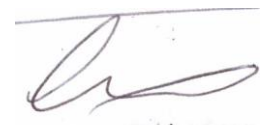


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SMOKE FREE HAVERING – NO BUTTS

**Workplace Smoking Policy for London
Borough of Havering and/or (Name of
School**

School Based Staff

Effective (Date of Adoption)

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Introduction

1. This Model Policy recommends that Governing Bodies and Head Teachers adopt a Smoking Policy that prohibits all smoking in school premises and school grounds and adopts the overall London Borough of Havering Smoke Free Policy including the cessation of smoking breaks,
2. Passive smoking or breathing other people's tobacco smoke has now been shown to cause lung cancer and heart disease in non-smokers. Equally, smokers themselves suffer from these illnesses and conditions, which in turn gives rise to sickness absence.
3. As an employer the Council and/or school has a duty in commonlaw to take reasonable care to protect the health of its employees. The Council and/or School acknowledges that breathing other people's tobacco smoke is both a public health hazard and an employee welfare issue. The Government also recognise this and is enforcing the Health Act 2006 to prohibit smoking in public places (including work places) with effect from 1 July 2007.
4. The Health and Safety at Work Act (1974) places a duty on employers to provide a working environment for employees that is so far as is reasonably practicable:

... safe, without risks to health, and adequate as regards facilities and arrangements for their welfare at work. n
5. Schools have a major part to play towards non-smoking being seen as the norm in society, and therefore children need to receive consistent messages and-require non-smoking role models within all schools.
6. Therefore, in order to discharge its current and future legal Obligations and to demonstrate that it is a caring employer and service provider, the London Borough of Havering and/or School has adopted the following policy concerning smoking at work.

Main Aims Of The Policy

7. By introducing a policy on Smoking atWork, the London Borough of Havering and/or School aims to:
 - ~ contribute to the Council's and/or School's vision and to government strategies for a healthier nation;
 - \$ create a healthier workforce and reduce sickness absence;
 - o create a healthier and more pleasant environment for employees and service users by eliminating tobacco smoke from all Council and/or School premises;
 - G comply with its legal duties to ensure the health, safety and welfare of its employees; and
 - e comply with its legal duties to ensure public health.

General Principles

8. This policy retains many of the Council's and/or School's previously stated aims on tobacco. It also seeks to strengthen those aims relating to smoking at work and the impact on the health of employees in the borough.
9. As an enforcing authority, the Council will:
 - Stop the illegal sale of tobacco to children under 16 years of age;
 - Ensure that the legislation requiring smoke-free public places and workplaces is enforced throughout the borough.
10. As an exemplar employer and in order to improve the health of not only Council and/or School employees but all people employed in the borough, and its users, the Council and/or School will:
 - e, Model good practice through its policy;
 - ~ Promote the policy to employers in the borough; and
 - o Offer advice on implementing similar policies.
11. This Model Policy seeks to guarantee all Council and/or School employees the right to work in an environment free from tobacco smoke, whilst recognising that some employees may wish to quit and others may not. Therefore the policy offers support for those who wish to quit and clear guidance for those who do not.
12. The Council and/or School expects all employees to refrain from smoking during work time. Work time means any time an employee is being paid by the Council as part of their working week, except for authorised absence.
13. The Council and/or School expects all employees, Members, parents, carers and visitors to refrain from smoking:
 - G In all Council and/or School premises and associated grounds including car parks outside any building or workplace occupied by employees; and
 - tt, In all Council and/or School vehicles.
14. Risk assessments will have to be made and special arrangements implemented where necessary, in order to protect the employee's health in workplaces which are:
 - Within a service user's home; or
 - ~ Residential homes, whether Council-run or not; or
 - ~ Places where the Council and/or School has no control and the employee may be subject to second hand smoke.
15. Employees should not absent themselves from their place of work during work time for the purposes of smoking. Council and/or School employees who wish to smoke should do so in their own time.

Parents, Carers, Visitors and Temporary Employees

16. This policy applies equally to all parents, carers, visitors and temporary employees, including agency staff, consultants etc. whether employed by the Council and/or School or visiting School/Council premises.
17. The following arrangements should be made for assisting in compliance with this policy and for informing staff, parents, carers, visitors and temporary employees:
 - Suitable and sufficient signage should be provided in all Council and/or School premises' to indicate that all Council sites are no smoking;
 - Suitable and sufficient receptacles for extinguishing smoking materials should be provided at the entrances of all premises..

Enforcement Of The Policy

18. The responsibility for enforcement of this policy lies with:
 - Headteachers and Line Managers for breaches related to smoking during work time; and with
 - Governing Bodies and Headteachers for breaches related to smoking on School and/or Council premises..
- 19. Breaches of this policy by staff will be subject to the normal disciplinary procedures for school based employees.
20. Both staff and managers should challenge breaches of the policy by non-employees. Non-employees who breach the Smoking Policy and refuse to comply should be politely asked to leave the School's premises.
21. The effective date of this policy is (date of adoption).

Support For Those Who Smoke

22. This policy recognises that second-hand smoke adversely affects the health of all employees, and wishes to encourage employees to give up smoking and seek? to influence this by controlling *when* and *where* they smoke thereby limiting the effects that smoking has on non-smoking colleagues and the public. However, it is recognised that the changes may impact on the working lives of employees that smoke.
23. In an effort to assist individual employees in adjusting to the changes, the following help can be provided:
 - e Free Smoking Cessation Support in work time for a limited period
 - o Occupational Health advice; and
 - ~ Counselling.

24. Time off for attendance at Smoking Cessation Groups will be allowed for a limited period during the introduction of the new policy. Arrangements for attendance must be agreed with line managers/Headteachers.
25. Support arrangements for employees should not interfere with the delivery of the School's services.

Smoking And Vehicles

26. Smoking is not permitted in London Borough of Havering and/or-School owned vehicles at any time.
27. The position regarding vehicles owned by members of staff merits some further clarity:
 - (i) In principal, from t July 2007, London Borough of Havering and the School are smoke free for all members of staff during working hours. Staff may only smoke before or after work or during their lunch breaks, off site.
 - (ii) If staff are travelling alone between sites during working time representing London Borough of Havering Schools they would not be expected to smoke. It regards the behaviour of staff alone in their own vehicles to be beyond its jurisdiction and, save behaviour which would bring London Borough of Havering and/or the School into disrepute, London Borough of Havering, and/or the School does not wish to or intend to 'police' staff behaviour by themselves within their own private vehicles.
 - (iii) If a member of staff is claiming a mileage allowance he/she would be expected to provide transport for colleagues travelling to the same destination. In that circumstance they would not be permitted to smoke albeit that they are the owners of the vehicle. If he/she wishes. to travel independently he/she may not be permitted to claim mileage allowance.

Recruitment Procedures

28. Details of this policy should be included in the recruitment packs associated with job applications.
29. All job applicants should be made aware of this Smoking Policy atthe interview stage.
30. On their appointment and at subsequent induction, all new employees and should be provided with access to a copy of this policy.

Informing Employees Of The Policy

- 31 .. This Model Policy will be published on the Schools' Extranet site (under Human Resources) for access by school based staff. Printed copies will only be available for those staff that do not have access to pes.

Implementation, Monitoring And Review

32. The responsibility for implementing this policy rests with the Governing Body, Headteacher and all school based staff.
33. The responsibility for monitoring the policy rests with the Governing Body and the Headteacher,
34. A formal review of the Model Policy will be conducted by the Schools' Human Resource team by September -2009. Trade unions and health and safety representatives will be consulted on the results of the monitoring and review.

Changes To The Policy

35. Notice will be given regarding any changes made to the Model Policy. Trade unions and health and safety representatives will be consulted in good time about any proposed changes.

Consultation

36. This Model Policy has been devised in full consultation with Trade Unions and representatives concerned with Health and Safety in London Borough of Havering.