

General Safeguarding and Welfare Requirement: Safety and Suitability of Premises, Environment and Equipment

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

8.7 No smoking, alcohol and drug abuse

Policy statement

Little Fingers Pre-school comply with health and safety regulations and the Safeguarding and Welfare Requirements of the Early Years Foundation Stage in making our setting a no-smoking environment - both indoors and outdoors.

Procedures

Smoking

- All staff, parents and volunteers are made aware of our No-smoking Policy.
- No-smoking signs are displayed prominently.
- The No-smoking Policy is stated in information for parents and staff.
- We actively encourage no-smoking by having information for parents and staff about where to get help to stop smoking if they are seeking this information.
- Staff who smoke do not do so during working hours.
- Staff who smoke, travelling to and from work must not do so whilst wearing the setting's uniform.
- E-cigarettes are not permitted to be used on the premises.
- Staff are made aware that failure to adhere to this policy and procedures may result in disciplinary action.
- It is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.

Alcohol and Drug Abuse

- Little Fingers Pre-school reserve the right to refuse for the child to be collected by an adult if the adult is seen as unfit due to alcohol, drugs, etc. If this event occurs, then the Non-Collection of Children / Uncollected Child policy will come into force.
- Little Fingers Pre-school also reserve the right to refuse a parent / volunteer work on the premises, if they are seen as unfit due to alcohol, drugs, etc.

Alcohol and drug misuse or abuse can be a serious problem within the workplace. Employees who drink excessively or take unlawful drugs are more likely to work inefficiently, be absent from work, have workplace accidents and endanger their colleagues and the children within their care. The Pre-school has a duty to protect the health, safety and welfare of all its employees and the children under its care. However, the Pre-school recognises that, for a number of reasons, employees could develop alcohol or drug related problems. In relation

to drugs, these rules apply to those that are unlawful under the criminal law and not to prescribed medication. These rules aim to promote a responsible attitude to drink and drugs and to offer assistance to employees who may need it.

Advice and Counselling

It is the Pre-school's intention to deal constructively and sympathetically with an employee's alcohol or drug related problems, such as alcohol or drug dependency. When it is known that an employee has an alcohol or drug problem the Pre-school manager in conjunction with relevant Committee Members will provide advice and guidance. The primary objective of any discussions will be to assist the employee with the problem in as compassionate and constructive a way as possible. Any discussions of the nature of an employee's alcohol or drug problem and the record of any treatment will be strictly confidential unless the employee agrees otherwise.

If you have an alcohol or drug problem, you should seek appropriate help. If you have an alcohol or drug problem which affects your conduct or performance at work and you refuse the opportunity to receive help, the matter will be referred for action under the Pre-school's disciplinary procedure as appropriate. Likewise, if after accepting counselling and assistance, and following review and evaluation, your conduct or work performance reverts to the problem level, the matter may also be dealt with through the disciplinary procedure.

Prohibition on Alcohol and Drug Consumption in the Workplace

No alcohol or drugs must be brought onto or consumed on Preschool premises at any time.

Employees representing the Pre-school at business functions or conferences or attending Pre-school organised social events outside normal working hours are expected to be moderate if drinking alcohol and to take specific action to ensure they are well within the legal limits if they are driving. They are prohibited from taking drugs on these occasions.

Social drinking after normal working hours and away from the Pre-school's premises is, of course, generally a personal matter and does not directly concern the Pre-school. The Pre-school's concern only arises when, because of the pattern or amount of drink involved, the employee's attendance, work performance or conduct at work deteriorates.

A breach of these provisions is a disciplinary offence and will be dealt with in accordance with the Pre-school's disciplinary procedure. Depending on the seriousness of the offence, it may amount to gross misconduct and could result in the employee's summary dismissal.

Alcohol and Drug Related Misconduct

Whilst these rules are aimed at assisting employees with alcohol or drug problems, action will nevertheless be taken under the Pre-school's disciplinary procedure if misconduct takes place at work as a result of drinking or

taking drugs, or if an employee is found to be under the influence of alcohol or drugs whilst at work. Even a small amount of alcohol can affect work performance and, if an employee is found under the influence of alcohol whilst at work, there could be serious health and safety consequences. The same applies to being under the influence of drugs. Incapacity or misconduct caused by an excess of alcohol or drugs at work is a potential gross misconduct offence under the Pre-school's disciplinary procedure and the employee is therefore liable to be summarily dismissed. This also applies to any employee believed to be buying or selling drugs or in possession of or taking drugs on the pre-school's premises.

The Pre-school reserves the right in any of these circumstances to arrange for the employee to be escorted from the Pre-school's premises immediately and sent home.

Alcohol and Drug Testing

On the grounds of health and safety and where necessary to achieve a legitimate business aim, the Pre-school reserves the right to carry out random alcohol and drug screening tests on employees in the workplace. If an employee receives a positive test result, this will be viewed as a potential gross misconduct offence and renders the employee liable to summary dismissal in accordance with the Pre-school's disciplinary procedure. Unreasonable refusal to submit to an alcohol or drug-screening test will also be dealt with through the disciplinary procedure.

Legal framework

- The Smoke-free (Premises and Enforcement) Regulations (2006)
- The Smoke-free (Signs) Regulations (2012)

This policy was adopted by

Little Fingers Pre-school

On

Date to be reviewed

March 2022

Signed on behalf of the provider

Name of signatory

Carolyn Coleman

Role of signatory (e.g. chair, director or owner)

Chair