



# **Breadalbane Academy Non – Smoking Strategy March**

## **2019**

### **1. BACKGROUND**

Breadalbane Academy encourages everyone who uses its premises to participate in a healthy lifestyle and recognises that smoking and passive smoking is known to cause ill health. Smoking is also strictly prohibited under Perth & Kinross Council guidelines adjacent to entrances to buildings and in view of services users (includes pupils) and members of the public, and the law states that:

- You need to be 18 to buy tobacco (same situation in England and Wales).
- It is illegal for shops and supermarkets to sell any tobacco products in Scotland to anyone under the age of 18.
- It is illegal for anyone under 18 to buy or attempt to buy any tobacco products. This is to try and reduce the number of people exposed to smoking related diseases and to bring the law in line with alcohol. It's also illegal for anyone over 18 to buy tobacco products for people underage. Find out more about this here.
- If a police officer suspects that you are under 18 and in possession of cigarettes, tobacco or cigarette papers in a public place then they can confiscate them. If you don't cooperate with the police and hand over the items or provide your name and address if required, you are committing an offence and you could face a fine.
- The new rules in Scotland make it illegal for anyone under 18 to buy e-cigarettes or vapes, also known as tobacco and nicotine vapour products (NVPs). It also means anyone buying NVPs for those underage will also be breaking the law.

A short life working group was set up in January 2019 charged with reviewing current procedures in respect of pupils smoking in and around school premises. A separate Smoking at Work policy exists for employees of PKC and can be found in appendix 1.

### **2. PROCEDURES FOR PUPILS SMOKING ON AND AROUND THE PREMISES**

A rota of staff volunteers will patrol the main known smoking areas. This rota will vary from week to week. At the end of any patrol the member(s) of staff should give a list of names to the office via the Breadalbane Head Teacher account stating clearly if the child was part of a group of smokers or if the child was smoking i.e. had the cigarette/vape in their hand or mouth.

1. If a pupil is in a group of smokers but it is unclear if the pupil has been smoking or not the office will issue letter 1 (see appendix 2) signed by the relevant DHT. This letter is to inform parents that their child may be smoking or at risk of passive smoking.
2. If a pupil is caught smoking i.e. the cigarettes is either in their hand or mouth letter 2 will be issued. This results in a meeting with support staff and the offer of support from the school health nurse.

3. If the child is caught smoking but refuses this help a number of sanctions will then result – break/lunchtime detentions and then alternative breaks/lunches.
4. It may be that a pupil continues to smoke whilst receiving the necessary NHS support in these cases we will not issue any punishment but will continue to inform the parents via letter 4.
5. The short life working group will continue to meet weekly to review the referrals and the procedures and will liaise with staff over any changes.

## **SMOKING AT WORK**

### ***Introduction***

Passive smoking is a proven health risk. The Council is committed to minimising this risk to employees' health as far as is reasonably practical. This policy is designed to protect non-smoking employees from the recognised risks of passive smoking and to ensure that no Perth & Kinross Council Elected Member or employee will be unwillingly subjected to the effects of smoking during the conduct of their duties.

The Council shall provide a range of appropriate support measures and advice for those individuals who wish to stop smoking. However, the Council recognises the rights of individuals who choose to smoke and will endeavour to provide suitable facilities for those who choose to smoke at work.

### ***Policy Provisions***

The terms of this policy apply to Elected Members, employees and visitors to Council premises. Visitors include Contractors carrying out work on behalf of the Council at Council premises.

Individuals covered by this policy may not smoke in any work place. A work place is defined in the Workplace (Health, Safety & Welfare) Regulations 1992 as "... *any place within the premises to which any person has access while at work*". A work place for the purposes of this policy also includes Council-owned vehicles when such vehicles are being used on Council business. The Council recognises the right of an individual to refuse to travel in a privately owned vehicle on Council business if smoking is to be permitted in the vehicle. Employees who are required to carry out their duties in buildings which are outwith the direct control of the Council are jointly responsible with the Council for minimising their own exposure to risk factors such as tobacco smoke.

Where designated outdoor smoking facilities exist, smoking will only be permitted in these areas. Such facilities must comply with S4.2 of The Smoking, Health and Social Care (Scotland) Act 2005. Where no designated smoking area exists, individuals covered by the terms of this policy may go outwith the Council building to smoke. However, no smoking should take place adjacent to entrances to buildings or where they are in view of service users or members of the public.

Employees wishing to smoke during working hours should use their authorised personal breaks in accordance with the Guidance on Personal Breaks. No additional paid time will be granted to employees who wish to smoke during working hours.

## ***E-cigarettes***

Since the introduction of The Smoking, Health and Social Care (Scotland) Act 2005 and The Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006 there has been an increase in popularity and use of e-cigarettes and electronic nicotine delivery devices (END).

The term smoking in this policy means smoking tobacco in any form and by any means. Therefore the use of e-cigarettes and similar products are subject to the same restrictions as other tobacco products.

## ***Support Measures***

The Council recognises that many employees want to quit smoking and is committed to supporting them, information about stopping smoking can be found on the Wellbeing page on eric.

In addition, free smoking cessation services are offered nationally and in a variety of ways. Visit Smokeline online at [www.canstopsmoking.com](http://www.canstopsmoking.com) or telephone 0800 84 84 84 (Monday - Friday, 8am to 10pm, Saturday & Sunday, 9am to 5pm) to:

- Find the right type of service
- Find available local services in your area
- Get a free Smokeline pack and DVD
- Get free live or text support.

The NHS also offers free nicotine replacement therapy (NRT); this can be arranged directly by signing up to a smoking cessation scheme at a community pharmacy or through your GP.