



Smoke free Policy

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1. National strategy and legislation

This policy is informed by Healthy Lives, Healthy People: A Tobacco Plan for England (2011). It supports compliance with UK Health & Safety Legislation and Employment Law;

- Management of Health and Safety at Work Regulations 1999
- Health and Safety at Work Act 1974
- The Health Act 2006 bans smoking in all enclosed public spaces

Section 2(2) of the Health and Safety at Work Act 1974 which places a duty on employers to:

'...provide and maintain a safe working environment which is, so far as is reasonably practical, safe, without risks to health and adequate as regards facilities and arrangements for their welfare at work.'

2. What does this policy mean in practice?

Smoking, including e-cigarettes and vaping, are not permitted in any part of the premises or grounds, including the gated entrance area outside the pre-school or on land adjacent to the setting (e.g. car park, garden area or pathway).

This policy applies to young people, parents and carers, employees, visitors, volunteers, members of the public, contractors or others, working or using the premises.

The smoke free policy will apply to all activities held within the pre-school at any time regardless of whether children are present or not.

Suitable posters, displays and statutory no smoking signage will be displayed in the premises to create positive visual messages which support a smoke free working environment.

Visitors: All visitors, volunteers, students, contractors, and deliverers are required to abide by the smoke free policy. Staff members are expected to inform visitors of the policy. However, they are not expected to enter any confrontation that may put their personal safety at risk.

Staff: It is essential for staff to be positive role models to children and promote a healthy lifestyle. Staff who choose to smoke, are only permitted to smoke whilst off duty. Staff are not permitted to smoke at any time in public whilst wearing pre-school uniform or whilst attending training or meetings on behalf pre-school, wherever these are held.

Parents: We request that parents dropping off or collecting their children from pre-school refrain from smoking both inside and outside the building and surrounding areas. Parents accompanying



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children on pre-school trips will not be permitted to smoke for the duration of the trip. Parents will be reminded of the smoking policy during the trips safety brief.

3. Failure to comply with our smoke free policy

Anyone found to be smoking including e-cigarettes and other vaping devices at work in contravention of this policy will be subject to disciplinary action in accordance with Brookside's disciplinary and grievance procedure. Smoking at work will be viewed as serious misconduct. A repeated offence, after a formal warning, could result in dismissal.

We respect that it is a personal choice to smoke, although as an early years setting we support healthy lifestyles and, therefore aim to help staff and parents to stop smoking and provide support and advice.

Further information on giving up smoking:

Smokefree National Helpline on 0300 123 1044

[Quit smoking - Better Health - NHS \(www.nhs.uk\)](http://www.nhs.uk)

If employers, employees, or members of the public are found to be ignoring smoking legislation they will be breaking the law. There are penalties for smoking at work, smoking within a smoke free area/public space and not adhering to signage regulations.

If you are concerned about someone smoking within or around the grounds of Brookside pre-school, please inform the management team as soon as possible so the matter can be dealt with immediately.

If the incident is not dealt with or individuals wish they may contact the Smoke Free Compliance Line (Freephone) 0800 587 1667. This complaint will be passed onto the relevant local council or port health authority for investigation.