



**St Cuthbert's
Catholic High School**

Live life in all its fullness

Smoke-Free Policy

2020-2021

Last updated: March 2021

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Statement of intent

St Cuthbert's Catholic High School has a duty to protect its employees and students 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, students, 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 Date: _____

_____ Chair of governors Date: _____

1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- Health Act 2006
- Children and Young Persons (Protection from Tobacco) Act 1991
- Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015
- Equality Act 2010

1.2. This policy also has due regard to guidance including, but not limited to, the following:

- Public Health England (2016) 'Use of e-cigarettes in public places and workplaces'

2. Policy application

2.1. The principles outlined in this policy apply to all staff, students, visitors, contractors and parents.

2.2. The principles outlined in this policy also continue to apply whether or not 'no smoking' signs are displayed.

2.3. All areas of the school premises, including outdoor areas, are designated smoke-free environments and, as such, all individuals are prohibited from smoking anywhere on the premises.

3. E-cigarettes on the premises

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

3.2. 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.

3.3. 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.

3.4. The school also recognises that e-cigarettes may create a nuisance for others in the production of vapour, particularly for non-users.

3.5. 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 (unless in accordance with point 3.6), particularly students, whilst on the premises.

3.6. 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 students are present in the vehicle.

3.7. Vaping is not permitted in any personal vehicles on the school premises or around the immediate areas surrounding the school gates during school hours.

3.8. 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.

3.9. 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.

3.10. It is illegal for any individual under the age of 18 to use an e-cigarette. Any student witnessed using an e-cigarette on the premises or radius during school hours will face disciplinary action.

3.11. Staff, visitors and contractors are prohibited from purchasing e-cigarettes for students and any other individuals under the age of 18 at the school, e.g. visitors.

4. Smoking on the premises

4.1. Smoking is prohibited on the school premises at all times; there are no designated areas available on the school premises for smoking.

4.2. Staff, contractors, visitors and students are not permitted to smoke around the immediate areas surrounding the school gates during school hours; this is to reduce the risk of students, parents and other members of the school community witnessing the individual smoking, which may affect professional etiquette.

4.3. Any individual who is witnessed smoking on the premises, or around the immediate areas surrounding the school gates during school hours, will be subject to disciplinary sanctions, as outlined in section 5 of this policy.

4.4. Smoking is not permitted at any time in vehicles being used on behalf of the school, e.g. school minibuses, whether or not students are present, or car mileage allowance is being claimed, as smoke fumes may linger in the vehicle and affect the health of other passengers.

4.5. Smoking is not permitted in any personal vehicles on the school premises or around the immediate areas surrounding the school gates.

4.6. 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.

4.7. 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.

4.8. It is illegal for any individual under the age of 18 to smoke. Any student witnessed using cigarettes on the premises or within a **one-mile** radius during school hours will face disciplinary action.

- 4.9. Staff, visitors and contractors are prohibited from purchasing cigarettes for students and any other individuals under the age of 18 at the school, e.g. visitors.

5. Disciplinary sanctions

- 5.1. 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**.
- 5.2. Staff may also be subject to a penalty fine and possible criminal prosecution depending on the nature of the breach.
- 5.3. 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.
- 5.4. Students 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.
- 5.5. Students caught smoking or vaping will receive a disciplinary sanction immediately in accordance with the school's **No smoking contract**, and will be reported to the **headteacher**.
- 5.6. The **headteacher** will notify the student's **parents/ carers** of the incident and the disciplinary sanctions imposed on the student via a written letter.
- 5.7. The student will attend a meeting with the **school nurse** for health advice as soon as possible.
- 5.8. If students 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 student in accordance with the **Behavioural Policy**.

6. Support

- 6.1. 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.
- 6.2. If an employee wishes to stop smoking, they are able to request a meeting with the **school nurse/ school smokefree champion** to discuss what help is available.
- 6.3. The school regularly educates students about the effects of smoking, vaping both through the requirements of the national curriculum, and through additional sessions, e.g. Personal Development lessons and assemblies.
- 6.4. Students are encouraged to seek help from the **school nurse/ school smokefree champion** 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. Monitoring and review

- 7.1. This policy will be reviewed every **two years** by the **PD Lead**; the next scheduled review date for this policy is **March 2023**.
- 7.2. Any changes made to this policy will be communicated to all members of staff, and students if necessary.
- 7.3. 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.
- 7.4. As part of a whole school approach to smoking, the school will from time to time communicate the benefits of quitting smoking to parents via usual methods of communication and give details of local sources of support to quit.
- 7.5. The school will support local and national initiatives aimed at smoke prevention and cessation and where possible take part in events and activities to encourage parents and carers to quit smoking and create a smoke free environment in the home.
- 7.6. There will be a named member/s of staff/ smokefree champions

who parents and carers can go to in they wish to stop smoking. These people can direct parents and carers to appropriate bodies for help in quitting smoking. This member of staff will liaise with **Smokefree St Helens** to stay up to date on issues related to smoking and teaching resources and ensure students are offered support to stop smoking, or referred to Smokefree St Helens service where appropriate.

Appendix 1

Letter 1: Initial Notification Letter

Dear Parent or Carer

RE: Smoking on School Premises

I regret to notify you that (insert name) has been caught smoking on the school premises.

The school takes an extremely dim view of this as it is a serious breach of the school rules, the St Helens Council Policy on Smoke Free Spaces and the 2006 legislation which makes it unlawful to purchase or smoke cigarettes below the age of 18 or to smoke in public spaces.

As a consequence of this (insert name) will (insert sanction)

Whilst it's important for our young people to realise there is a consequence for their actions it is also important for them to realise that the school takes its responsibilities in supporting them with their health and well being also very seriously. To this end we will be passing their names to the school nurse who will arrange to see them about the long term health dangers of smoking and to give them advice on "giving up."

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Smoking is known to be the principal most avoidable cause of premature deaths in the UK accounting for the lives of 186,000 people.

Yours sincerely

(Insert name)

Appendix 2

Letter 2: Persistent Smoking

Dear Parent or Carer

RE: Smoking on School Premises

I regret to notify you that (insert name) has been caught smoking on the school premises.

As you will know the school takes an extremely dim view of this as it is a serious breach of the school rules, the St Helens Council Policy on Smoke Free Spaces and the 2006 legislation which makes it unlawful to purchase cigarettes below the age of 18 or to smoke in public spaces.

As a consequence of this (insert name) will (insert sanction)

This is not the first incident of this nature and it appears that strategies adopted previously seem to be having little or no effect. This cannot continue.

Whilst the support strategies will remain in place for (insert name) we also have a measure of other punitive sanctions that we will be prepared to adopt.

The school smoking policy makes our position clear on persistent smoking and the following is an extract from that policy.

“The school will forward the names of persistent offenders to the Council Enforcement Officer and the Police and further incidents will result in more serious sanctions being considered by the school. These will include extended detentions, isolations, pastoral support plans or even exclusions. The school may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice.

The penalties and fines for the smoke-free offences set out in Health Act 2006 are; a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200). These fines may be subject to change.”

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Smoking is known to be the principal most avoidable cause of premature deaths in the UK accounting for the lives of 186,000 people.

Yours sincerely

(Insert name)

Appendix 3

Letter 3: Parental Involvement

Dear Parent or Carer

RE: Smoking on School Premises

I regret to notify you that (insert name) has been caught yet again smoking on the school premises.

As you will know the school takes an extremely dim view of this as it is a serious breach of the school rules, the St Helens Council Policy on Smoke Free Spaces and the 2006 legislation which makes it unlawful to purchase cigarettes below the age of 18 or to smoke in public spaces.

As a consequence of this (insert name) will (insert sanction)

(insert name) is persistently breaking the anti smoking rules as there have been several incidents of this nature and it appears that strategies adopted previously seem to be having little or no effect. We cannot allow this to continue. The school smoking policy makes our position clear on persistent smoking and the following is an extract from that policy.

“The school will forward the names of persistent offenders to the Council Enforcement Officer and the Police and further incidents will result in more serious sanctions being considered by the school. These will include extended detentions, isolations, pastoral support plans or even exclusions. The school may choose to seek assistance from the Local Enforcement Officer or the Police in pursuing a statutory fixed penalty notice.

The penalties and fines for the smoke-free offences set out in Health Act 2006 are; a fixed penalty notice of £50 (discounted to £30 if paid within 15 days from the issue of a notice) or a fine by a court not exceeding level 1 on the standard scale (up to £200). These fines may be subject to change.”

An appointment has been made with (insert name of staff) on (insert day and time) in order to discuss the severity of the situation and explore ways in which both school and (insert name) can move forward from this point in order to prevent the full weight of school sanctions being deployed.

I do hope you will join us in supporting (insert name) with this to ensure that the full consequences of their actions are understood. Smoking is known to be the principal most avoidable cause of premature deaths in the UK accounting for the lives of 186,000 people.

Yours sincerely

(Insert name)

Appendix 4: Contract

What we believe in:

We at St Cuthbert's Catholic High School are committed to providing the best education for all our students and helping them to live life in all its fullness.

Educating all employees, students, parents, contractors and other visitors of the dangers of smoking to health and that smoking is known to be the principal avoidable cause of premature deaths in the UK.

The compliance with anti-smoking legislation, namely Smoke -free (Premises and Enforcement) Regulations 2006 and that from the 1st July 2007 all workplaces in England must be smoke free, rendering it a criminal offence to smoke on the school premises.

Providing a healthy, clean and safe working environment for all employees, students, parents, contractors and other visitors.

What we will do:

- Help all students to make healthy, informed choices by helping them to learn about the dangers and health risks associated with smoking and by challenging attitudes towards smoking.
- Help our young people to get appropriate personal support to help them to stop smoking.

What parents will do

- Support you through encouragement, rewards and incentives to ensure you do the right thing
- Listen and help you and not be too judgmental
- Help the school to support you

What you will do:

- Refrain from bringing any smoking related material into school including cigarettes, lighters, matches, tobacco, cigarette papers or any such like material
- Remain within the allowed bounds of the school yards and spaces and not venture into spaces deemed to be "out of bounds" such as behind mobile classrooms, down the steps of the boiler room, behind sheds, be outside the school during normal school hours or in any other such like place.
- Engage with all the strategies that school deploy in order to help you to stop smoking including attending any sessions with the school nurse, working with outside agencies who have expertise in this area or any other strategy that school uses for the purpose of support.

I understand that the school has a duty of care and a legal responsibility to take these measures to prevent me from smoking on school premises. I am also aware of the seriousness of the position I find myself in and understand that further transgression may result in my exclusion from school during break and lunchtimes and the problems this will cause for the people who care for me.

I (student name) agree to abide by the conditions above

Signed..... Date

Signed on behalf of the school