

## I: Smoking and Vaping – Group and school-based providers

### What do I need to know?

- Legal framework
  - [The Smoke-free \(Premises and Enforcement\) Regulations 2006](#)
  - [The Smoke-free \(Signs\) Regulations 2012 \(legislation.gov.uk\)](#)
  - [The Health Act 2006.](#)

[EYFS statutory framework for group and school-based providers](#) page 28 paragraph 3.28.

Smoking and Vaping (page 22 of audit)	Things to consider and discuss:
Do you <b>ensure</b> you do not allow smoking in or on the premises when children are present or about to be present?	<ul style="list-style-type: none"> <li>• What is your no smoking, vaping or use of e-cigarettes policy? How do you know this is implemented effectively?</li> <li>• How do you share your no smoking, vaping or use of e-cigarettes policy with staff, parents and visitors?</li> </ul>
Do you make sure staff do not vape or use e-cigarettes when children are present?	<ul style="list-style-type: none"> <li>• How does this link to your code of conduct for staff and parents?</li> <li>• Do you and your staff know what to do if a person is found to be smoking, vaping or using e-cigarettes on the premises when children are present or about to be present? How do you prepare staff to respond appropriately?</li> </ul>
Have you considered Public Health England advice in <a href="#">Use of e-cigarettes in public places and workplaces - GOV.UK (www.gov.uk)</a>	<ul style="list-style-type: none"> <li>• Are you and your staff confident to challenge and, or report a person found smoking, vaping or using an e-cigarette?</li> <li>• How do you protect children and staff from the effects of second-hand smoke in and around your provision and in any vehicles used?</li> <li>• Is a no-smoking sign displayed and visible to all staff, parents and visitors to the setting?</li> </ul>

## Useful links and further help:

[Advice on smoking at work](#)

[Smoking at work: the law](#)

[Smokefree England](#)

[Rules about tobacco, e-cigarettes and smoking](#)

[Change to no smoking signs regulations](#)

[Derbyshire SchoolsNet - Early Years](#)

[Derbyshire Early Years Service - Eventbrite](#)

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