

## 4.15 Smoking Policy

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#### Regulation and Standards

##### England

- Regulation 10: The health and well-being standard
- Guide to the health and well-being standard
- Regulation 11: The positive relationships standard
- Guide to the positive relationships standard
- Regulation 14: The care planning standard  
Guide to the care planning standard
- Regulation 19: Behaviour management and discipline

##### Wales

- Social Services and Well-being (Wales) Act 2014
- Regulation 15: Personal plan  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/15/made>
- Regulation 33: Access to health and other services  
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/33/made>

#### Scope of this chapter

The company will encourage staff to set high standards of health and safety by personal example, in order that young people leaving our care should take with them an attitude of mind which accepts good health and safety practice as normal.

A separate smoking policy covering smoking on school premises.

#### Other Policies

**Drugs and Substance Misuse Policy, Cigarettes and Tobacco.**

### 1. Background

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1.1 Since July 2007, it has been against the law to smoke in workplaces (including work vehicles) and virtually all enclosed public places in England. Similar legislation exists in Scotland and Wales. One of the aims and objectives of Bryn Melyn Care as a Residential Childcare Provider is to improve the health, well-being and care of children and young people we look after. We are committed to achieving the five outcomes for children as stated in Every Child Matters. When considering the use of tobacco on our premises the 'Be Healthy' outcome is paramount. Research by the Chief Medical Officer has shown that smoking kills not only those that smoke cigarettes but also those that breathe the smoke.

1.2 Bryn Melyn Care recognises the need to ensure that:

- Children live in a healthy environment;
- Their health needs are identified and services are provided to meet them; and
- Their good health is promoted.

It is our policy to actively discourage smoking by means of Health promotion, Education, direct work sessions, group work and support from the young person's General Practitioner. Further to on-going support; there will be posters, leaflets and help line telephone numbers available on the young people's notice boards.

- 1.3 Bryn Melyn Care also recognises the potential fire risks of smoking and smoking related materials. We therefore actively enforce a safe smoking policy for young people and staff members who have permission or who choose to smoke.

## 2. Smoking Policy - Health

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- 2.1 This policy aims to give children and non-smokers the right to live and work in air that is free of tobacco smoke.
- 2.2 This policy applies to all of the children and young people looked after by Bryn Melyn Care.
- 2.3 **The home manager has full and final responsibility for the implementation of this policy**, evidence of staff members reading and understanding these policies will be by way of an acknowledgement sheet displaying the date of reading and the members of staff's signature. This also places responsibility on the team at the home for the implementation of the policy.
- 2.4 Each child and young person looked after by Bryn Melyn Care should be **actively discouraged** from smoking.
- 2.5 Children may **only** smoke if **the social worker and placing authority and, preferably, the child's parents approve**. Where approval is given, arrangements for this **must be outlined in the child's placement plan by means of the social workers signature**; as well as being supported by a full risk assessment. As part of the health plan there must be a clear smoking cessation plan in place with the long term aim of the child or young person giving up smoking. The cessation plan may include strategies such as:
- Health Education;
  - Medical Treatment;
  - Focused direct work through key working sessions;
  - Individual/group counselling;
  - Smoking materials managed by the staff team;
  - Accessing smoking support services via GP's, LAC nurse etc.
- 2.6 Lack of co-operation by the young person must not be a reason for abandoning any strategies or programmes identified in the young person's care/health plan.
- 2.7 All direct working with a young person to achieve positive outcomes with regard to smoking must be evidenced in their records and reports. Progress and achievement should be acknowledged.
- 2.8 All Bryn Melyn Care homes, workplaces and company vehicles are 'smoke free' zones;

therefore young people or staff will not be permitted to smoke in any of these areas.

- 2.9 In our children's home staff and visitors are not permitted to smoke in front of children and children may not smoke inside the home. Members of staff must not purchase or give cigarettes, tobacco or the materials for making or lighting cigarettes or tobacco to young people. See **Drugs and Substance Misuse Policy, Cigarettes and Tobacco**.

### **3. Smoking Policy - Fire Safety**

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- 3.1 Where a young person who is in placement with Bryn Melyn Care is permitted to smoke by the placing social worker, it should be made clear to the social worker/placing authority that there are strict non-negotiable procedures in place to ensure that this practice is as safe as possible.
- 3.2 The home manager has full and final responsibility for the implementation of these procedures. Evidence of staff members reading and understanding these policies will be by way of an acknowledgement sheet displaying the date of reading and the members of staff's signature, as well as the home manager for their implementation. This also places responsibility on the team at the home for the implementation of the policy.
- 3.3 Whatever strategies are in place to help support prevent young people's smoking in the home; all smoking ignition materials such as matches, lighters etc. must be handed in at an agreed time prior to a young person's bedtime. At no time will there be smoking in any of the rooms or bedrooms failure to comply may result in the young person's placement being put at risk.
- 3.4 This practice must be and should be embedded into the routines, culture and expectations of the home.
- 3.5 Where young people refuse to co-operate with this practice, in conjunction with the social worker, the home must implement strategies to encourage this using appropriate consequences, accessing fire safety awareness information, key working sessions and where appropriate, visits from Fire Service Professionals.
- 3.6 Staff on shift will be provided with an electronic (flameless) lighter, which may be used to light cigarettes and should, unless covered by a risk assessment, remain in their possession. These are to be the only lighters within the home. Staff and young people are not to be in possession of any other source of ignition.
- 3.7 If it is suspected that young people have any smoking ignition equipment such as matches, lighters etc. in their rooms **room searches will be carried out immediately** to remove these items. Room searches will be carried out according to the associated procedure. See the **Searching Children and their Belongings Procedure**.
- 3.8 If any prohibited smoking materials are found in the home, they will be **removed and destroyed immediately**. Additionally, associated risk assessments - smoking, fire starting etc. will be reviewed.
- 3.9 Any smoking ignition materials found stored insecurely in the home will be **either removed immediately or stored securely**.
- 3.10 Any young person or staff member, who smokes, will do so in an agreed place at an agreed time. Cigarette or roll-up ends will be disposed of safely and hygienically, staff members are responsible for ensuring that this happens and that cigarettes are fully extinguished before they are disposed of.
- 3.11 No-smoking signs must be displayed in all premises and vehicles.
- 3.12. The same restrictions and permissions apply should a young person wish to use e-cigarettes.

## 4. E-Cigarettes

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Young people at Bryn Melyn will not be supported to use E-Cigarettes as an alternative to cigarettes unless it is as part of an attempt to reduce consumption or cease smoking.

Staff at Bryn Melyn will not purchase E-Cigarettes or liquids for young people unless this is specifically requested by the Placing Authority in writing and is in support of a smoking cessation programme.

All E-Cigarettes will be managed by the staff in the same manner as cigarettes, appropriate risk assessments will be put into place for the use of the device. E-Cigarettes will be handed to staff at night for the purposes of charging to reduce any potential fire risks in the same way that young people smoking tobacco would be expected to hand in their lighters.

As with cigarettes/ tobacco, the smoking of E-Cigarettes is not permitted in the home, schools or any Bryn Melyn Vehicles. Young people wishing to smoke E-Cigarettes are to do so in a designated smoking area away from the home.

The smoking of E-Cigarettes by staff members is subject the same guidance as the smoking of cigarettes, namely:

- The smoking of E-Cigarettes in front of young people is not permitted;
- Staff must smoke E-Cigarettes only in designated areas and not in the homes, offices, schools or vehicles.

**[Click here to view Rules and Regulation - Staff Smoking on Duty.](#)**

NHS Stop Smoking Services are available across England and Wales and offer smokers free group or 1:1 counselling in support of their quit attempt.

NRT (Nicotine Replacement Therapy) is available on prescription. Smokers using NHS services and NRT are up to 4 times more likely to quit than with no support at all.

### Sale of tobacco

From 1st October 2007 it became illegal to sell tobacco products to anyone under the age of 18.



[Visit website](#)

## Revision History

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Date last updated: July 2020

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