



**NORTH STAR NURSERY AND HOLIDAY CLUB**  
**NO SMOKING POLICY**

**1. No Smoking at North Star Nursery**

This No Smoking Policy seeks to guarantee the right of all employees and visitors to breathe air free of tobacco smoke and to comply with smoke-free legislation: The Health Act 2006 and the Smoke-free (Premises and Enforcement) Regulations 2006.

Passive smoking, has been medically proven to cause lung cancer and heart disease in non-smokers, also been proven to cause asthma and migraine attacks, as well as other serious illnesses and minor conditions.

North Star Nursery and Holiday Club operates a no-smoking policy at all times. This rule applies equally to staff, students, volunteers, children, parents/carers and any other visitor. This is stated in the Health and Safety Policy Statement and the Food Handlers Policy for the setting.

This is explained to staff, students, volunteers and agency workers during induction.

All areas of work are covered by this policy: Kitchen, staff room, playrooms, garden, walks and outings.

No Smoking signs are displayed throughout the building.

No provisions are made in the nursery for smoking,

The Polaris House site operates a No Smoking Policy and smoking is restricted to off-site. Although an outdoor smoking shelter is on site, nursery staff are deemed role models and it is therefore not appropriate to utilise the smoking shelter where you could be viewed by children.

Visitors, contractors and maintenance staff will have our No Smoking policy explained to them, if the need arises.

**2. Enforcement of Legislation**

Council enforcement officers will have the power to enter no-smoking premises to determine whether the law is being upheld. They also assess whether or not those in control of the premises have taken all reasonable precautions to avoid people smoking.

All staff have a personal responsibility in ensuring their personal compliance and in ensuring all those who enter the premises are made aware of the policy. Those who do not comply with the smoke-free law may be liable to a fixed penalty fine and possible criminal prosecution

**3. The Penalties for Non-Compliance with the Legislation**

- Failing to display no-smoking signs in premises covered by the law (£200 fixed penalty notice, or up to £1000 Court fine);
- Smoking in a smoke-free place (£50 fixed penalty notice, or up to £200 Court fine);
- Failing to prevent smoking in a smoke-free place (up to £2500 Court fine).

Smoking whilst on duty will result in disciplinary action.

**Any visitors smoking in or near the nursery building will be challenged, utilising the steps outlined at Appendix 1 and displayed at the nursery entrance entitled “How to deal with smoking in a smoke free place”**

If any child/young person is found in possession of cigarettes, cigars or pipes, matches and lighters, these items will be confiscated and their parent/carer informed.

**4. E-Cigarettes**

The law does not apply to e-cigarettes.

North Star Nursery, however, does not permit e-cigarettes to be used on the nursery premises nor within the Polaris House site, including the smoking shelter, as our staff are deemed to be role models for the children and the action of using e-cigarettes is similar to that of using tobacco cigarettes. It is our view that the children are too young to be able to distinguish the difference.

**5. Help for those who smoke**

It is recognised that the No Smoking Policy will impact on smokers' working lives.

The following free services are available to assist smokers to quit:

- <http://www.nhs.uk/smokefree>
- <http://www.quit.org.uk/>

**References:**

<https://www.gov.uk/smoking-at-work-the-law>

This policy links to:	Health and Safety Policy Staff Induction Staff Handbook Research Councils' No Smoking Policy Asthma Policy
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<b>Policy Review History</b>	
May 2012	v. 1
August 2015	v. 2
September 2016	v. 3
September 2017	v. 4
September 2018	v. 5

**This policy will be reviewed in September 2019 unless a review of events, legislation or guidance from health professionals or Ofsted indicates that a review should take place sooner.**

**Signed .....** **Dated .....**

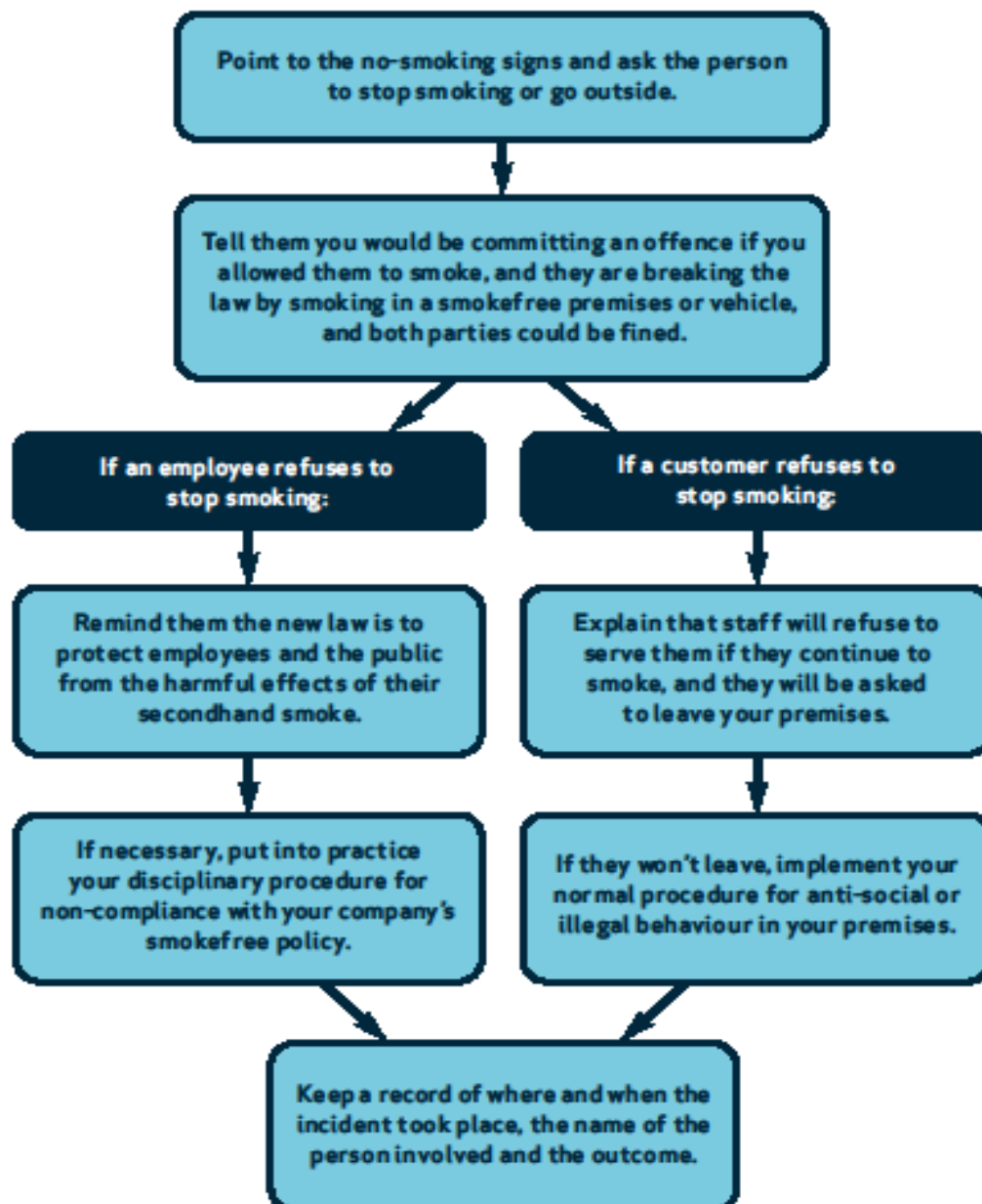
**Print .....** **Nursery Manager**

**Signed .....** **Dated .....**

**Print .....** **Reviewing Committee Member**

# HOW TO DEAL WITH SMOKING IN A SMOKEFREE PLACE

If you are in charge of smokefree premises and/or vehicles, you will have a legal responsibility to prevent people from smoking in them. If someone does smoke in any premises or vehicles you are responsible for, here are some practical steps you might take to deal with them.



If physical violence is threatened by a person smoking, we suggest you notify and/or seek the assistance from the police.

