

REPORT TO: Education & Children's Services PPRP

MEETING DATE: 12 December 2006

BY: Director of Education and Children's Services

SUBJECT: Smoking Guidelines in Residential Childcare and Foster Care Settings

1 PURPOSE

- 1.1 To provide PPRP with an evaluation of the smoking guidelines introduced in East Lothian's Residential Units for Children in April 2006.
- 1.2 To advise PPRP of the proposed position to be taken in relation to smoking in foster care and adoption placements.

2 RECOMMENDATIONS

- 2.1 It is recommended that the guidelines issues earlier in the year continue to be applied in residential childcare settings in East Lothian, and that they are reviewed and monitored as appropriate by management.
- 2.2 It is recommended that guidelines in relation to smoking in foster care placements and adoption placements are formally adopted.

3 BACKGROUND

- 3.1 The current guidelines in relation to residential care were drafted and implemented in East Lothian in April 2006.
- 3.2 The guidelines were drawn up after consultation with Personnel, staff and managers, representatives of young people, and Health and Smoking Cessation Workers.
- 3.3 The guidelines were issued in response to legislative changes concerning smoking in the workplace, and also took into account guidance about the dangers that smoking and smoke inhalation can have on children and young people.
- 3.4 A copy of the guidelines is appended.

- 3.5 Since the guidelines were introduced there have been no known incidents of staff, visitors or young people smoking in the residential units. A number of staff have taken the opportunity to stop smoking, and other staff are trying to give up smoking. Staff and young people have ceased smoking together in the grounds of the young people's resource centres, and staff are actively discouraging young people from smoking. Information about help to stop smoking has been provided to staff and young people. It is not thought that any young people have given up smoking as a result of the implementation of the guidelines. Most young people who are admitted to residential care are already smokers. Given this, smoking is a difficult issue to manage within residential childcare settings but staff and managers will continue to promote a culture that encourages non smoking and healthy living.
- 3.6 New guidelines in relation to foster care placements and adoption placements have now been drawn up. These draw on advice issued by the British Association for Adoption and Fostering and reflect expert medical advice. The Guidelines have been the subject of consultation with exiting foster carers.
- 3.7 The proposed guidelines in relation to fostering and adoption placements are appended.

4 POLICY IMPLICATIONS

- 4.1 None

5 RESOURCE IMPLICATIONS

None

6 BACKGROUND PAPERS

- 6.1 Guidelines in relation to smoking in residential childcare.
- 6.2 Draft Guidelines on smoking for (foster) carers and staff.

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DATE	29.11.06

RESIDENTIAL CARE FOR CHILDREN AND YOUNG PEOPLE

GUIDELINES ON SMOKING

Introduction

These guidelines have been drawn up for the use of staff who work in residential units and the managers who have responsibility for them. They set down the position in relation to smoking for staff, young people and visitors to units. They reflect the legal position in Scotland, guidelines issued by the Scottish Executive and standards of good practice in East Lothian.

The Law

With effect from 26 March 2006 it became illegal to smoke in the workplace. The background to this change in the law is dealt with elsewhere. The effect of the law is that it is illegal for staff, young people or visitors to smoke anywhere in residential units for children and young people. Managers have a responsibility to ensure that the law is observed. The council's disciplinary guidelines will be used if appropriate.

It is already council policy that smoking is not permitted inside residential units for children and young people. It has however been common practice for staff and young people to smoke just outside the back door of one of our units, with a consequent drift of smoke into the kitchen. The law requires that the council ensures that all premises are smoke free, so this practice must cease.

Young People

Young people under the age of 14 who are accommodated are not permitted to smoke.

Young people aged 14 to 16 can smoke if they have the written permission of their parents. This will normally be discussed at a Looked After Review. It is acknowledged that some young people in this age band have a smoking habit. It is felt that it is better to be open about this and address the issue, rather than have an unrealistic ban, which might result in less safe smoking practices among young people. However, managers and staff should strongly discourage smoking, and before parents give written permission, they and young people will be given written information about the dangers of smoking. It should be noted that young people under 16 cannot legally buy cigarettes. Staff should not buy cigarettes on behalf of young people – the purchase is a matter between the young person and his or her parent(s).

If young people under the age of 14, or young people aged 14 to 16 who do not have parental consent to smoke, are discovered smoking, staff and managers should take appropriate action, as for any other breach of rules.

Young people aged 16 and over can smoke without parental permission, but should be strongly discouraged from doing so. Young people aged 16 can currently purchase their own cigarettes. Staff should not purchase cigarettes on behalf of any young people.

Young people who do smoke should do so outside, away from the building. No special provision, such as shelters, will be made for or young people (or for staff). This reflects the guidance from the Scottish Executive.

Neither young people nor staff should smoke in vehicles being used for council business.

Staff within units, or the council's smoking cessation officer, will offer young people smoking cessation classes and other support. Units will ensure that young people are encouraged to develop healthy lifestyles in relation to diet, exercise and the avoidance of all forms of substance misuse, including smoking.

All of the foregoing guidelines apply to young people accommodated in the satellite flats as well as in the core units. It should be noted that common stairwells are considered as public places and as such smoking is not permitted in them.

Staff

Care staff provide role models for young people, and ideally should not be seen by them to be smoking. However the demands of shift cover mean that it is not realistic for some staff who smoke to abstain from smoking for a whole shift. This is because shifts often exceed the six hour limit laid down by the working time directive, from which residential staff are currently exempt. Managers will continue to look at this issue to see whether it might be possible to introduce 30 minute breaks into shifts at least every six hours, to enable all staff to have a break from work, in the spirit of the working time directive. It is acknowledged that this might be difficult to deliver in the short term, because of the need for appropriate cover in the units.

In the short term the current practice whereby staff who smoke take informal, paid, smoking breaks will continue. It is acknowledged that such staff are within calling distance if assistance is needed in the unit, in which case they return immediately to their duties. It is noted that staff who do not smoke do not take informal paid breaks in the same way as smokers, and that this is potentially unfair. This does not seem to be seen as a major issue by non-smokers at present, but the position needs to be monitored by managers. If it is found that staff are taking excessive breaks for smoking, this will need to be addressed with individuals.

Smoking cessation classes will be offered to all staff who smoke.

Sometimes when staff are taking a smoking break they are joined by young people who smoke alongside them. This is a particular problem at one of the council's units, because of the limited space in the garden, and the obvious visibility of staff who are smoking. The practice of smoking with young people should be discouraged. Staff should not join young people who are smoking, and if they are joined by young

people, they should explain that the council has advised that staff should not smoke with young people and finish smoking as quickly as possible. It would be good practice to stay and engage with the young person till the young person has finished smoking. This gives a message that the personal contact is valued in its own right.

A safe receptacle for cigarette waste should be suitably sited in the grounds of each unit. This should be emptied regularly by a member of staff who is a smoker.

These guidelines will be reviewed in September 2006.

Robert Swift
Service Manager (Children and Families Resources)
30.03.06

East Lothian Council Fostering and Adoption Service

Guidelines on smoking for carers and staff

We have revised our policy on smoking, in light of the ban on smoking in the workplace that came into effect in March 2006.

Healthier children

Smoking and passive smoking harm the health of everyone in a household. We have to balance the right of carers to smoke with the child's right to health. We feel sure that you will understand why we want to move to a situation where all children and young people are fostered in smoke-free households in East Lothian.

We are actively encouraging carers who smoke to give up. And we know that many of you will have been already thinking of quitting. We can give plenty of support and information if you want it. We can put you or young people in touch with smoking cessation groups and give financial support for related medical prescriptions if necessary. At the moment, we are asking that you do not smoke indoors or anywhere near children and young people.

We realise that for some people it takes time to give up fully, so we will be phasing in our new smoking policy gradually. However, over the next few years, we will be placing fewer and fewer children with households where people smoke.

Role models

We choose foster carers for their ability to look after children effectively and demonstrate positive behaviour – setting a good example, as it were. By taking the active decision not to smoke, or not to smoke in front of the children you look after, you are showing them that you don't think smoking is cool or clever. Children who live with smokers are three times more likely to become smokers themselves as adults. Your decision not to smoke around them could make a big difference to their future health and happiness.

Did you know?

Young children, with their small lungs and airways and immature immune systems, are particularly vulnerable to second-hand smoke. Children in smoking households are much more prone to respiratory and ear infections than adults in the same household. Because they breathe more times a minute than adults, children take on board a much higher percentage of the harmful chemicals in tobacco smoke than adults.

Evidence suggests that non-smokers who live in smoking households as children have a 25% greater risk of lung cancer and heart disease in later life than children who have grown up in smoke-free environments.

New guidelines on smoking

Guidance for foster carers and adopters

- From now on, we will not place any child aged under five in a household in which someone smokes indoors. We will not move children under five who are already in placements in smoking households as long as the placement is meeting their needs. However, we will be encouraging carers in this situation to think about their smoking and not to smoke indoors.
- From 2007, we will no longer place children aged under eight in households where people smoke indoors.
- From 2008, we will no longer place children aged under 12 in households where people smoke indoors.
- From now on, we will no longer place children with disabilities, respiratory problems (for example, asthma), heart disease or glue ear, no matter what their age, in households where people smoke. We will not move such children who are already in placement unless this is their wish, though we will consider the views of their parents. We will ask the carers of these children to think about their smoking and not to smoke indoors.

- We will place children from non-smoking birth families with non-smoking carers, wherever possible.
- We will ask all older children who are able to express an opinion about whether they would rather be placed with a non-smoking family.
- By the end of 2006, we expect carers not to smoke in any living area that is also used by children. We will be asking you to sign a declaration stating that this is the case.
- You should not smoke when Council staff are visiting. Staff should not have to meet you in a smoky atmosphere.
- You should not smoke in a car in which you are transporting children.
- We will discuss the risks of smoking with you at recruitment interviews and at review meetings. We can provide you with help and information to stop smoking.
- Once you have successfully stopped smoking for 12 months, we will consider you for fostering high-risk groups. Usually, if you give up for a year, you have given up for life. Well done!

Guidance on smoking for staff

- You should not smoke when visiting carers.
- You should not smoke in front of children and young people.
- You should not smoke when transporting young people.

Guidance on smoking and young people

- Anyone under 14 years old who is on a placement is not allowed to smoke.
- Carers should not buy cigarettes for any young person in their care, no matter what their age.
- Young people aged between 14 and 16 may smoke if they have their parents' permission. Carers should not allow them to smoke in their home.

- Young people over the age of 16 may purchase their own cigarettes. Carers and staff should try to discourage them and should not buy cigarettes for them. Carers should not allow them to smoke in their home. Carers and staff should not smoke in the presence of young people.

Recruitment of new carers

We will ask all new carers to sign an undertaking that they will not smoke in their own homes during placements.

Robert Swift
Service Manager
Family Placement Team
May 2006