

Children's Services

Fostering Service Additional Guidance on Smoking

1. INTRODUCTION

- 1.1 Dorset Council Fostering Service provides the following guidance for foster carers on tobacco smoking and e-cigarette use in relation to the care of children and young people in care.
- 1.2 The purpose of this guidance is to ensure that fostered children are placed in a smoke-free home and provided with a healthy, nurturing and safe environment, where the risks associated with smoking are minimised.
- 1.3 Where children and young people are placed in the care of family and friends (Connected Persons), this guidance should be used as best practice.

2. SCOPE/LEGAL FRAMEWORK

- 2.1 Dorset Council follows best practice guidance from Coram BAAF (Adoption and Fostering Academy – Practice note 68) The Fostering Services Regulations 2011, Health and Safety at Work Act 1974, NHS guidance on passive smoking and UK law in relation to smoking inside vehicles.
- 2.2 Passive smoking has been shown to cause cancers, heart and respiratory disease in non-smokers. It can trigger asthma attacks and other respiratory ailments and has been linked to cot death. Children are particularly at risk from second-hand smoke, which increases vulnerability to the above illnesses and others such as glue ear, meningitis and common coughs and colds.
[Passive smoking - NHS \(www.nhs.uk\)](http://www.nhs.uk)
- 2.3 The Fostering Services Regulations 2011 [England] 2003 [Wales] Standard 6 states that 'Children live in a healthy environment where their physical, emotional and psychological health is promoted' [Fostering services: national minimum standards - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- 2.4 The Health and Safety at Work Act 1974 places a duty on employers to provide a working environment that is: 'Safe, without risks to health'. Dorset Council believes that second-hand tobacco smoke is both a public and workplace hazard.
- 2.5 This guidance applies to all Foster Carers, both mainstream and friends and family (Connected Persons). It should be read in conjunction with our fostering procedure for [Alcohol, Drugs and Smoking](#); where this guidance makes requirements not given in the procedure, these requirements should be followed.

3. GUIDANCE

3.1 From the implementation date of this guidance, Dorset Council seeks to:

- Ensure Foster Carers are non-smokers, especially those wishing to care for children under the age of 5 years. This also applies to other adults in the home.
- Guarantee a healthy working environment and protect the current and future health of Foster Carers and the children in its care.
- Guarantee the right of non-smokers to breathe in air free from tobacco smoke.
- Comply with health and safety legislation and employment law.
- Raise awareness of the dangers associated with exposure to tobacco smoke.
- Take account of the needs of those who smoke and to support those who wish to stop.

3.2 While all children have the right to be placed in a smoke-free environment, there are health risks for children under five that need to be taken into consideration when being placed. Other than in exceptional circumstances all children, especially under five years old, will not be placed with foster carers who smoke or where there is a smoker living in the home.

3.3 Dorset Council will only place children under five years old in a home with foster carers or others who smoke in exceptional circumstances. This is because of the particularly high health risks for very young children and toddlers who spend most of their day physically close to their carers and the association with an increased risk of cot death in the first eighteen months of life. Any such exception must be approved by the placing service manager (connected carers) or fostering service manager (mainstream) and recorded in the Viability Assessment and Foster Carer's Safer Caring Plan.

3.4 Dorset Council will only place children aged over five years in a home with foster carers or others who smoke in exceptional circumstances, and where it is satisfied that this will not pose any risk to the child's health.

3.5 Disabled children who are often less able to play outside and children with respiratory problems such as asthma, or with heart disease or glue ear should not be placed with Fostering households where smoking occurs.

3.6 In all planned long-term placements and in those placements that are not planned as long-term but become long-term, the additional health risks to the child of being placed in a household where smoking occurs need to be carefully considered. This is because long-term exposure to passive smoke

poses a significant risk of ill health that increases with time. It also increases the risk of the child becoming a smoker.

- 3.7 The wishes of children and their parents will be sought and followed when we decide whether children are to be placed in families where smoking occurs, although in some situations the health needs of the child may override the wishes of the children/parents.
- 3.8 Prospective Foster Carers will be advised at an early stage in the application process of the agency's guidance that smoking habits will be considered during the assessment, along with other health issues.
- 3.9 Prospective Foster Carers who smoke will be required to consult their GP or a local NHS stop smoking service.
- 3.10 Where applicants have given up smoking, a child in the high-risk groups will not usually be placed with them until they have given up smoking successfully for a minimum of 12 months. (This is because the relapse rates in the first 3-6 months are high, after 12 months most will not smoke again).
- 3.11 Foster Carers must not smoke in the car when there is a child present. It is illegal in UK law to smoke in a vehicle with anyone under 18 years old [Rules about tobacco, e-cigarettes and smoking: 1 October 2015 - GOV.UK \(www.gov.uk\)](#) Although in Law this does not apply to e-cigarettes, Dorset Council Fostering Service view this in the same light and would expect the same restrictions in relation to e-cigarettes.
- 3.12 Dorset Council Fostering Service views e-cigarettes in the same way as it does conventional cigarettes. Therefore, carers and prospective adopters who use e-cigarettes will be considered as non-smokers when a year has elapsed since they last smoked e-cigarettes.

4. Guidance for current Foster Carers who smoke/use E-Cigarettes

- 4.1 Currently approved/Regulation 24 temporary approved Foster Carers who smoke are required to create a smoke-free home. They should restrict their smoking to outdoor areas to ensure that children play, eat and sleep in smoke-free rooms. There is an expectation that Foster Carers (including relief carers and babysitters) will change their clothing, wash their hands and brush their teeth prior to holding the child in their care.
- 4.2 Foster Carers have a responsibility towards their own health and the health of their families. Where they are offered smoking cessation support, they have a duty to consider seriously the benefits of taking up that service. NHS stop smoking service information can be accessed here: [NHS stop smoking services help you quit - NHS \(www.nhs.uk\)](#)

- 4.3 Foster Carers are role models for the children in their care and should consider the effect of smoking on those children. Foster Carers should not smoke in front of children and young people.
- 4.4 Foster Carers should mitigate any risks of poisoning, burns or fires arising from smoking in their household.

5. Guidance for Foster Carers caring for children who smoke/use E-Cigarettes

5.1 Foster Carers are encouraged to have house rules which actively discourage smoking in any form. Full details of the expectations should be contained in the current safer caring plan and reflected in the child or young person's individual care plan.

5.2 In UK Law it is illegal:

- For young people under the age of 18 to smoke tobacco products.
- For retailers to sell e-cigarettes or e-liquids to someone under 18
- For adults to buy (or try to buy) tobacco products or e-cigarettes for someone under 18. Therefore, Foster carers must never buy cigarettes/e-cigarettes for children and young people in their care. For full guidance in relation to UK law please see [Rules about tobacco, e-cigarettes and smoking: 1 October 2015 - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

5.3 Foster Carers caring for a child/young person who smokes therefor cannot give permission for or condone this action. They should actively encourage and support the young person to stop. They should discourage the young person from smoking on their property.

5.4 Social Workers and Foster Carers should give children and young people information and support to help them take responsibility for their health and should encourage and enable them to attend cessation programmes where appropriate.