PENK VALLEY ACADEMY TRUST

Smoking at Work Policy

Adopted by Trustees:	
Signed:	
Date:	Spring 2025
This policy is reviewed every three years by the Audit Finance and Risk Committee	
Next Review date:	Spring 2028

POLICY INFORMATION

Date of last review:	Spring 2025	**Review period:**	Tri-Annually
Date ratified by Trustees:	Spring 2025	**Trustee committee responsible:**	Audit Finance and Risk
Policy owner:	Chief Operations Officer	**Executive team member responsible:**	Chief Operations Officer

Reviews/revisions

Review date	Changes made	By whom
2017	Creation	JA
2017	SJFS added	TP
2018	Updated for PVAT	TP
2020	No changes	JA
2024	Changes to include vaping and wording for legal requirements	LMC
2025	Format change only	LMC

Equality and GDPR

All Penk Valley Academy Trust policies should be read in conjunction with our Equal Opportunities and GDPR policies.

Statement of principle – Equality

We will take all possible steps to ensure that this policy does not discriminate, either directly or indirectly against any individual or group of individuals. When compiling, monitoring and reviewing the policy we will consider the likely impact on the promotion of all aspects of equality as described in the Equality Act 2010.

Statement of principle – GDPR

Penk Valley Academy Trust recognises the serious issues that can occur as a consequence in failing to protect an individual adult's or child's personal and sensitive data. These include emotional distress, physical safety, child protection, loss of assets, fraud and other criminal acts.

Penk Valley Academy Trust is therefore committed to the protection of all personal and sensitive data for which it holds responsibility as the Data Controller and the handling of such data in line with the data protection principles and the Data Protection Act (DPA)/GDPR.

Statement

This policy is set out two fold, firstly to address our legal requirement to protect all employees, service users, customers and visitors from exposure to second-hand smoke and to assist compliance with the Health Act 2006. The second to address the rules on vapes and e-cigarettes within our schools.

Aim

Penk Valley Academy Trust Board of Trustees is committed to ensuring that all of our buildings, grounds and vehicles are smoke and vape free as all employees and students have the right to work in smoke / vape free environment. Smoking or vaping is prohibited throughout the entire workplace with no exceptions. This policy applies to all employees, students, consultants, contractors, customers, governors, lettings arrangements and visitors.

Policy Implementation

Overall responsibility for policy implementation and review rests with the Academy Trust CEO. All staff are obliged to adhere to, and facilitate, the implementation of the policy.

Buildings

All schools / trust property must have

- No-smoking /Vaping signs in place; at the entrance to the land and entrance to the building.
- Ensure make sure that employees, service users, customers and visitors are aware that the premises and school buses are legally required to be smoke-free and that vaping is not permitted under the school / trust rules.

Vehicles

All school vehicles will display a no-smoking / vaping sign

The following have a legal duty to stop any individual smoking in a smoke / Vape free vehicle:-

- the driver
- a member of the Academy Trust Leadership Team
- any member of staff accompanying the students on the vehicle

School direct Leases.

The same rules apply to all direct leases and lets regardless of day, evening or at weekend. All clubs and teams that may lease the school grounds or buildings.

Leisure centre

The leisure centre at Wolgarston are able to follow their own procedures for the management of the 3g pitch and the leisure centre itself. Note that the changing rooms at Wolgarston and swimming pool fall under the school rules of no smoking or Vaping as does the car park.

.

Non-compliance

If someone smokes on site, the responsible person should:-

- Draw the person's attention to the no-smoking signs and ask them to stop smoking or go outside;
- point out that smoking cigarettes where banned is a criminal offence by smoking in smoke-free premises or vehicles and could be subject to criminal proceedings;
- remind the person that under the law you have responsibilities to prevent smoking and that you both could receive a fine; and/or
- advise an employee/pupil who breaks the law that relevant disciplinary action may be taken.
- Vaping is illegal for under 18's and any pupil found with smoking or vaping paraphernalia will have it confiscated and not returned.
- Repeated breaking of the rules for pupils may lead to further consequences such as suspension or expulsion.

- For leases or lets where persistent smoking or vaping occurs the school may withdraw use of the facilities.

Facilities for Smokers

Penk Valley Academy Trust Board of Trustees have decided not to provide facilities for smokers, as there is no legal requirement to provide outdoor smoking shelters for staff or members of the public. No litter from smoking off site should be visible, as this could have a detrimental effect on the School's image.

Help to Stop Smoking

The Penk Valley Academy Trust Board of Trustees is committed to supporting individuals who wish to give up smoking.

Support is available from:

NHS Stop Smoking service:- 0300 123 1044

Review of Policy

This policy will be reviewed every 3 years, or before if deemed necessary by the Academy Trust Board of Trustees.