with smoking or the act of smoking.

The school will forward the names of persistent offenders to the Council Enforcement Officer and the Police and further incidents will result in more serious sanctions being considered by the school. These will include extended detentions, isolations, pastoral support plans or even exclusions. The school may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice. In extreme cases where the school sanctions appear to be having no effect on certain pupils and their smoking behaviour, parents may be asked to collect and supervise their child over the periods of free time or when the smoking is taking place. 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.

Support

The school takes its responsibilities in supporting staff and pupils to maintain their health and wellbeing seriously and the following are some of strategies in place to help with the cessation of smoking.

1. The NHS offers a range of services to help smokers to give up. Visit www.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.
2. Pupils in school can access the School Nurse for help and advice and an appointment can be made directly.
3. The school will maintain a member of staff who has received formal training to smoking cessation methods who will be available to offer advice and support to young people.
4. The school will offer a peer mentor to young people who feel they would benefit from the support of another young person.
5. Local Pharmacies are supportive of people trying to give up smoking and the following provide a smoking cessation service free of charge to young people below the age of 16.