

3.10 Alcohol, Substance Misuse & No Smoking

General Safeguarding and Welfare Requirement: Smoking

Providers must have a no-smoking policy, and must prevent smoking in a room, or outside play area, when children are present or about to be present

Policy statement

We are committed to providing a safe environment that helps to ensure the welfare of children in our care. We comply with health and safety regulations and the Safeguarding and Welfare Requirements of the EYFS in making our setting.

We are dedicated to promoting the health and well-being of children, families, employees and visitors to St John's Pre-school. We do not allow the misuse of drugs, alcohol or smoking. The use of alcohol, illegal drugs or tobacco, and e-cigarettes/vaping is prohibited in all areas of the pre-school including the main building, garden, paddock and queuing area outside of the main gates.

This policy is informed by the following legislation

- UN Convention on the Rights of the Child
- The Children Act 1989/2004
- The Medicines Act 1968
- The Misuse of Drugs Act 1971
- Health & Safety at Work 1974
- The Smoke-Free (Premises and Enforcement) Regulations 2006
- The Smoke-free (Signs) Regulations 2007
- Children and Families Act 2014

Procedures

Alcohol

Under the Health and Safety at Work Act 1974 there is a legal requirement for companies to provide a safe working environment for all of their employees. As such we adhere to the below:

- Anyone arriving at the pre-school visibly under the influence of alcohol will be asked to leave the premises.
 - If this is a member of staff the pre-school will investigate the matter further and will initiate a disciplinary process as a result of which action may be taken, including dismissal.
 - If this is a parent or carer the pre-school will judge if they are suitable to care for the child and able to safely transport the children home. If they are deemed unable to do this then the second contact on the child's registration form will be contacted to collect child.

- If the child is thought to be at risk then the pre-school will follow full safeguarding children procedures and the police/children's social services will be called.
- Any attendees (staff, students, parents, carers, visitors, contractors etc. are not permitted to bring alcohol onto the pre-school premises at any time.
- If anyone arrives at pre-school in a car under the influence of alcohol the police will be called and notified.

Smoking (including e-cigarettes)

Smoking (including the use of e-cigarettes) is not permitted at any time in or around the pre-school premises including the main building, garden area, paddock and area outside the front gate where parents queue on entry.

The pre-school maintains a safe environment for both staff and children by following the below:

- All staff, parents and volunteers are made aware of our alcohol, substance misuse and no-smoking policy. Staff are required to read through the policy at induction stage and refresh themselves as per the policy schedule throughout the year.
- We display no-smoking signs throughout the pre-school site in prominent places.
- We actively encourage no-smoking by sign posting parents and staff about where to get help to stop smoking if they are seeking this information (Advised to visit GP).
- Staff who smoke do not do so during working hours.
- E-cigarettes are not permitted to be used on or around the premises and are treated in the same way as cigarettes.
- Staff are made aware that failure to adhere to this policy may result in disciplinary action.
- It is a criminal offense for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and fine of up to £200.

Substance Misuse

- We will not permit anyone arriving at pre-school under the influence of either illegal drugs, or any other prescription medication that might affect their ability to care for children into the premises. They will be asked to leave immediately.
 - If this is a member of staff an investigation will be launched which may lead to disciplinary action being taken, including the potential for dismissal.
 - If this is a parent or carer the pre-school will judge if they are suitable to care for the child. If they are deemed unable to do this then the second contact on the child's registration form will be contacted to collect child.
 - If the child is thought to be at risk then the pre-school will follow full safeguarding children procedures and the police/children's social services will be called.
- The police will be contacted if anyone (staff, parents, carers, students, volunteers, contractors and visitors) is suspected of being in possession of illegal drugs.
- If anyone arrives at pre-school in a car under the influence of drugs the police will be called and notified.

- If either of the above occurs and they are a member of staff serious disciplinary procedures will be followed.
- If a member of staff is taking prescription medication which may affect their ability to care for children they must inform the pre-school manager as soon as possible for a risk assessment to take place.
- Any medication stored on the premises will be stored securely and kept out of reach of children at all times.

Safeguarding

If a parent or carer is clearly deemed to be under the influence of alcohol or illegal drugs and it is believed that the child is at risk we will follow our full safeguarding children procedures. We will contact the Local Authority children's social care team/the SPoA (Single Point of Advice) and the police.

Staff will look to ensure and prevent children travelling in a vehicle driven by parents or carers under the influence of alcohol or drugs and if necessary the police will be called.

The police will be called where an illegal act is suspected to have taken place.

Date to be reviewed – by end October 2024