



# **SMOKING AND ALCOHOL POLICY**

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# SMOKING AND ALCOHOL POLICY

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# 1. Introduction to the Policy

This policy sets out the framework, principles, and procedures that **Byram House** follows regarding the use of smoking (including e-cigarettes and vaping) and alcohol by children, staff, visitors, and contractors. The policy applies to all staff, agency workers, volunteers, contractors, and anyone acting on behalf of Byram House, whether at 62 Deighton Road, 66 Deighton Road, or elsewhere, including in company vehicles and during off-site activities.

**The Home is Byram House, which comprises the two residences at 62 Deighton Road and 66 Deighton Road.** This policy applies equally across both residences.

Byram House is committed to providing a healthy, safe, and protective environment for children and young people. We recognise that many children may have experienced the negative effects of alcohol or smoking within their families, and we aim to promote positive role modelling and healthy lifestyles. This policy is aligned with the **Children's Homes (England) Regulations 2015**, specifically the **Health and Wellbeing Standard**, the **Protection of Children Standard**, the **Positive Relationships Standard**, and Regulation 23 (Medicines).

The objectives of this policy are to:

- Comply with all relevant legislation, including the **Health Act 2006 (smoking ban)**, the **Children and Families Act 2014**, the **Equality Act 2010**, and the **Licensing Act 2003** (as it relates to alcohol).
- Protect children from the harmful effects of tobacco, e-cigarettes, and alcohol, including second-hand smoke and negative role modelling.
- Ensure that staff do not smoke or vape in the presence of children, on the premises, or in company vehicles.
- Provide a framework for supporting children who already smoke (with a stop-smoking plan) while maintaining an alcohol-free environment.
- Clearly define unacceptable behaviour (e.g., staff supplying cigarettes or alcohol to children) as gross misconduct.

The home is a **smoke-free and alcohol-free zone**. Smoking, vaping, and the consumption of alcohol are prohibited on the premises (both 62 and 66 Deighton Road) and in company vehicles.

## 2. How this Policy Benefits the Home

This Smoking and Alcohol Policy benefits Byram House in the following ways:

- **Legal Compliance** – It ensures the home meets its duties under the **Health Act 2006** (smoke-free premises), the **Children's Homes (England) Regulations 2015**, the **Equality Act 2010** (non-discriminatory enforcement of rules), and the **Licensing Act 2003** (no supply of alcohol to children).
- **Child Protection** – It protects children from exposure to second-hand smoke and from the harms of alcohol misuse. It also prevents negative role modelling by staff.
- **Staff Conduct** – It sets clear rules for staff: no smoking/vaping on premises or in vehicles, no alcohol consumption while on duty, no supplying cigarettes or alcohol to children. Breaches are treated as gross misconduct.
- **Support for Children Who Smoke** – It requires a stop-smoking plan (agreed with social worker and child) for children who already smoke, and restricts smoking to a designated external area. Smoking materials are locked away.
- **Alcohol-Free Environment** – It maintains an alcohol-free premises. Any alcohol found is disposed of. Children returning under the influence are monitored, and medical advice is sought. Patterns of misuse trigger an emergency planning meeting.
- **Inspection Readiness** – The **Social Care Common Inspection Framework (SCCIF) 2026** expects homes to promote healthy lifestyles and protect children from harm. This policy provides clear evidence.
- **Training Framework** – It requires induction and annual refresher training for staff on this policy, including handling alcohol-related incidents and supporting stop-smoking plans.

### 3. Definitions & Legislation

#### 3.1 Definitions

Term	Definition
<b>Home</b>	Byram House, the children's home registered with Ofsted, comprising two residences at 62 Deighton Road and 66 Deighton Road.
<b>Company</b>	IMS Care LTD, the registered provider and legal entity responsible for operating Byram House.
<b>Byram House</b>	The name used throughout this policy to refer to the home and its staff.
<b>Smoking</b>	The burning of tobacco or any other substance (including herbal cigarettes) to be inhaled. This includes shisha.
<b>Vaping / E-Cigarettes</b>	The use of electronic cigarettes or similar devices that produce an aerosol (vapour) containing nicotine or other substances.
<b>Stop-Smoking Plan</b>	A written agreement (signed by the child, social worker, and home) setting out how a child's smoking habit will be managed, including prohibited areas, designated external smoking spot, storage of smoking materials, and support for quitting.
<b>Alcohol-Free Zone</b>	A premises where alcohol is not permitted to be brought, stored, or consumed. Byram House is an alcohol-free zone.
<b>Licensed Premises</b>	A venue authorised to sell or serve alcohol (e.g., pub, bar, off-licence).
<b>Influence of Alcohol</b>	A state where a person's behaviour, coordination, or judgement is impaired due to alcohol consumption. Staff must not attend work under the influence.

### 3.2 Key Legislation and Statutory Guidance

Legislation / Guidance	Key Provisions	Relevance to this Policy
<b>Health Act 2006</b>	Bans smoking in enclosed public places and workplaces, including children's homes. Requires "no smoking" signage.	Byram House is a smoke-free premises. Smoking is prohibited inside all buildings and within the grounds (except designated external areas may be permitted for staff away from children, but the home's stricter rule prohibits smoking on premises entirely).
<b>Children's Homes (England) Regulations 2015</b>	Regulation 23 – Health and Wellbeing Standard. Quality Standards include promoting healthy lifestyles and protecting children from harm.	The home must have policies addressing smoking and alcohol to meet these standards.
<b>Children and Families Act 2014</b>	Supports the wellbeing of looked-after children, including health promotion.	The home's stop-smoking plans for children who smoke align with this duty.
<b>Equality Act 2010</b>	Protects individuals from discrimination. Policies must be applied consistently regardless of protected characteristics.	This policy applies equally to all staff and children. Any exceptions (e.g., for disability) must be justified.
<b>Licensing Act 2003</b>	Sets the legal age for purchasing alcohol (18) and	Staff must never supply alcohol to a child (illegal).

	restrictions on supplying alcohol to minors.	
<b>Working Together to Safeguard Children 2026</b>	Emphasises the importance of healthy environments and protecting children from harm.	Alcohol misuse or exposure to smoking may be a safeguarding concern.
<b>Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026</b>	Effective 1 April 2026. Focuses on children's lived experience and health promotion.	Inspectors will evaluate how the home manages smoking and alcohol, including support for quitting.

## 4. The Policy

### 4.1 General Statement and Scope

Byram House is committed to providing a **healthy, safe, and protective environment** for children, staff, and visitors. To achieve this:

- The home is a **smoke-free and alcohol-free zone** (both 62 and 66 Deighton Road, grounds, and company vehicles).
- Staff act as positive role models at all times.
- Children are supported to make healthy choices, and those with existing habits (smoking) are helped through a stop-smoking plan.
- Any breach of this policy by staff (e.g., supplying cigarettes or alcohol to a child, smoking on premises, arriving under the influence of alcohol) will be treated as **gross misconduct** and may lead to summary dismissal.

This policy applies to **all staff, agency workers, volunteers, contractors, visitors, and children** at Byram House. It also applies during off-site activities (e.g., trips, holidays) and in company vehicles.

### 4.2 Smoking and Vaping (E-Cigarettes)

#### 4.2.1 Staff Responsibilities

- Staff must **not smoke or vape** at any time when in the presence of children, whether on the premises, on trips, or elsewhere.
- **No smoking or vaping is permitted** inside the home (62 or 66 Deighton Road), in any outbuildings, in the grounds, or in company vehicles.
- Staff are **not entitled to any formal smoking breaks**. If a staff member wishes to smoke, they must:
  - Seek permission from the Manager or most senior person on duty.

- Leave the home premises entirely (outside the boundary of the property) and ensure they are not visible to children.
- Not leave children unattended while doing so.
- Smoking or vaping in company vehicles is strictly prohibited.
- Breaches by staff will be dealt with under the Disciplinary Policy (gross misconduct).

#### 4.2.2 Children and Young People Who Smoke

- Byram House acknowledges that some children placed with us may already have a smoking habit. This will be discussed with the allocated Social Worker before or immediately after admission.
- **Stop-Smoking Plan** – A written plan must be agreed and signed by the child (where age and understanding allow), the social worker, and the Registered Manager. The plan will include:
  - A commitment to reduce smoking with a view to stopping (support from local stop-smoking services).
  - Designated external area where smoking is permitted (away from doorways, windows, and play areas). This area is identified by the Registered Manager.
  - Smoking materials (cigarettes, tobacco, e-cigarettes, lighters, matches) must be handed in to staff and stored in a **locked tin** in the office, clearly labelled with the child's name.
  - Children are not permitted to hold smoking materials in their rooms or on their persons when in the home.
  - The child will only be allowed to smoke at agreed times (e.g., during breaks) and must ask a staff member for their materials.
- The stop-smoking plan will be incorporated into the child's **Individual Safety Plan (ISP)** and reviewed regularly (at least monthly).
- If a child under the age of 18 smokes, this is not illegal, but the home will actively discourage it and provide support to quit.

#### 4.2.3 Prohibited Actions (Staff)

- Staff must **not** purchase or supply cigarettes, e-cigarettes, tobacco, matches, lighters, or "roll-up" materials for any child.
- Staff must **not** give children cigarettes or vaping products.
- Staff must **not** allow children to smoke inside the home or in any area not designated in the stop-smoking plan.

## 4.3 Alcohol

### 4.3.1 Alcohol-Free Premises

- Byram House is an **alcohol-free zone**. Alcohol must not be brought into the home or kept on the premises (including in children's rooms, staff areas, or vehicles).
- If alcohol is found on the premises, it will be **disposed of immediately** (poured away), and the Registered Manager will investigate how it came to be there to prevent recurrence.
- No adult shall supply alcohol to any child or purchase it on their behalf (illegal under the Licensing Act 2003).

### 4.3.2 Staff Conduct

- Staff are **not permitted to consume alcohol while on duty** (including during breaks, on-call periods when on duty, or during off-site activities with children).
- Staff will **not arrive at work under the influence of alcohol or smelling of alcohol**.
- Staff must not drink alcohol in company vehicles or in any setting where they are representing Byram House and could be seen by children.
- Staff who are on-call but not on duty (i.e., not on the premises) are expected to be fit to respond to emergencies; if they have consumed alcohol, they must inform the on-call manager so that alternative arrangements are made.

### 4.3.3 Children Returning Under the Influence of Alcohol

- If a child returns to the home visibly under the influence of alcohol, staff will:
  - **Assess the immediate risk** – Is the child unconscious, fitting, or unable to protect their airway? If yes, call 999 immediately.
  - **Monitor the child carefully** – Regular observations of breathing, consciousness, and behaviour. Use the home's alcohol intoxication monitoring record.

- **Seek medical advice** – Call 111 (or 999 if severe) and follow any advice given by the medical practitioner (e.g., do not induce vomiting, keep the child in recovery position).
- **Record the incident** on the home's incident reporting system (Clear Care) and in the child's daily notes.
- **Inform the Registered Manager** and the child's social worker (or EDT out of hours).
- **Consider whether this is a safeguarding concern** – repeated alcohol misuse may indicate exploitation, self-harm, or other underlying issues. Report to the DSL.

#### 4.3.4 Patterns of Alcohol Misuse

- If a pattern of alcohol abuse appears to be emerging (two or more incidents within a short period), the Registered Manager will call an **emergency planning meeting** within 5 working days, including:
  - The child's social worker.
  - The child (where appropriate).
  - A representative from CAMHS or local substance misuse service (if indicated).
- The child's Keyworker will attempt to engage the child in talking about alcohol use, and the child will be encouraged to seek further help from a specialist agency (e.g., local young people's drug and alcohol service).
- The child's **ISP and care plan** will be reviewed to address underlying needs (e.g., mental health, exploitation, peer pressure).

**Licensed premises and off-site activities** – Staff are not permitted to take children into licensed premises except for those that serve food and are family-friendly (e.g., a pub restaurant). In such cases, staff must not consume alcohol.

## 5. How the Home Trains its Staff About this Policy

Byram House provides structured training to ensure all staff understand and can implement this Smoking and Alcohol Policy effectively.

Training Element	Frequency	Method / Content
<b>Induction</b>	Upon appointment	Face-to-face training covering: smoke-free and alcohol-free rules, legal framework (Health Act 2006, Children's Homes Regulations), staff conduct (no smoking on premises, no alcohol on duty), stop-smoking plans for children (locked storage, designated area), handling a child returning under the influence (assessment, monitoring, when to call 999/111), patterns of misuse (emergency planning meeting), prohibited actions (supplying cigarettes or alcohol – gross misconduct), and the dual-site operation (62 & 66 Deighton Road).
<b>Annual refresher</b>	Every 12 months	Classroom or virtual session covering updates to legislation (SCCIF 2026, Working Together 2026), case studies, refresher on alcohol intoxication monitoring, and stop-smoking resources.
<b>Supporting children who smoke</b>	As needed (e.g., when a child with a smoking habit is admitted)	Training on the stop-smoking plan template, engaging with local stop-smoking services (e.g., NHS Smokefree), and harm reduction.

<b>Alcohol-related first aid</b>	At induction and biennially	Training on recognising alcohol poisoning (vomiting, confusion, slow breathing, hypothermia), recovery position, and when to call 999.
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**Staff are required to:**

- Read and sign this policy annually.
- Complete all mandatory training.
- Never smoke, vape, or consume alcohol on the premises or in company vehicles.
- Never supply cigarettes or alcohol to a child.
- Immediately report any incident involving child's alcohol use or any breach of this policy by a colleague.

## **6. Related Policies and Guidance**

This policy must be read in conjunction with:

- Substance Misuse Policy
- Safeguarding Policy
- Behaviour Management Policy
- Health and Safety Policy
- Staff Disciplinary Policy
- Code of Conduct and Ethics Policy
- Children's Homes (England) Regulations 2015
- Working Together to Safeguard Children 2026
- Social Care Common Inspection Framework (SCCIF) for Children's Homes 2026
- NHS Smokefree guidance (for stop-smoking support)

## 7. Policy Approval and Review Details



<b>Policy Name</b>	SMOKING AND ALCOHOL POLICY	
<b>Home</b>	Byram House	
<b>Reviewed by</b>	Danyaal Iqbal / Mustafa Amin	Deputy Manager / Registered Manager
<b>Approved by</b>	Stacey Wagstaffe	Responsible Individual
<b>Date</b>	May 2026	