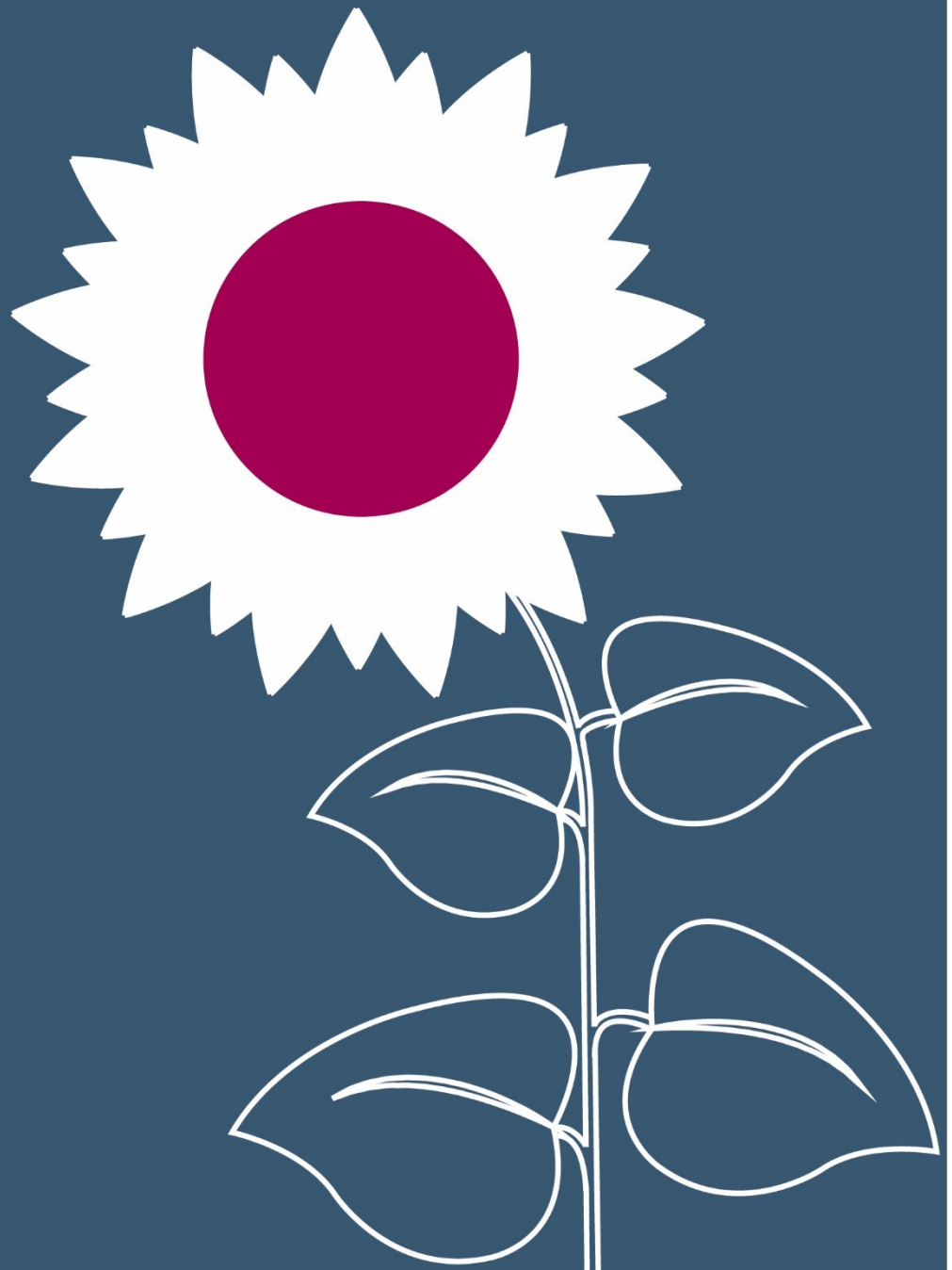


Smoking & e-Cigarettes

Tri x 5_1_35 (17 April 2023)

Review April 2024



Contents

1	Introduction.....	2
2	What the Law says	2
3	Our Expectations of Residential Care Workers	3
4	What if a worker within the Small Group Homes smokes?.....	3
5	What if someone has given up smoking?.....	3
6	Children/Young People who Smoke.....	4
	Appendix 1	5

1 Introduction

Small Group Homes residential care workers have a responsibility to support children to live in a healthy environment where their physical, emotional and psychological health is promoted.

- 1.1 ***‘Promoting the health of young children and young people in the Small Group Homes is very important if they are to grow into mature, stable and well-balanced adults.’***
- 1.2 It is therefore very important that the impact of smoking (including use of conventional and electronic cigarettes) on the health of children is considered within the Small Group Homes.
- 1.3 Throughout this policy, when ‘smoking’ is referred to, it will be used as a covering term for all types of smoking, including electronic cigarettes, unless otherwise specifically stated.

2 What the Law says

Smoking has been prohibited by law in virtually all enclosed work and public places throughout the United Kingdom since 2007. From the 1st October 2015 new legalisation was also introduced to make it illegal to smoke in private vehicles when carrying someone under 18.

- 2.1 It is illegal for any person over the age of 18 to buy cigarettes or give cigarettes to persons under the age of 18 years old.
- 2.2 Possession and use of any other substances via smoking them, including but not limited to Cannabis, is also prohibited by the Misuse of Drugs Act, 1971 (and its various updates).

3 Our Expectations of Residential Care Workers

Residential care workers must not smoke in their cars when transporting children, if they are permitted to use their cars for business use. Residential care workers must not smoke in the house car at any point.

- 3.1 Residential care Homes are a 'work place', and should therefore be smoke free according to legislation, Small Group Homes are committed to ensuring that all children should be able to live in a smoke free home (including exposure to vapor from electronic cigarettes and similar devices)
- 3.2 Residential care workers who use/smoke Cannabis or other illicit substances will risk their roles working within the council. They may face disciplinary issues if this is known about them. This is due the legal implications as well as the serious negative impact on their own health and the potential health of children they are looking after, who could be exposed to the substance and/or its side effects upon the person taking it.

4 What if a worker within the Small Group Homes smokes?

As the city council is committed to children living in smoke-free environments, if an employee being hired smokes they should be:

- Encouraged and given information regarding the impact of smoking and passive smoking
- Provided with information on how to stop smoking. This may include encouraging them to seek support through their GP or local Pharmacy.
- Ensure that they are aware of the smoking area.
- The employee is aware that they are not to smoke with young people and are not to be seen to be encouraging this.

5 What if someone has given up smoking?

Where someone has successfully given up smoking (not just moved from smoking tobacco to electronic cigarettes), a period of at least 12 months will be expected before that person is considered a 'non-smoker' by the Small Group home service. This is because the risk of relapse during the first 12 months after giving up smoking is particularly high.

6 Children/Young People who Smoke

The city council recognises that some children and young people will smoke or have become addicted to smoking prior to, or outside of their placement within the Small Group Homes.

- 6.1 Residential care workers are not permitted to purchase cigarettes/vapes for any children and young people, or give their own cigarettes/vapes to children if they are a smoker, if this were the case they could be liable to prosecution.
- 6.2 Children and young people who smoke should be encouraged not to do so and are to be given helpful information as well as support to access services that will help them stop. This could be via their GP, local Pharmacy or school/school nurse.
- 6.3 Where it is known that a child or young person smokes, it will be explained to the young person when they move into one of the Small Group Homes that the carer's will not facilitate them smoking. It is illegal for carers to facilitate young people to smoke/purchase any smoking items.

Carer's will help young people to stop smoking wherever this is possible. If the young person is under 16 years of age and carers see smoking materials around the house they will remove these items, this includes tobacco and electronic smoking materials.

If the young person has previously smoked and are using electronic smoking devices to help them to stop smoking cigarettes this will be permitted on the condition that there is a plan in place to reduce the use of these devices and the young people are not smoking these within the home. This plan will need to be agreed to by the home, the young person and the social worker.

- 6.4 Where the young person hasn't previously smoked cigarettes and starts to use electronic smoking devices this is seen more as a fashionable. When this is the case carers will remove any vapes which they find in and around the house and will continue to provide advice and support to the young people to help them to stop using these electronic smoking devices.
- 6.5 Smoking will not be permitted in any part of the home. It will also be prohibited in vehicles because of the legislation in place that prohibits this. Drivers of vehicles in which children or young people are found to be smoking could find themselves at risk of prosecution.
- 6.6 If a child or young person insists on smoking, they must do so outside of the property in a safe and appropriate place such as a garden. This must be away from all other children.

Appendix 1

Pt1 What are electronic cigarettes?

Electronic cigarettes (also known as e-cigarettes and vaporisers) are battery operated devices they can be shaped like cigarettes or are larger items with tanks which contain the liquid in them, they will often contain nicotine. They are usually a nicotine containing product which does not contain tobacco, there are some liquids which do not contain any nicotine, however this is usually added to the liquid. The nicotine is delivered orally to the user in the form of vapour rather than in the form of smoke. Hence, electronic cigarettes are much closer to non-tobacco licensed nicotine products such as sprays, patches and gum than to conventional tobacco cigarettes.

Electronic cigarettes are marketed as lifestyle products and are widely available in a range of flavours and packaging. They can be obtained from a range of venues including pharmacies and supermarkets as well as on-line. It is proposed that electronic cigarettes are to be licensed and regulated as an aid to quit smoking from 2016 by Medicines and Healthcare products Regulatory Agency (MHRA). For further information about electronic cigarettes, see Action on Smoking and Health.

[Action on Smoking and Health - ASH](#)

Pt2 What are the differences between smoking conventional cigarettes and using an electronic cigarette?

The main difference between conventional cigarettes and electronic cigarettes are that:

- Conventional cigarettes contain tobacco and electronic cigarettes do not
- Toxins and carcinogens in tobacco are known to be harmful
- Both types of cigarettes contain nicotine which is an addictive drug

Pt3 Should electronic cigarettes be treated as tobacco cigarettes?

There are some comparisons between electronic cigarettes and tobacco cigarettes that may both confuse and clarify what is a complicated debate around whether they should be treated in the same way.

Some electronic cigarettes mimic the appearance of a tobacco cigarette, and consequently they can model the effect of 'smoking'. However, even when similar in appearance, most electronic cigarettes are easily distinguishable, both in appearance and smell, from tobacco cigarettes. Whilst cigarettes produce 'smoke', electronic cigarettes produce a 'vapour' and the effects of this on the health of both the user and others are currently being researched which is why the Small Group home service and the City Council has written this policy, remaining cautious and restricting the use of electronic cigarettes for those working in the Small Group Homes, children and young people.