

Let's talk about...

# smoking

The risks to young children from cigarette smoke are well documented, but how should nurseries treat the smokers on the staff? *Melanie Defries* hears their views

ILLUSTRATION BY CLAIRE NICHOLS

**Q** Do a lot of staff at your setting smoke?

'Some smoke - I recently spotted one member of staff smoking near the setting wearing her nursery tabard, which didn't go down too well! I think you are stuck between a rock and a hard place with staff smoking - they have a right to certain freedoms, and smoking is one of them.'

*'We are very lucky at our nursery because none of the staff smoke, so it is not really an issue. We are a very healthy team!'*

'None of my staff smoke, although this has not always been the way. Members of staff have left my setting because I refused to allow "fag breaks".'

*'Our setting is based on a school site and the whole site is non-smoking. However, only a couple of the staff smoke, so it is not really an issue for us.'*

'I do not employ smokers. I ask at interviews - although I can usually tell - and to be honest, they just don't get the job! I need my staff to be on the ball all day long, not thinking about their next fag break. It is bad enough that children come in stinking of smoke - sometimes I want to take them home and bath them, wash their hair and clothes and never send them back to their smoke-stinking homes!'

*'Around a quarter of our staff smoke but they do not get smoking breaks. If they want a cigarette they have to go out of the grounds at lunchtime and have one.'*

'Not that many of our staff smoke and a lot are trying to give up. We have around 30 staff and around three of those are smokers.'

**Q** How do you feel about staff taking smoking breaks or smoking in uniform?

'It is not pleasant for the children to be spoken to by someone who has just been smoking. I consider smoking an addiction and treat it the same as someone who is reliant on alcohol or other drugs. I know this is harsh, but it is my business and I have to protect the children in our care.'

*'Staff have to go outside of the school grounds and around the block to have a cigarette. They are also not allowed to smoke while wearing their tabard; they have to take it off. They are not allowed to take smoking breaks, as we have to stick to staff ratios.'*

'I am currently revising the No Smoking policy, as I have recently been

informed that there is no legal protection for discrimination against smokers. Our policy will demand no smoking during work hours, no smoking in nursery uniform, and that clothes stored at nursery, such as coats, should not be worn when smoking. I know it's harsh! We have a legal team who do everything for us, so they are preparing the policy. I have also altered the application forms to ask whether staff smoke, and I have stopped recruiting anyone who says yes.'

*'I try not to take a negative attitude. It can be stressful working with young children and I'm not overly keen to smoke while wearing their tabard; it makes life even more difficult for the practitioners. We are in the process of linking up with health services and staff will be able to access programmes to help them stop smoking if they want to. I'd prefer to embrace a more positive approach instead.'*



'Even if you went to the extremes of no smoking in nursery uniform, the chemicals are in the skin and hair. Our staffroom can stink of stale cigarettes sometimes, not to mention the staff. It's on their coats and bags and this transfers to the carpets and walls of the staffroom. Staff smoke in their cars, so you still get transfer as they come to work, even if they don't smoke while on the way.'

*'I think there is nothing worse than coming across a member of staff as they re-enter the building after a break to be hit by that smell! Not only that, they have to be constantly reminded to wash their hands afterwards!'*

'I wanted to ban it completely at our nursery but I think that it would be extremely difficult to uphold. Yes, it affects the children, but then it affects the staff if they don't smoke, and that could cause all manner of mayhem. Would we sack staff for smoking then? Or should we not employ smokers?'

*'I feel that staff should not smoke in uniform or anywhere on nursery grounds. It's not very nice for prospective clients to see nursery staff smoking in their breaks. I personally would never leave my child with someone who stinks of smoke. I used to smoke when I was younger but gave up, and it really wasn't that hard to give up. So now as a non-smoker I can't stand the stuff.'*

'When my daughter was born and in an intensive care unit I was impressed with the fact that all members of staff changed clothes whenever they came on and left the ward so that their outdoor clothes didn't bring the germs inside. I think a "no smoking in uniform" policy would work very well - if you had to change every time you left to go and smoke, you may get fed up of the hassle. That way, you aren't denying them their "human rights" to have a smoke break, and at the same time you are putting in enforceable measures to make sure the children are protected to the best of your ability.'

**Q** What kind of policies on smoking does your setting have?

'My policies are twofold. There is one rule for staff and one rule for parents, but both are very similar: no smoking is permitted within the pre-school grounds. Today I asked a parent to stop smoking in the playground and

AN EXPERT'S VIEW



Jacqui Mann, managing director, HR 4 Nurseries (J Mann Associates Ltd)

Research has shown that toxins from third-hand smoke, found on clothes and in hair, can be dangerous to children.

Babies and children are more susceptible to third-hand smoke because their lungs are still developing. Many people are unaware of this and do not understand that exposure to this kind of pollutant has also been associated with reading problems in children.

Many nursery owners or managers are unsure if they are allowed to ban smoking in the workplace. So, as a manager, what can you do?

There is no legal entitlement to smoke at work. As the owner of the setting, you are not obliged to provide a place for employees to smoke. With regard to smoking breaks, a worker is entitled to an uninterrupted break of 20 minutes when working more than six hours, under the Working Time Regulations Act of 1998. This should not be taken either at the start, or at the end, of a working day. If you ban smoking anywhere in the nursery grounds, employees will not be able to smoke during their break.

A smoker cannot claim that their addiction to nicotine is a disability and get around the

ban by claiming protection under the Disability Discrimination Act. A worker cannot argue that their addiction to nicotine is a disability that requires a 'reasonable adjustment', as an addiction to tobacco is expressly excluded under the DDA.

A manager of a setting can decide not to recruit smokers, as this is not against the law and is not classed as discrimination.

These are things that managers can do:

- Ban smoking on the nursery premises or grounds
- Stop staff smoking in uniform, even if outside of work
- Ask employees to leave their uniform at work and change into it when they arrive
- Explain to employees why smoking is being banned and educate them on the dangers of smoking and the effects on children
- Ensure there is a smoking policy in place. If managers are thinking of changing or introducing a policy, they will need to consult with staff as to the proposals, state the reasons why and agree when the new policy will be implemented
- Provide support to employees to help them quit. This could be workplace-based or come from information about outside sources of help.

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said that he would have to do it outside the gate. I told him this was our policy and that it was in the parent's handbook. He didn't argue and did not put it out. Personally, I do not like parents smoking anywhere near the setting. They leave butts on the floor and it is unpleasant for others to be walking in their smoke.'

*'I am a registered childminder. Neither I nor my husband smoke, and no-one ever smokes in my house. Even when I smoked, I did not do so within my home, or before or during work, and not in my work clothes.'*

'I say that staff can smoke but not near the nursery and not in work time, and not in any kind of clothes they will be wearing near the children. Some of my nursery managers would like staff to have to change their clothes completely because of the smell. Parents don't smoke on the premises. We don't really see a lot of parents smoking - the bigger problem is with mobile phones.'



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*'There is no smoking in the building or in the grounds for staff or any workmen who might be here. They do smoke in uniform, but they spray themselves when they come back into the nursery. None of the staff come back smelling of smoke, as they are outside for the whole of their lunch hour. As we can't really smell it on them, it's not much of an issue for us.'*

'We have a No Smoking policy on any of our premises or in the grounds. Staff have to leave the building and they cannot smoke within the local vicinity. They also have to change out of their nursery uniform, then when they come back they have to wash their hands before they get changed again. They don't get smoking breaks and they can only smoke on their lunch hour as they are not allowed to leave the premises during their 20-minute breaks. We go through our policy with staff on their induction day and give them the number of a telephone counselling service and details of NHS services aimed at helping people to quit if they decide they want to give up.'