

Smoking Policy

This policy is compliant with the **Fostering Services National Minimum Standards** and **The Fostering Services (England) Regulations 2011**.

Outcome

Children and young people live in a healthy environment where their physical, emotional and psychological health is promoted and where they are able to access the services to meet their health needs.

Underpinning legislation

The Fostering Services (England) Regulations 2011:

- Regulation 15 - Health of children placed with foster parents.

Children Act 1989:

- Guidance and Regulations Volume 4: Fostering Services Chapter 3: (3.49-3.62) Achieving healthy outcomes for looked after children, in particular 3.57 relating to advice on smoking.

Health Act 2006

- Part 1; section 5: vehicles

Children and Families Act 2014:

- Part 5 (91,92) Tobacco, nicotine products and smoking

Tobacco and Vapes Bill 2025:

- Ban on the use of single use vapes (April 2025)
- Full bill continues to move through the parliamentary process as of December 2025

Relevant guidance

Fostering Network Practice Information Note 3: Smoking and Electronic Cigarettes (England) – November 2016

Coram BAAF Practice Note 68: Reducing the risks of environmental tobacco smoke for looked after children and their carers – 2018

Department of Health Guidance (1st October 2015) Rules about tobacco, e-cigarettes and smoking.

Introduction

Fostering service providers have a duty to promote the welfare and health needs of children and young people. Our young people are entitled to live in smoke-free environments and recent legislation has contributed to the achievement of this goal. The Health Act 2006 made it illegal to smoke in public places, and an amendment in October 2015 extended this ban to private vehicles when children under 18 are present.

Although foster homes are not public places, it is essential that the rights of foster parents to smoke are balanced against the rights of looked-after-children to be healthy. Children often come into care with neglected or impaired health and the agency has a duty to promote their health now and for their future.

The health risks of smoking and second-hand smoke are well documented, and living with parents or foster parents who smoke increases the chances that a young person will become a smoker. Providing a smoke-free environment, access to information about the risks of smoking and non-smoking role models helps to prevent young people from starting to smoke, and helps those who smoke to give up.

Foster Parents

Whilst it is acknowledged that some foster parents smoke, it is the agency's policy that our children will live in smoke-free homes, and we will make every effort to support and encourage foster parents who wish to give up smoking. Stopping smoking will protect the health of children in the home and also the health of the foster parent.

During the recruitment, assessment and preparation process, discussions will take place with applicants regarding the agency's expectations and requirements. Foster parents who smoke (or who have smoked within the last 12 months) will not be approved for placements of children under 5 years, or for parent-and-child placements. In addition, local authorities will usually not place children with foster parents who smoke if the child:

- Has a disability that means they are dependent on the foster parent and must remain within close proximity to them
- Has a respiratory disorder such as asthma
- Has a heart condition
- Has glue ear
- Comes from a non-smoking family

Matching considerations will consider whether, if the foster parent smokes, the placement can meet the health needs of the child.

Where a foster parent smokes, or there is a smoker living in the household, the supervising social worker will agree a smoke-free plan with the foster family to include the following:

- Foster parents and other members of the household, including visitors, will not smoke in the presence of children of any age, in the home or in the car and will promote non-smoking as the norm.
- Smoking will take place outside the home.
- Tobacco products, matches and lighters will not be left lying around or accessible to children.

The issue will be raised regularly with all approved foster parents who smoke and reinforced through supervision and reviews. Support is crucial, particularly as smoking can be a response to stress, and consideration needs to be given to ways of minimising the level of stress experienced.

Young People

Young people should be actively discouraged from smoking and if they do smoke, actively helped and supported to give up smoking if they wish. We acknowledge that foster parents are best placed to have ongoing discussions with the young person about giving up smoking and they can also support the young person to seek advice from their GP and the Looked After Children's Nurse (LAC Nurse). This should be discussed with the young person's social worker and addressed as part of their health plan.

If a young person in placement smokes, the foster parents should have clear expectations and house rules that are clearly communicated and written into the placement plan. The young person will be expected to comply with the smoke-free plan for the home.

It is illegal for retailers to sell any tobacco products to anyone below the age of 18, and it is illegal for adults to purchase tobacco products for young people. Foster parents must not, therefore, provide young people with tobacco products.

Electronic cigarettes and nicotine replacement products

Electronic cigarettes, also known as vapes, are not tobacco cigarettes. They deliver nicotine orally to users in vapour form rather than smoke. They have been promoted as a safer alternative to tobacco cigarettes, and a tool for giving up smoking. Public Health England concluded in 2018 that they are significantly less harmful than tobacco, while not being entirely risk-free. NICE (National Institute for Health and Care Excellence) Guidelines 2018 state that "The evidence suggests that e-cigarettes are substantially less harmful to health than smoking but are not risk free. The evidence in this area is still developing including evidence on the long term health impact."

As a tool to stop smoking, electronic cigarettes are similar to nicotine replacement therapy including gum, inhalators and patches, which can be obtained on prescription from the GP. Concern has been raised, however, that electronic cigarettes in their design and use mimic smoking and undermine ‘smokefree’ laws. Electronic cigarettes are marketed in various flavours, as a lifestyle choice, and their design might be attractive to young people who do not already smoke.

As the health impact of electronic cigarettes remains unclear, and the effects of vapour on the health of the user and bystanders is still being researched, the agency’s policy is that nicotine replacement therapy is the best method for smoking cessation, and the same rules that apply to smoking tobacco will apply to electronic cigarettes. The agency will review this policy as new evidence arises.

Therefore, the following rules apply to the use of electronic cigarettes by foster parents and/or young people:

- Foster parents who use any electronic cigarettes (or who have used electronic cigarettes *containing nicotine* within the last 12 months) will not be approved for placements of children under the age of 5 years, or parent-and-child placements
- The use of electronic cigarettes will be included in matching considerations for placements.
- Foster parents and other members of the household, including visitors, will not use electronic cigarettes in the presence of children of any age, in the home or in the car.
- The use of electronic cigarettes will take place outside the home.
- Liquids must be stored out of the reach of young children to avoid accidental ingestion, which is poisonous.
- Electronic cigarettes must not be charged unattended or left charging overnight due to the risk of house fires.
- It is an offence for shops to sell electronic cigarettes to under 18s or for an adult to buy electronic cigarettes for them. Foster parents must not provide electronic cigarettes to young people.
- On 1st June 2025, the UK government banned the sale of single-use vapes. If a young person is using single-use vapes, these will have been obtained illegally and subsequently may contain unknown, unregulated and harmful substances. Any single-use vapes found should be confiscated and safely disposed of using approved recycling facilities. They should not be disposed of in the household waste due to fire risk from the batteries they contain.

If a young person indicates that they would like to try vaping as a way of giving up smoking, we would ask our foster parents to discuss with them the possible unknown health impacts of using these products, and encourage them to consider other ways of quitting, including nicotine replacement therapy, which is recommended by Public Health England as the most effective way to stop smoking. Young people under 18 cannot legally obtain vapes and, following the UK ban on single-use vapes from 1 June 2025, they should be made aware that any such vapes offered to them may contain unknown, unregulated and harmful chemicals.