

## **8.7 No-smoking**

### **Policy statement**

We comply with health and safety regulations and the Safeguarding and Welfare Requirements of the Early Years Foundation Stage in making our setting a no-smoking environment - both indoors and outdoors. The nursery will take action against any person who is non-compliant. This may be in the form of disciplinary action for employees or a possible fixed penalty fine or prosecution for other individuals.

### **Procedures**

- All staff, parents and volunteers are made aware of our No-smoking Policy.
- No-smoking signs are displayed prominently.
- The No-smoking Policy is stated in information for parents and staff.
- We actively encourage no-smoking.
- Staff who smoke or use e-cigarettes do not do so during working hours, unless on a scheduled break.
- Staff who smoke during working hours and travelling to and from work must not do so whilst wearing a setting uniform, or must at least cover the uniform.
- E-cigarettes are not permitted to be used on the premises.
- Staff who smoke or use e-cigarettes during their scheduled breaks go to a permitted smoking area, which is well away from the nursery premises.
- Staff who smoke during their break make every effort to reduce the effects of odour and passive smoking for children and colleagues
- Smoking is not permitted in any vehicles belonging to the setting.
- Staff are made aware that failure to adhere to this policy and procedures may result in disciplinary action.
- It is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.
- To support smokers who would like to give up, contact the NHS Helpline on [03001231044](tel:03001231044) or online at [www.nhs.uk/livewell/smoking/pages/gethelp.aspx](http://www.nhs.uk/livewell/smoking/pages/gethelp.aspx)

## **Legal framework**

- The Smoke-free (Premises and Enforcement) Regulations (2006)
- The Smoke-free (Signs) Regulations (2012)