



NO SMOKING/VAPING POLICY

VERSION 1

13/11/2017

No Smoking/Vaping Policy

We believe this policy should be a working document that is fit for purpose, represents the trust's ethos, enables consistency and quality across the trust and is related to the following legislation:

- Health and Safety at Work 1974 Act
- Workplace (Health, Safety and Welfare) Regulations 1992
- Management of Health and Safety at Work Regulations 1999
- Food Hygiene (England) Regulations 2005
- Food Hygiene (Northern Ireland) Regulations 2005
- Food Hygiene (Wales) Regulations 2005
- Regulatory Reform (Fire Safety) Order 2005
- Health Act 2006
- Smoking (Northern Ireland) Order 2006
- Smoke-free (Premises and Enforcement) Regulations 2006
- Smoke-free Premises (Wales) Regulations 2007
- Smoke-free (exemptions and Vehicles) Regulations 2007
- Smoke-free (Offences in Vehicles and Fixed Penalty Notices) Regulations 2007
- Smoke-free (Signs) Regulations (Northern Ireland) 2007
- Equality Act 2010
- Smoke-free (Signs) Regulations 2010

Waveney Valley Academies Trust is aware that it is illegal under the Health Act 2006 (and regulations made under the Act) to expose a person in an enclosed workplace to second-hand smoke.

Waveney Valley Academies Trust believes it is their duty to discourage academy personnel and students from smoking by highlighting the damaging effects it has on a person's health. Therefore the trust prohibits smoking in any part of the trust and academy buildings, on grounds and playing fields, on educational visits, during events and lettings.

We will provide support and advice to all smokers but we hope all academy personnel will act as role models.

Use of electronic cigarettes (vaping)

Although they fall outside the scope of smoke-free legislation, the trust prohibits the use of e-cigarettes in the workplace. The trust's rationale for a ban on e-cigarettes is that:

- although they do not produce smoke, e-cigarettes produce a vapour that could provide an annoyance to other employees
- the long term health effects of nicotine use through vaping are currently being researched, it is therefore possible that the vapour could pose a health risk

- some e-cigarette models can, particularly from a distance, look like real cigarettes, making a smoking ban difficult to police, and creating an impression for students that it is acceptable to smoke

We will ensure that the trust and academy environments are smoke and vapour free and anyone found breaching this policy will face disciplinary policy sanctions.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that are connected with this policy.

Smoking/Vaping on Educational and Residential Visits

Waveney Valley Academies Trust recognises that academy personnel undertake educational and residential visits whereby they are required to be away from the school site without official breaks. In this instance, personnel are expected to use their discretion when smoking or vaping, ensuring students are being adequately supervised so that ratios are upheld. Smoking/vaping should be kept to a minimum, always out of the sight of students and only in permitted areas.

Aims

- To comply with the Health Act 2006 (and regulations made under the Act) in order to protect all employees, visitors, students and contractors from second-hand smoke
- To protect all employees, visitors, students and contractors from the possible health effects of the vapour from electronic cigarettes
- To educate students about the dangers of smoking and promote a healthy lifestyle

Responsibility for the Policy and Procedure

The **Trust Board** has:

- responsibility to ensure that its academies comply with the Health Act 2006
- responsibility for ensuring funding is in place to support this policy
- responsibility for the effective implementation, monitoring and evaluation of this policy
- delegated powers and responsibilities to the Director of Business and Finance to ensure all academy personnel and stakeholders are aware of and comply with this policy

The **Director of Business and Finance** will:

Waveney Valley Academies Trust
No Smoking/Vaping Policy (Version 1)

- ensure the trust complies with the Health Act 2006
- ensure all trust and academy personnel, students and parents are aware of and comply with this policy
- deal with any breaches to this policy
- keep a record of all breaches to this no smoking/vaping policy
- undertake risk assessments when required

Our **Headteachers** will:

- ensure approved 'No Smoking' and 'No Vaping' signs are placed:
 - in academy entrances
 - in the academy hall
 - in academy vehicles
 - in other conspicuous places around the academy
 - ensure the curriculum informs students of the health risks of smoking/vaping
 - apply sanctions in line with the disciplinary policy if anyone breaches this policy

Trust and Academy personnel will:

- comply with this policy
- seek advice and support if they wish to give up smoking/vaping
- take reasonable care of themselves and others whilst at work
- co-operate with the Headteacher and others in our academies to comply with legislation
- inform students that smoking damages people's health
- inform students that they will be disciplined if they are caught smoking
- ask any visitor who is seen smoking on the academies premises to refrain from smoking
- report any breach to this policy

Students will:

- be aware of and comply with this policy
- understand the consequences subject to the behavior policy if they are found smoking/vaping
- be informed of the harmful effects of smoking/vaping

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any student or academy personnel and it helps to promote equality within the multi academy trust.

Monitoring the Implementation and Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Audit, Compliance and Health & Safety Committee.

Approval Date	13/11/2017	Review Date	12/11/2018
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