

## **RAVENSWOOD COMMUNITY PRIMARY SCHOOL**

### **NON-SMOKING POLICY**

#### **1. INTRODUCTION**

It is the intention of the Governing Body to promote and protect the health and well being of its employees, pupils and other visitors to the school. There is a recognition that smoking is bad for health and unpleasant to many users of buildings and services. Moreover, we believe that those working with children are in a unique position to act as positive role models and have a responsibility to send out consistent messages about the hazards of smoking.

This Policy applies to all employees, governors, pupils, parents and other users of, and visitors to, the school.

#### **2. LEGISLATIVE BACKGROUND**

Under Section 2 of the Health and Safety at Work, etc. Act 1974 employers have to ensure, so far as is reasonably practicable, the Health, Safety and Welfare at Work of all their employees. Health and Safety Executive Inspectors can take enforcement action if necessary in these circumstances, but ultimately it will be for the Courts to decide in a particular case whether the risk to health was significant.

Under the Workplace (Health, Safety and Welfare) Regulations 1992, employers have to ensure that there are arrangements to protect non-smokers from discomfort caused by tobacco smoke in rest rooms or rest areas.

Employers also have a common law responsibility to provide a safe place and system of work. Recent case law has determined the rights of employees - there is no implied contractual right to be able to smoke at work, and employees have a right to clean air.

Additionally, the Health and Safety Commission is currently (Sept 2000) seeking ministerial approval to a new Approved Code of Practice on passive smoking at work, which "will guarantee the welfare of non-smoking employees and allow employers to make arrangements best suited to the requirements of each enterprise".

## **RESTRICTIONS ON SMOKING**

Smoking is not allowed in the school buildings, nor in any other areas, including doorways, entrances, walkways, playgrounds, playing fields and car parks.

Non-adherence to the Governor's policy on smoking at work, will make employees liable to disciplinary action.

The above represents School policy and is expected to be observed by all, it will be enforced by management where non-compliance is observed.

It is the responsibility of a member of the management team to communicate the policy to staff and the school community. It will form part of local induction training and be included, or at least referred to, in information made available to job applicants, so as to minimise new staff having unforeseen difficulties in complying with the policy.

### **Visitors to the School:**

No smoking is allowed on, or near school premises, including the playground and playing field, by anyone visiting the school, including parents.