

## O: Smoking and Vaping

### 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.](#)
- [Statutory framework for the early years foundation stage](#): page 35, paragraph 3.57.

Smoking and Vaping (page 39 of audit)	Things to consider and discuss:
<p>Do you <b>ensure</b> you do not allow smoking in or on the premises when children are present or about to be present?</p> <p>Do you make sure staff do not vape or use e-cigarettes when children are present?</p> <p><i>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></i></p>	<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> <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> <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 Quality Team](#)

[Derbyshire Early Years Service - Eventbrite](#)

Email: [CS.EYS@derbyshire.gov.uk](mailto:CS.EYS@derbyshire.gov.uk)