

**Down Ampney C of E
Primary School
Smoke-Free Policy**

Contents

Statement of intent

1. [Legal framework](#)
2. [Policy application](#)
3. [E-cigarettes on the premises](#)
4. [Smoking on the premises](#)
5. [Disciplinary sanctions](#)
6. [Support](#)
7. [Monitoring and review](#)

Statement of intent

Down Ampney Primary 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.

Through this policy, we aim to:

- Create a smoke-free environment for all those within the school community, including staff, pupils, visitors, parents, 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 school premises.

Signed by:



Headteacher

3rd December 2023

Date:

3rd December 2023



Chair of governors

Date:

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- Children and Young Persons (Protection from Tobacco) Act 1991
- Health Act 2006
- Equality Act 2010
- Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015
- Public Health England (2016) 'Use of e-cigarettes in public places and workplaces'
- DfE (2023) 'Suspension and Permanent Exclusion from maintained schools, academies and pupil referral units in England, including pupil movement'

This policy operates in conjunction with the following school policies:

- Behaviour and Positive Relationships Policy
- Staff Code of Conduct
- Child Protection and Safeguarding Policy
- Suspension and Exclusion Policy
- Fire Safety Policy

2. Roles and responsibilities

The headteacher will:

Be responsible for the overall implementation of this policy.

Ensure that all staff act in accordance with this policy.

Implement and approve ways to teach pupils about the risks associated with smoking.

Be responsible for determining and implementing disciplinary measures for those who do not follow this policy.

The governing board will:

Hold the headteacher accountable for the implementation of this policy.

Review any incidents associated with smoking.

Pupils and staff will:

Act in accordance with this policy at all times.

Engage in the school's anti-smoking curriculum, events and activities.

Report incidents of smoking in and around the school premises to the headteacher.

Teachers will educate pupils about the risks of smoking and why they should avoid it.

3. E-cigarettes on the premises

- 3.0. For the purpose of the policy, the process of using an e-cigarette is defined as vaping.

- 3.1. The school recognises the use of e-cigarettes as having significant potential to reduce tobacco use, as well as the harmful effects it causes to smokers and those around them.
- 3.2. Although e-cigarettes are not covered by the Health Act 2006, the school adopts a fully smoke-free environment, and recognises that use of e-cigarettes, whilst significantly safer for health than cigarettes, still pose some hazards, particularly for those with asthma and respiratory conditions who may be affected by the vapour.
- 3.3. The school also recognises that e-cigarettes may create a nuisance for others in the production of vapour, particularly for non-users.
- 3.4. The school does not consider the use of e-cigarettes to be professional behaviour and, therefore, individuals are not permitted to use e-cigarettes in the presence of others, particularly pupils, whilst on the premises.
- 3.5. Vaping is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, where car mileage allowance is being claimed, and at times when pupils are present in the vehicle.
- 3.6. Vaping is not permitted in any personal vehicles on the school premises or within the village during school hours.
- 3.7. Any individual witnessed vaping in personal vehicles as outlined above, or in vehicles used on behalf of the school, will be subject to disciplinary action as outlined in [section 5](#) of this policy.
- 3.8. The school does not allow vaping breaks at any times during the school day. If an individual wishes to use their e-cigarette, they are only permitted to do so during arranged break times, e.g. lunch time, and in accordance with the principles outlined above.

NB. Only contractors, visitors and staff are permitted to leave the school premises during their break times to use e-cigarettes.
- 3.9. It is illegal for any individual under the age of 18 to use an e-cigarette.
- 3.10. Staff, visitors and contractors are prohibited from purchasing e-cigarettes for pupils and any other individuals under the age of 18 at the school, e.g. visitors.

4. Smoking on the premises

- 4.0. Smoking is prohibited on the school premises at all times; there are no designated areas available on the school premises for smoking.
- 4.1. Staff, contractors, visitors and pupils are not permitted to smoke within the village during school hours; this is to reduce the risk of pupils, parents and other members of the school community witnessing the individual smoking, which may affect professional etiquette.

- 4.2. Any individual who is witnessed smoking on the premises, or within the village during school hours, will be subject to disciplinary sanctions, as outlined in [section 5](#) of this policy.
- 4.3. Smoking is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, whether or not pupils are present, or car mileage allowance is being claimed, as smoke fumes may linger in the vehicle and affect the health of other passengers.
- 4.4. Smoking is not permitted in any personal vehicles on the school premises or within the village.
- 4.5. Any individual witnessed smoking in personal vehicles as outlined above, or in vehicles used on behalf of the school, will be subject to disciplinary action as outlined in [section 5](#) of this policy.
- 4.6. The school does not allow smoking breaks at any times during the school day. If an individual wishes to smoke, they are only permitted to do so during arranged break times, e.g. lunch time, and in accordance with the principles outlined above.

NB. Only contractors, visitors and staff are permitted to leave the school premises during their break times to smoke.
- 4.7. It is illegal for any individual under the age of 18 to smoke.
- 4.8. Staff, visitors and contractors are prohibited from purchasing cigarettes for pupils and any other individuals under the age of 18 at the school, e.g. visitors.

5. Smoking or vaping in vehicles

Smoking or vaping will not be permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, where car mileage allowance is being claimed, and at times when pupils are present in the vehicle.

Smoking or vaping will not be permitted in any personal vehicles on the school premises or within a one-mile radius. Any individual witnessed smoking or vaping in personal vehicles, or in vehicles used on behalf of the school, will be subject to disciplinary action as outlined in the '[Disciplinary sanctions](#)' section of this policy.

6. Disciplinary sanctions

- 6.0. If a member of staff breaches any of the guidelines in this policy, they will be subject to disciplinary action in accordance with the school's Staff Discipline Policy.
- 6.1. Staff may also be subject to a penalty fine and possible criminal prosecution depending on the nature of the breach.
- 6.2. 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 school contacting the police.

- 6.3. Pupils 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.
 - They are witnessed within the designated vaping area.
- 6.4. Pupils caught smoking or vaping will receive a disciplinary sanction immediately in accordance with the school's Behavioural Policy, and will be reported to the headteacher.
- 6.5. The headteacher will notify the pupil's parents of the incident and the disciplinary sanctions imposed on the pupil via a written letter.
- 6.6. The pupil will attend a meeting with the school nurse for health advice as soon as possible.
- 6.7. If pupils are continuously caught smoking or vaping, their parents will be invited to a meeting with the headteacher and school nurse, and further disciplinary sanctions may be imposed on the pupil in accordance with the Behavioural Policy.

7. Support

- 7.0. The school aims to implement effective, supportive procedures for those who want to quit smoking, and improve the health of both smokers and non-smokers.
- 7.1. If an employee wishes to stop smoking, they are able to request a meeting with the school business manager to discuss what help is available.
- 7.2. The school regularly educates pupils about the effects of smoking, both through the requirements of the national curriculum, and through additional sessions, e.g. PSHE lessons and assemblies.
- 7.3. Pupils are encouraged to seek help from the headteacher if they would like further information about the effects of smoking, would like to quit smoking, or would like to know more about additional methods of support.
- 7.4. The school believes that the implementation of a vaping area actively supports staff to quit smoking, and will promote the use of e-cigarettes, in line with the procedures in this policy, to reduce the number of people who smoke.

8. Monitoring and review

- 8.0. This policy will be reviewed every two years by the headteacher; the next scheduled review date for this policy is December 2024
- 8.1. Any changes made to this policy will be communicated to all members of staff, and pupils if necessary.
- 8.2. 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 school.