

UNIVERSITY ACADEMY
HOLBEACH



The University Academy Holbeach

Executive Principal: Steve Baragwanath B.S.c (Hons.)

Principal: Sheila Paige B.A (Hons.)

DRAFT

NO SMOKING POLICY

January 2021
To be reviewed every two years
Review date:

Introduction

Second hand smoking, breathing in other people's tobacco smoke, has been shown to cause cancers, heart and respiratory disease in non-smokers. Smoking causes diseases and has a negative effect on health.

Health Improvement and Protection Act 2006, stated that by summer 2007 all enclosed work places would need to be smoke free.

The Health and Safety at Work Act 1974, places a duty on employers to provide a working environment that is:

‘Safe, without risks to health’

University Academy Holbeach acknowledges that second hand tobacco smoke is both a public and work place health hazard and have therefore adopted this no smoking policy.

Aims of the Policy

The policy seeks to

Comply with National legislation

Guarantee a healthy working environment and protect the current and future health of employees, pupils, parents and visitors

Guarantee the right of non-smokers to breathe in air free from tobacco smoke

To comply with National Legislation, Health & Safety Legislation and Employment Law

Raise awareness of the dangers associated with exposure to tobacco smoke

Take account of the needs of those who smoke and to support those who wish to stop.

Restrictions on Smoking

Smoking is not permitted in any part of the premises, entrances or grounds at any time, by any person regardless of their status or business with the Academy.

Smoking will not be tolerated at entrances and exits and is not permitted in any of the following areas, lifts corridors, stairways or wells, toilets, meeting or staff rooms or other areas. Pupils and staff are not permitted to smoke around the Academy or near the Academy site.

Pupils and learners must not be seen smoking as they leave or enter the Academy site. Nor must they be seen smoking as they arrive to and leave from the vicinity of the Academy. This extends to taking part in any Academy-organised or Academy-related activity, travelling to or from Academy wearing Academy uniform and in some other way identifiable as a pupil at the Academy.

Visitors

All visitors, contractors and deliverers are required to abide by the no-smoking policy.

Staff members are expected to inform visitors of the no-smoking policy if necessary. However, they are not expected to enter into any confrontation which may put their personal safety at risk.

Vehicles

Smoking is not permitted in company vehicles or any vehicles being used on Academy business.

Support for smokers

Any smoker requiring help and support in giving up smoking are encouraged to seek assistance from the NHS web site <https://www.nhs.uk/smokefree> and <https://www.nhs.uk/smokefree/help-and-advice/support> or by phone Smokefree National Helpline to speak to a trained, expert adviser.

Call: 0300 123 1044

All lines are open Monday to Friday 9am to 8pm and Saturday and Sunday 11am to 4pm

Disciplinary Action

Any member of staff found to be smoking on site needs to be reported to the Principal who will speak to them and warn them about their conduct. A written warning will follow if the conduct persists.

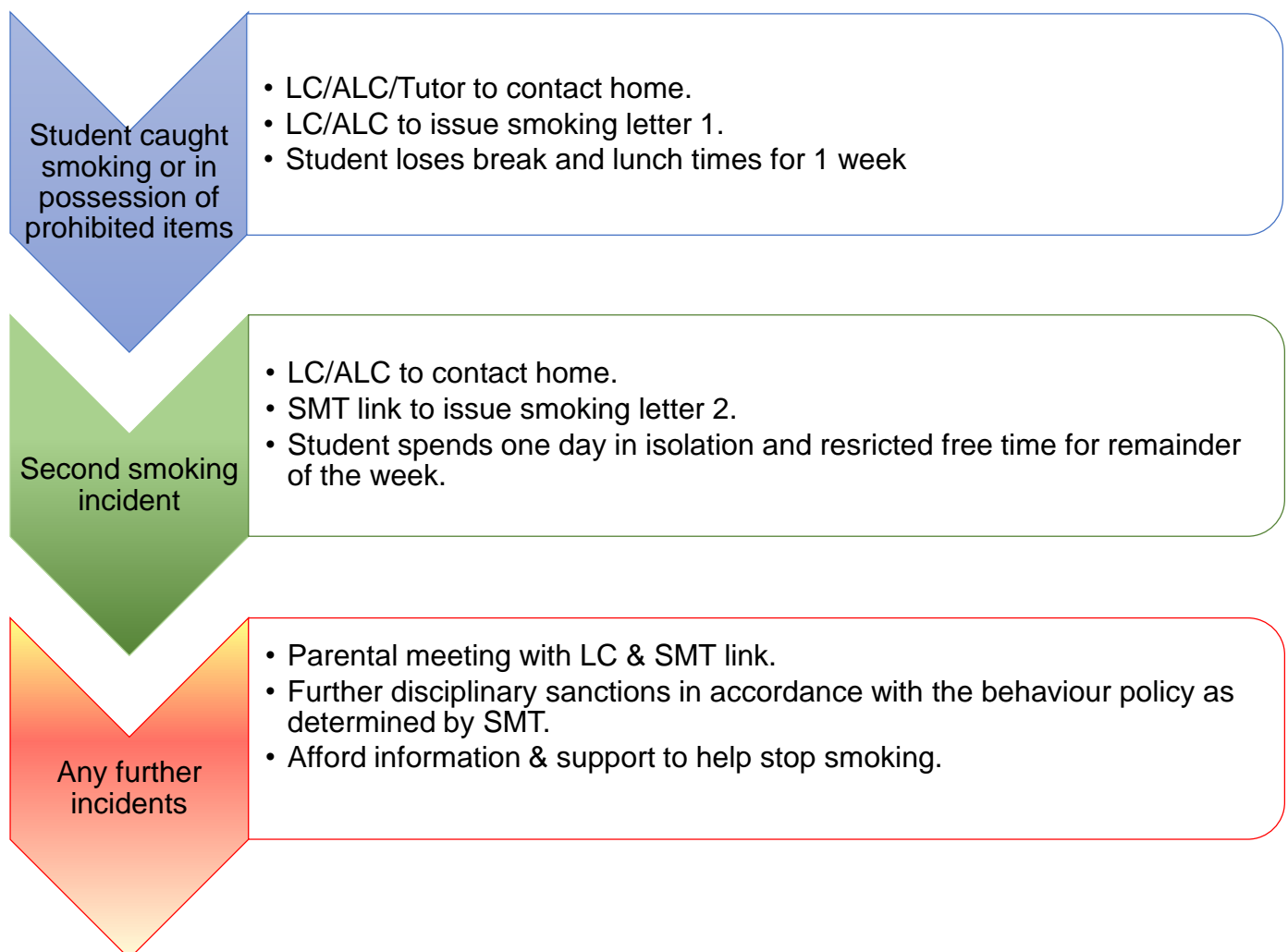
Contractors on site will be reported to the appropriate manager and the Principal will also be informed.

Learners found smoking will be reprimanded and sanctions ranging from detentions to isolation will be enforced. Parents and guardians will be informed. Tobacco, any tobacco products, lighters, 'e'-cigarettes and vapes will be removed. Parents and guardians will be expected to collect these from the Academy if they wish to do so.

Learners in the Sixth Form must not smoke around the site and will be sanctioned if they are found to be doing so.

Apprentices will be reported to their companies if found smoking around the site.

Flow chart showing list of potential sanctions in respect to a breach of this policy.



Searching and Confiscation

(Further information available in the document; Screening, searching and confiscation. Advice for Head teachers, school staff and governing bodies. Dfe 2018)

Principals and staff authorised by them have a statutory power to search students or their possessions, without consent, where they have reasonable grounds for suspecting that the student may have a prohibited item. Principals can decide not to use these powers. In respect to this policy prohibited items for pupils to have in their possession at the Academy are tobacco, tobacco products, e-cigarettes, vapes, lighters and cigarette papers. If a member of staff suspects a pupil has a banned item in his/her possession, they can instruct the pupil to turn out his or her pockets or bag and if the pupil refuses, the teacher can apply an appropriate punishment as set out in the school's behaviour policy.

- A person can only carry out a search if they are a Principal of the Academy or they have been authorised by a Principal to carry out the search. Staff can refuse to carry out searches.
- Academy staff are not legally required to undergo any training prior to being authorised by a Principal to search students.
- Teachers can only undertake a search without consent if they have reasonable grounds for suspecting that a pupil may have in his or her possession a prohibited item. The teacher must decide in each particular case what constitutes reasonable grounds for suspicion. For example, they may have heard other pupils talking about the item or they might notice a pupil behaving in a way that causes them to suspect that the pupil is concealing a prohibited item.
- The person searching must be the same sex as the pupil and it must be carried out in the presence of another member of staff. Where reasonably practicable they should also be the same sex as the student. In the exceptional circumstances when it is necessary to conduct a search of a pupil of the opposite sex or in the absence of a witness, the member of staff conducting the search should bear in mind that a pupil's expectation of privacy increases, as they get older.
- A pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- The student may not be asked to remove any clothing other than outer clothing - Outer clothing means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear but 'outer clothing' includes hats; shoes; boots; gloves and scarves.
- Possessions means any goods over which the student has or appears to have control – this includes desks, lockers and bags.
- If a member of staff finds tobacco, tobacco products, lighters, e-cigarettes, vapes or cigarette papers they may retain them and contact the parents to collect them. They shall not be returned to the pupil.

- Searches without consent can only be carried out on the school premises or, if elsewhere, where the member of staff has lawful control or charge of the pupil, for example on school trips in England or in training settings.
- The Academy does not require the consent of a parent/carer to carry out a search nor do they need to inform parents when a search has been carried out. There is no legal requirement to make or keep a record of a search, though it would be good practice to do so.
- Members of staff can use such force as is reasonable given the circumstances when conducting a search for knives or weapons, alcohol, illegal drugs, stolen items, tobacco and cigarette papers, fireworks, pornographic images or articles that have been or could be used to commit an offence or cause harm. Such force cannot be used to search for items banned under the school rules.

Monitoring and reviewing

This policy will be reviewed every two years to ensure that it continues to meet its aims.

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UNIVERSITY OF
LINCOLN

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Park Road
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Tele: 01406 423042
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Dear Parent / Guardian,

Your son/daughter has unfortunately breached the UAH no-smoking policy in respect of smoking in school uniform around the vicinity of the Academy site. Smoking, as we know can have a negative impact on your health. It also brings the academy into disrepute having a negative impact on the Academy's reputation within the local community.

As this is the first occasion that your child has been caught smoking, in line with the Academy no-smoking policy the following sanctions will be applied:

Loss of free time over 1 week during break and lunch.

Obviously we are very keen to ensure students are given every opportunity to undertake healthy life choices and this is reflected in a wide range of PHSE topics that students are exposed to. We would like to highlight the following NHS website which details the help and support available to help people to quit smoking.

<https://www.nhs.uk/smokefree>

[Smokefree](https://www.nhs.uk/smokefree) has trained smoking advisers who can help you find the best way for you to stop smoking. Call [0300 123 1044](tel:03001231044) for support, or find out about a local group you could go to - <https://www.nhs.uk/smokefree/help-and-advice/local-support-services-helplines>

If your child is caught smoking on a second occasion there will be an escalation of disciplinary sanctions in line with Academy no smoking and behaviour policy.

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Dear Parent / Guardian,

Your son/daughter has unfortunately continued to breach the UAH no-smoking policy in respect of smoking in school uniform around the vicinity of the Academy site. Smoking, as we know can have a negative impact on your health. It also brings the academy into disrepute having a negative impact on the Academy's reputation within the local community.

As this is the second occasion that your child has been caught smoking, in line with the Academy no-smoking policy the following sanctions will be applied:

- 1 day isolation and restriction of free time for the remainder of the week for break and lunch.

It is very important that your child understands the consequences for repeatedly breaching the Academy policy and conforms to our expectations. We hope that you would agree that it's important to maintain standards as this supports good order in and around the Academy. Furthermore, smoking in school uniform in a public place brings the Academy into disrepute and sets a negative example for younger pupils at the Academy.

Obviously we are very keen to ensure students are given every opportunity to undertake healthy life choices and this is reflected in a wide range of PHSE topics that students are exposed to. We would like to highlight the following NHS website which has detailed the help and support available to helping people to quit smoking.

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If you child if caught smoking on a third occasion there will be a further escalation of disciplinary sanctions in line with Academy no smoking and behaviour policy.