

MallingHolmesdale

MHF federation

POLICY FOR

ANTI-SMOKING

PERSON RESPONSIBLE

HEALTHY SCHOOLS CO-ORDINATOR

DATE REVISED

SEPTEMBER 2011

Smoking Fixed Penalty Policy

Smoke-free (Premises and Enforcement) Regulations and Smoke-free (Signs) Regulations for England came into effect at 6am on Sunday 1st July 2007. From this date smoking was no longer permitted in any enclosed or substantially enclosed premises or vehicles that are open to the public including pubs, restaurants and all places of work.

Therefore in accordance with this legislation smoking on the Malling Holmesdale Federation sites is against the law. This includes all buildings, the sites within the perimeter fencing, including all roadways and footpaths within eyesight of the main school buildings to be smoke free places.

This also includes students travelling to other schools or on trips or other school business. They are not allowed to smoke in the place being visited, whether or not this has been designated a smoke free place by the organisation in question.

With effect from 1st June 2011, the following sanctions are to be implemented upon any student caught smoking.

1. **First offence** - student to receive an official warning, logged on Sims, along with a referral to the school's Stop Smoking programme.
2. **Second offence** - £10 fixed penalty notice, payable within 14 days, £5 if paid in 7 days.
3. **Third offence** - £10 fixed penalty notice and HOD detention.
4. **Fourth offence** - £10 fixed penalty notice and VP detention.
5. **Fifth offence** – one day in isolation.
6. **Sixth offence** – one day fixed term exclusion.

The issue of a fixed penalty notice will be issued to students who smoke in any of the designated places as identified above. This is part of the Federation's internal disciplinary procedures and will not be enforceable in the Magistrates Courts. However a notice that has not been paid within 14 days will lead to the student being required to complete community service as set by the School Principal in addition to the penalty notice.

Issuing procedure

The School Principal's have authorised that all fixed penalty notices are to be issued by the Office. The Office will contact the parent to explain that a fixed penalty notice has been issued and will attach a copy of the letter onto Sims. On issue of a fixed penalty notice the Office will inform the Finance Team.

Evidence to support the issue of a warning or fixed penalty notice will be the direct observation of a student smoking, blowing out cigarette smoke, or holding a lit cigarette. For any student caught with any smoking paraphernalia (including lighter or cigarettes) a letter informing parents is to be sent home by the office, without it counting towards the Fixed Penalty Notice offences above.

The member of staff who observes any student smoking should input this into Sims, emailing the Isolation Manager who will check the number of offences against that student. The member of staff must record in the comments section where the student was caught and at what time, to support any enquiry into the offence. If possible the member of staff should inform the student that they have been observed smoking. The Isolation Manager will send a daily report to the Office who will text parents and ensure a letter is sent that day. The Office will keep a record of all letters sent to parents.

Monitoring

A report should be run weekly by the Isolation Manager and this emailed Vice Principals, Student Support Managers and the PSHE Co-ordinator. The PSHE co-ordinator along with SSM's responsible for running the workshops will liaise with regards to the list of students who are to attend the smoking workshops.

Numbers are to be monitored as part of the PSHE curriculum, and any additional support for students will be included in the school's Health provision as is deemed appropriate.

Paying the penalty

The fixed penalty shall be £10.00, reduced to £5.00 if paid within 7 days from the date of issue. The fixed penalty should be paid within 14 days of the date the letter is sent. It should be paid in (removed cash) to the Finance Office. A copy of the penalty notice must be produced with the payment. A receipt will then be issued for this.

Review

The effectiveness of introducing this system to reduce smoking will be reviewed after 6 months of operation.