



Co-op Academy
Failsworth

Control of Tobacco Products & Associated Electronic Devices Policy

Issue 1

CONTROL OF TOBACCO PRODUCTS & ASSOCIATED ELECTRONIC DEVICES POLICY

1. PURPOSE

To ensure compliance with current and pending legislation with respect to the possession and use of **tobacco products** and other requirements in relation to **electronic devices** capable of delivering nicotine.

Following the passing of the Health Act 2006, smoking in enclosed workplaces has been illegal since the 1st of July 2007. It is illegal to sell any **tobacco product** to anyone under the age of 18. The minimum age to smoke in public is 16, and authorities, including schools/academies, have a duty to seize any **tobacco product** in the possession of any person apparently under the age of sixteen.

Legislation currently going through parliament (The Nicotine Inhaling Products (Age of Sale and Proxy Purchasing) Regulations 2015) is likely to introduce similar restrictions on **electronic devices** such as electronic cigarettes or 'e-cigs' capable of delivering nicotine and/or associated liquids.

Co-op Academy Failsworth also has a legal duty under the Health & Safety at Work (Etc.) Act 1974 and associated regulations to protect all persons on site and participating in off-site activities from exposure to potentially injurious substances.

2. SCOPE

This policy is restricted to those measures appropriate to controlling the use of **tobacco products** and associated **electronic devices** such as 'e-cigs' inside the academy building, within the external perimeter of the academy grounds and during off-site trips and activities.

This document does not cover measures designed to control the smoking of other substances, especially those classified by law as drugs. These measures are defined in the Co-op Academy Failsworth 'Drug and Substance Abuse Policy'.

3. DEFINITIONS

3.1 Tobacco Product

Any type of processed tobacco. This includes cigarettes, cigars, rolling and pipe tobaccos, chewing tobacco and snuff. Also included with chewing tobacco are paan, betel, bidi and shisha, all of which may, or may not contain an element of tobacco but will be assumed to do so.

3.2 Electronic Device

Any type of electronic device capable of vaporising liquids for the purpose of inhalation, either orally or nasally.

4 STAFF POLICY

4.1 Staff are not permitted to use any form of **tobacco product** or associated **electronic device** on the premises. This includes all indoor and outdoor areas such as carparks, forecourts and pavements sharing a boundary with the academy.

4.2 Staff leaving the premises for the purposes of such activities must not be visible from any point on academy premises.

4.3 Staff are permitted to carry out such activities from within their own vehicles parked on the premises but excluding the Visitors Car Park. This concession only applies during authorised breaks or outside contracted hours provided such activities are not clearly visible from areas accessible by the public.

4.4 Staff taking part in off-site activities and academy trips are not permitted to use any form of **tobacco product** or associated **electronic device** at any time when in the company of pupils. This includes time outside of the activity itself and in public or private places where such activities are permitted within the bounds of the law. Smoking and associated activities will only be permitted if staff completely remove themselves from the company of pupils and the likelihood of contact with pupils.

5 VISITOR POLICY

- 5.1 Visitors wishing to gain admission to the academy (ie. those proceeding beyond Reception) should be informed that Co-op Academy Failsworth is a 'non-smoking site' and that the use of **tobacco products** and **electronic devices** is not permitted anywhere on the premises.
- 5.2 Visitors who are entitled to unaccompanied access to the academy should be regarded as staff for the purposes of this policy.
- 5.3 This policy applies at any time and on any day and applies not only to routine daily activity but also in relation to any event held on or off academy premises and inside or outside of normal school hours.

6 PUPIL POLICY

- 6.1 Pupils are not permitted to bring **tobacco products** and **electronic devices** onto the premises. Possession of such items will be regarded as a breach of the Positive Behaviour Policy and dealt with accordingly.
- 6.2 Pupils are not permitted to use **tobacco products** and **electronic devices** on the premises. This is a breach of the Positive Behaviour Policy and will be dealt with accordingly. Such behaviour is also illegal and will be regarded as a breach of measures designed to protect Health & Safety.
- 6.3 Possession and/or use of **tobacco products** and **electronic devices** at any time by pupils under the age of 16 years taking part in off-site activities and academy trips will be regarded as a breach of the Positive Behaviour Policy and dealt with accordingly. This requirement applies whether pupils are in or out of uniform. The requirements of 6.6 below will also apply.
- 6.4 Where pupils are unsupervised but can be directly identified as representing the academy, ie. wearing uniform, PE/Sports or Dance kit or any combination thereof, then the stipulations of 6.3 will still apply at any time. This includes any part of the journey to or from the academy and anywhere in public at any time.
- 6.5 Any such items found in a pupil's possession will be immediately confiscated and will only be released to a parent or carer or destroyed. Under no circumstances are these items to be returned to pupils. Such an action could be regarded as illegal.
- 6.6 Co-op Academy Failsworth will place particular emphasis on raising awareness amongst pupils of the real and potential hazards and consequences associated with the use of **tobacco products** and **electronic devices**. Pupils will be given access to a smoking cessation programme, either directly through the academy or via external agencies. In addition, awareness of this subject will be taught as elements of the national curriculum in terms of Citizenship, Physical Education and Science at both Key Stage 3 and Key Stage 4.

7 REFERENCES

- 7.1 Co-op Academy Failsworth 'Drug and Substance Abuse Policy'
- 7.2 Co-op Academy Failsworth 'Positive Behaviour Policy'

