

# TARLETON ACADEMY

## Smoke Free Policy

### Aims of Tarleton Academy

Tarleton Academy is a non-smoking school and has an obligation to abide by Government legislation with regard to smoking in the workplace and in public premises. The school premises include all buildings, sports fields and areas under the auspices of Tarleton Academy. Smoking is also prohibited on the school bus, any school vehicles or in any vehicle on the school premises. The Smoke Free Policy applies to all stakeholders whilst present on the school site and came into effect on 12<sup>th</sup> February 2008.

### The Health Act 2006

The Health Act 2006 was established 'to make provision for the prohibition of smoking in premises, places and vehicles; for amending the minimum age of persons to whom tobacco may be sold and to make provision in relation to the prevention and control of health care associated infections.'

If defines:

*"Smoking" refers to smoking tobacco or anything which contains tobacco, or smoking any other substance.*

*Smoking includes being in possession of lit tobacco or of anything lit which contains tobacco, or being in possession of any other lit substance in a form in which it could be smoked.*

*Premises are smoke-free if they are open to the public.*

*Premises are smoke-free if they are used as a place of work'*

Office of Public Sector Information, 19th July 2006

This policy has been formulated in relation to the Governing Body's Statement of Ethos. The purpose of the Smoke Free Policy is to:

- Define acceptable standards of behaviour in relation to smoking of any substance on the school premises.
- Ensure that all stakeholders are aware of the acceptable standards of behaviour in relation to smoking.
- Ensure that standards are consistently and fairly applied.
- Define the protocol for monitoring behaviour in relation to smoking.
- Define the penalties for smoking anywhere on the school site.
- To equip students with the skills necessary to thrive and prosper in an ever increasingly competitive world.

We seek to create the conditions in which students take responsibility for their own health and behaviour. For this to take place, staff, students and parents should work to an agreed set of standards and targets. We want to create an ethos which celebrates and reinforces achievement of those standards and which clearly identifies the consequences of a failure to work towards them. This Smoke Free Policy will therefore clearly define the penalties for non-compliance and so create the conditions within school in which effective teaching and learning can take place and students achieve the highest possible standards. We will work within Local Authority (LA) guidelines and strategies for promoting health and well-being for all within the school.

Tarleton Academy seeks to build an effective partnership between the school and parents. We will inform parents about the non-compliance of their children with this policy. We will acknowledge the efforts of students to improve their health and will challenge the behaviour of those students and parents who give low priority to the elimination of smoking on school premises. Review and evaluation of this policy will take place on an annual basis.

The measures contained within this policy can, to such an extent as is reasonable, include measures to regulate and control the behaviour of staff or students when they are not being educated within school, i.e. when attending college placements, the Eric Wright Centre, on work experience or on any other occasion when students are not on the school premises but are in the charge of the school.

Please note that this policy refers to CMIS (Computer Managed Information System), which is the school's information management system and contains all student related information. The use of CMIS is governed by the school's policies for Data Protection and the Freedom of information. All smoking related incidents will be recorded using CMIS.

Personal Development Managers, PSHE teachers, together with all staff, will promote the benefits of a smoke –free society through lessons, assemblies and displays and these will feature prominently throughout the school. Further information on stopping smoking for adults and students is highlighted at the end of this policy.

### **School responsibilities**

Overall responsibility for the Smoke Free Policy rests with the Headteacher and implementation will be through the Health and Safety Advisor.

The school will ensure that all students and stakeholders are informed of the Smoke Free Policy via assemblies, publication of the Staff Handbook, the school 'Moodle' and website.

The school will display 'No Smoking' signs prominently around the site.

### **Protocol for non-compliance by students on school premises.**

Students will be punished for 'smoking' if:

- They are seen smoking

- They are seen with a lit cigarette in their possession
- They are found to have cigarettes and/or other smoking materials in their possession
- They are found in the company of someone who is smoking.
- If students are found to be smoking they will receive five Pastoral Detentions and parents will be informed by letter.
- If students are subsequently found to be smoking they will receive five after-school detentions and parents will be informed by letter.
- A further offence may result in prosecution by the school in accordance with Local Authority (LA) guidance.
- Any further incidents may result in exclusions being considered.

### **Statutory fixed penalty notices**

The penalties and fines for the smoke-free offences set out in the Health Act 2006 are:

- Smoking in a smoke-free premises or vehicle: 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.

### **Parenting Contracts**

The Education and Inspections Act 2006 amends Section 19 of the Anti-social Behaviour Act 2003. Schools' (and Local Authorities') power to enter into voluntary parenting contracts in cases of anti social behaviour in relation to smoking on school premises.

This is a written voluntary agreement between the school, Governing Body and the parent. The parent agrees to comply with certain requirements and the school agrees to provide, or help the parent access, the support they need.

Parenting contracts are appropriate where the parent is willing to engage with the school but needs support in order to improve their child's behaviour or attendance.

### **Formally notifying the parent**

The parent / carer will be notified in writing by the school or LA at the onset of any actions that may be taken against them. The school, LA or other authorized person, will use model letters in the DCSF (Department for Children, Schools and Families) Guidance 'Improving Behaviour', as exemplars.

### **Protocol for non-compliance by staff on school premises.**

- Smoking is not allowed at any time when employees are at work
- Smoking is banned in School's premises and grounds and in any school vehicles used for transporting students, employees, parents and visitors
- Smoking is not allowed by employees or others on land owned and controlled by the School e.g. car parks, playing fields, playgrounds

- Employees, Visitors and Governors are reminded that the school is smoke free and they are requested not to smoke near any access point, doorway or window fronting onto public roads or land or around the perimeter of the school.
- The Smoke Free Policy will be brought to the attention of partnership organisations, businesses providing services and other stakeholders who may interact with the school's employees and their co-operation in implementing both the spirit and letter of the policy will be requested

Disciplinary procedures may be followed if a member of staff does not comply with this policy.

Staff may also be liable to a fixed penalty fine and possible criminal prosecution.

**Protocol for non-compliance by visitors on school premises.**

Visitors who do not comply with this policy will be asked to leave the premises. Refusal to comply with this request will result in the Police being informed.

**Help to stop smoking**

Free help and information is available from:

- The NHS offers a range of services to help smokers to give up. Visit [www.gosmokefree.co.uk](http://www.gosmokefree.co.uk) or call the NHS Smoking Helpline on 0800 169 0 169 for details. Alternatively you can text 'GIVE UP' and your full postcode to 88088 to find your local NHS Stop Smoking Service
- GP Surgeries
- Lancashire County Council's Schools Portal
- Lancashire Healthy Schools Website – [www.lhsp.org.uk](http://www.lhsp.org.uk)
- Students in school can access the School Nurse for help and advice.

The Governing Body will review this policy on an annual basis.

Adopted by the Governing Body

Dated: 30<sup>th</sup> March 2010