CYLCH MEITHRIN PWLL COCH

POLISI DI-FWG

Nod

Mae'r **Ddeddf Iechyd a Diogelwch yn y Gwaith 1974** yn gosod dyletswydd gyfreithiol ar gyflogwyr i sicrhau amgylchedd gwaith diogel i'w gweithwyr. Mae'r Cylch Meithrin yn ymrwymo i gynnal safonau iechyd, diogelwch a lles er budd holl weithwyr, gwirfoddolwyr, myfyrwyr ac ymwelwyr i'r lleoliad, yn ogystal â'r plant sydd o dan ei ofal.

Nod y polisi hwn yw gwarchod yr holl staff, plant, rhieni/gofalwyr/gwarcheidwaid, gwirfoddolwyr ac ymwelwyr rhag eu gadael yn ddiamddiffyn i fwg ail-law a thrydedd-law, ac i gynorthwyo cydymffurfio â darpariaeth ddi-fwg **Deddf Iechyd 2006** a'r rheoliadau perthnasol i Gymru, a ddaeth i rym yn 2007, a **Deddf Iechyd y Cyhoedd (Cymru) 2017** a'r rheoliadau perthnasol sydd yn deillio ohoni.

Mae'r Cylch Meithrin yn gweithredu, o fewn terfynau rhesymol ac ymarferol, i sicrhau iechyd, diogelwch a lles y staff, y plant o dan ei ofal, myfyrwyr ar brofiad gwaith, gwirfoddolwyr ac ymwelwyr i'r lleoliad. Mae hyn yn cynnwys sicrhau bod pob aelod o staff, myfyrwyr ar brofiad gwaith, gwirfoddolwyr ac ymwelwyr i'r lleoliad yn medru cyflawni ei swydd yn ddiogel ac yn effeithiol mewn amgylchedd sydd yn rhydd o fwg ail-law a thrydedd-law, yn ogystal â'r plant sydd o dan ei ofal.

Mae'r polisi hon yn berthnasol i holl staff, gwirfoddolwyr, myfyrwyr ar brofiad gwaith, ymwelwyr a hefyd i rhieni, gofalwyr a gwarchodwyr y Cylch Meithrin.

Hawliau Plant

Mae sicrhau iechyd, diogelwch a lles yn rhan o sicrhau fod y Cylch Meithrin yn parchu hawliau plant sydd yng Nghonfensiwn y Cenhedloedd Unedig ar Hawliau Plant, yn benodol:

Erthygl 6 : Mae gan bob plentyn hawl i fyw. Dylai llywodraethau ofalu fod plant yn goroesi ac yn datblygu'n iach.

Erthygl 27:Mae gan blant yr hawl i safon bywyd sy'n ddigon da i ymateb i'w hanghenion corfforol a meddyliol. Dylai'r Llywodraeth helpu rhieni na allant fforddio i ddarparu hyn.

Diffiniadau

Ysmygu

Mae **Deddf Iechyd y Cyhoedd (Cymru) 2017** yn diffinio ysmygu fel ysmygu tybaco neu unrhyw sylwedd arall sydd wedi ei danio ar ffurf y gellid ei ysmygu. Mae hyn yn cynnwys sigarennau o unrhyw fath, pibell, sigâr, sigarennau electronig ac anweddu (*vape*).

Mwg Ail-law

Mae 'mwg ail-law' yn cyfeirio at y mwg sy'n cael eu gynhyrchu wrth danio unrhyw sylwedd y gellir ei ysmygu.

Mwg Trydedd-law

Mae 'mwg trydedd-law' yn cyfeirio at y llygryddion gweddilliol sydd yn aros ar arwynebau (e.e. dillad, carpedi, llenni, dodrefn) ac mewn llwch wedi i'r cyfnod ysmygu dod i ben. Mae'r llygryddion yma yn cael eu ail-allyrru i'r amgylchedd dros gyfnod o amser. Cred ymchwilwyr bod mwg trydedd-law yn peryglu iechyd babanod a phlant.

Cod Ymarfer

Bydd y Person Cofrestredig/Cadeirydd yn sicrhau bod y polisi'n cael ei weithredu ac yn dirprwyo'r cyfrifoldeb i'r Arweinydd am weithredu'r polisi o ddydd i ddydd. Rhaid i bob aelod o staff gadw at, a hwyluso gweithredu'r polisi. Bydd yr Arweinydd yn sicrhau bod pob aelod o staff, rhieni/ gofalwyr, gwirfoddolwyr, myfyrwyr ar leoliad gwaith a chontractwyr yn ymwybodol o'r polisi ac o'u cyfrifoldebau i weithredu'r polisi. Bydd yr Arweinydd yn sicrhau hefyd fod pob aelod o staff newydd yn derbyn copi o'r polisi yn ystod yr hyfforddiant anwytho.

Bydd y cylch yn:

- sicrhau bod holl weithle ac amgylchedd y cylch yn ddi-fwg. Ni chaniateir i staff, gwirfoddolwyr, myfyrwyr ac ymwelwyr i'r lleoliad ysmygu yn union y tu allan i flaen yr adeiladau, gan fod hyn yn creu delwedd amhroffesiynol o'r Cylch Meithrin.
- sicrhau bod ysmygu wedi ei wahardd ar hyd a lled y gweithle i gyd heb unrhyw eithriad.
- sicrhau nad yw unrhyw aelod o staff sy'n ysmygu yn dod i gysylltiad â phlant y cylch tra bod ganddo/ganddi arogl mwg ar ei ddillad/dillad neu ei anadl/hanadl.
- sicrhau bod arwyddion 'Dim Ysmygu' sydd yn ateb gofynion y rheolaethau yn cael eu harddangos yn glir wrth, neu ger, y fynedfa i'r adeilad.

Ers 1 Hydref 2015, mae hi wedi bod yn anghyfreithlon i ysmygu mewn car neu unrhyw gerbyd arall gyda person dan 18 oed ynddi.

Bydd y Cylch yn:

- sicrhau amgylchedd di-fwg mewn unrhyw gerbyd a ddefnyddir gan y lleoliad ar gyfer cludo plant, yn cynnwys mwg trydydd llaw.
- sicrhau bod arwyddion 'Dim Ysmygu' sydd yn ateb gofynion y rheolaethau yn cael eu harddangos yn glir o fewn y cerbyd.

Diffyg Cydymffurfio gyda'r Polisi hwn

Gweithredir y camau canlynol os oes unrhyw un yn peidio cydymffurfio â'r polisi:

- tynnu sylw'r person at yr arwyddion 'Dim Ysmygu' a'i atgoffa ei fod yn troseddu. Gofyn yn gwrtais iddo beidio ag ysmygu.
- cynghori'r person ei bod hi'n drosedd i Arweinydd y cylch a.y.b. i ganiatáu i berson ysmygu ar neu o gwmpas yr adeilad.
- egluro i'r person fod gan y cylch bolisi di-fwg i sicrhau amgylchedd diogel i'r holl oedolion a'r plant os caiff y rhybudd ei wrthod, gofyn iddynt adael yr adeilad ar unwaith.
- os bydd aelod o staff yn gwrthod, bydd y Pwyllgor yn ystyried dilyn y Drefn Disgyblu ar gyfer ymddygiad annerbyniol yn y gweithle.
- cadw cofnod o ddigwyddiadau o'r fath a'r canlyniadau.

Addysg a Chymorth Atal Ysmygu

Rydym yn parchu'r ffaith mai dewis personol unigolyn yw ysmygu. Fel Cylch Meithrin, rydym yn cefnogi dewisiadau byw'n iach.

Mae'r ffynonellau canlynol o gefnogaeth ar gael i ysmygwyr sydd eisiau rhoi'r gorau i ysmygu:

Mae Llinell Gymorth i Ysmygwyr Cymru (Ffôn:0800 169 0169) yn darparu cyngor a defnyddiau hunangymorth.

Gwefan GIG Cymru: Helpa Fi i Stopio https://www.helpafiistopio.cymru/ , Ffôn:0800 085 2219

Polisïau Cysylltiedig

Polisi Iechyd, Diogelwch a Lles

Polisi Cludo Plant

Polisi Staffio

Cysylltiadau a Gwybodaeth Ddefnyddiol

Awgrymir cyfeirio at y cyhoeddiadau a'r gwefannau isod am fwy o wybodaeth:

- Ash Scotland: Third-hand smoke

https://www.ashscotland.org.uk/what-we-do/supply-information-about-tobacco-and-health/briefings/third-hand-smoke/

- Deddf Iechyd y Cyhoedd (Cymru (2017)

http://www.legislation.gov.uk/anaw/2017/2/contents/enacted/welsh

- Gov.uk: Rules about tobacco, e-cigarettes and smoking: 1 October 2015

https://www.gov.uk/government/publications/new-rules-about-tobacco-e-cigarettes-and-smoking-1-october-2015

- GIG Cymru: helpa Fi i Stopio

https://www.helpafiistopio.cymru/

CYLCH MEITHRIN PWLL COCH

SMOKE-FREE POLICY

AIM

The Health and Safety at Work Act 1974 sets a legal duty upon employers to ensure that its workers have a safe working environment. The Cylch Meithrin commits to maintaining standards of health, safety and welfare for the benefit of all workers, volunteers, students and visitors to the setting, in addition to the children under its care.

The aim of this policy is to ensure that staff, children, parents/carers/guardians, volunteers and visitors are not exposed to second-hand and third-hand smoke, and that this policy complies with the smoke-free provision as outlined by the **Health Act 2006**, the regulations relevant to Wales which came into force in 2007; and the **Public Health (Wales) Act 2017**, and all the relevant regulations deriving from it.

The Cylch Meithrin acts, within reasonable and practical limits, to ensure the health, safety and welfare of its staff, the children in its care, work experience students, volunteers and visitors to the setting. This includes ensuring that each member of staff, work experience students, volunteers, visitors and children under the Cylch's care, are able to carry out their work safely and effectively, in an environment free from second and third-hand smoke.

This policy is relevant to all staff, volunteers, work experience students, visitors and also to parents, carers and guardians.

Children's Rights

Ensuring health, safety and welfare is one of the ways that the Cylch Meithrin demonstrates its respect for children's rights, as outlined by the United Nations Convention on the Rights of the Child, specifically:

Article 6: every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 27: Every child has the right to a standard of living adequate for the child's physical and mental development. State Parties should help parents who are not able to provide this.

Definitions

Smoking

The **Public Health (Wales) Act 2017** defines smoking as the smoking of tobacco, or any other lit substance in a form in which it could be smoked. This includes cigarettes of any type, pipes, cigars, electronic cigarettes, and vapes.

Second-hand smoke

'Second hand smoke' refers to the smoke produced by lighting any substance which can be smoked.

Third-hand smoke

'Third-hand smoke' refers to the residual pollutants which remain on surfaces (e.g. clothes, carpets, curtains, furniture) and in dust, once the act of smoking has been completed. These pollutants are re-released into the atmosphere over a period of time. Researchers believe that third-hand smoke endangers the health of babies and children.

Code of Practice

The Registered Person / Chair will ensure that the policy is implemented, delegating the responsibility for its day-to-day implementation to the Cylch Leader. Each staff members must adhere to, and facilitate the policy's implementation. The Leader will ensure that each member of staff, parents / carers, volunteers, work experience staff and contractors are aware of the policy and of their responsibility to implement it. The Leader will also ensure that each new member of staff receives a copy of this policy during their induction training.

The Cylch will:

- ensure that the whole workplace and the cylch's environs, are smoke-free. Neither staff, volunteers, students or visitors are permitted to smoke directly outside the building, as this creates an unprofessional image of the Cylch Meithrin.
- ensure that smoking is banned the entire length and breadth of the workplace, without exception.
- ensure that any staff member who does smoke will not come into contact with the cylch's children while she/he has the smell of smoke on her/his close and or breath.
- ensure that 'No Smoking' signs meet regulatory requirements, and that they are clearly displayed near the building's entrance.

Since 1 October 2015 it has been illegal to smoke in a car or other vehicle with a person under the age of 18 inside it.

The Cylch will:

- ensure that any vehicle used by the setting to transport children is a smoke-free environment, including third-hand smoke.
- ensure that 'No Smoking' signs meet regulation requirements, and that they are clearly displayed inside the vehicle

Failure to comply with this policy

If a person fails to comply with the smoke-free policy, the following steps will be taken:

- draw the person's attention to the 'No Smoking' signs, reminding them that they are breaking the law by smoking. Ask them politely to cease smoking.
- advise the person that it is an offence for the Cylch's Leader etc. to permit anybody to smoke in or around the building.
- explain to the person that the Cylch has a smoke-free policy in order to ensure a safe environment for all adults and children. If the warning is refused, they will be asked to leave the building at once.
- if the staff member refuses, then the Committee will consider which steps to take under the Disciplinary Procedure for unacceptable behaviour in the workplace.
- keep a record of such events, and the results of the actions taken.

Education and Support to Stop Smoking

We respect the fact that it is an individual's right to choose to smoke. As a Cylch Meithrin, we support healthy living choices.

There are sources of support available for smokers who wish to quit smoking:

Smokers Helpline Wales (Phone:0800 169 0169) provides advice and self-help materials.

NHS Wales; Help Me Quit: https://www.helpmequit.wales/ , Phone:0800 085 2219

Related Policies

Health, Safety and Welfare Policy

Transporting Children Policy

Staffing Policy

Useful Contacts and Information

We recommend referring to the publications and websites listed below for more information:

- Ash Scotland: Third-hand smoke

https://www.ashscotland.org.uk/what-we-do/supply-information-about-tobacco-and-health/briefings/third-hand-smoke/

- Public Health (Wales) Act 2017

http://www.legislation.gov.uk/anaw/2017/2/contents/enacted/welsh

- Gov.uk: Rules about tobacco, e-cigarettes and smoking: 1 October 2015

https://www.gov.uk/government/publications/new-rules-about-tobacco-e-cigarettes-and-smoking-1-october-2015

- NHS Wales; Help Me Quit:

https://www.helpmequit.wales/