

TOBACCO and PROHIBITED SUBSTANCES POLICY



Purpose

To have a policy which identifies substances that are prohibited from being used on the centre's premises at any time.

Passive smoking (the inhalation of environmental tobacco smoke) increases risks to health (Cancer Council Australia, 2004). The Kinder Garden has a duty of care under work health and safety legislation to provide a safe and healthy environment for all persons who utilise the service for child care requirements or employment. This service does not permit the smoking of any substance in any areas it utilises for child care requirements or employment of persons and has adopted a Tobacco and Prohibited Substances Policy to protect all persons from the effects of environmental tobacco smoke.

Strategies

Children who are exposed to second hand smoke are at risk of many health problems including ear infections, coughs and colds, respiratory problems and tooth decay to name a few.

- No smoking signs will be displayed at the entrance to the centre.
- Smoke detectors may have been fitted into the playrooms, kitchen and foyer areas.
- Smoking is not be permitted in any open space 10 metres from the outdoor area or fence line.
- Staff will not smoke in front of, or in the sight of, children in their care.
- No persons will be allowed to promote cigarette smoking in the workplace, or advertise the fact they smoke to other staff, children or families.
- Students, volunteers and visitors to the service will not be permitted to smoke on the premises and will adhere to the Tobacco and Prohibited Substances Policy.
- The responsibility for enforcing this policy rests with managers and staff. All are obliged under the workplace health and safety legislation to protect the health of their fellow staff, and visitors, while at the service.
- It is illegal to smoke in enclosed spaces including child care services. Smoking in the service will be reported to authorities and this includes adult toilets.
- In NSW, it is an offence to possess, use, produce or supply a drug which has been declared prohibited.

Responsibilities of the Approved Provider

- Provide a sign for the service that states no smoking is allowed on premises.
- Ensure that Nominated Supervisor and all other staff are aware of and abide by this policy at all times.

Responsibilities of the Nominated Supervisor

- Ensure that all staff are aware of and abide by this policy at all times.
- Issue appropriate action against staff member who contravenes this policy.
- If a staff member is caught smoking, doing any illicit drugs or drinking alcohol on premises or within 10 metres of the service – a written warning is to be issued or possible instant dismissal.

Responsibilities of the Educators

- Staff who smoke before and after a shift must ensure that they take off their uniform before smoking. If a staff member is caught smoking while on site or in their uniform, they will be instantly dismissed.
- Educators are not allowed to come in smelling of smoke. If you have smoked before your shift, personal hygiene must be adhered to including hands being washed, clothing free from smoke and mouth washed out before handling children.

- Staff are informed through the handbook that smoking, drinking alcohol and taking illicit drugs during operating hours is NEVER allowed. These substances are not to be brought into the centre.

Responsibilities of the Families

- Report to the service management should you see a staff member smoking near the child care service or in their uniform.
- Families are not allowed to smoke on premises or near any children in the service.
- Families are not allowed to smoke cigarettes or E-cigarettes in their cars with children under 16 years of age as it is illegal. If a parent is caught smoking in the car with their child inside, your family may be reported to authorities. This applies to passengers of the vehicle as well.
- Parents, family members or relatives of children enrolled at the service will not be permitted to smoke on the premises and will adhere to the Tobacco and Prohibited Substances Policy.
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Definitions, Terms & Abbreviations

Term	Meaning
Illicit	Forbidden by law, rules, or custom

Related Statutory Obligations & Considerations

Australian Children’s Education and Care Quality Authority (ACECQA) [http://www.acecqa.gov.au/Children \(Education and Care Services National Law Application\) Act 2010](http://www.acecqa.gov.au/Children%20(Education%20and%20Care%20Services%20National%20Law%20Application)%20Act%202010) - <https://www.legislation.nsw.gov.au/acts/2010-104.pdf>

Department of Education - <http://www.dec.nsw.gov.au/what-we-offer/regulation-and-accreditation/early-childhood-education-care>

Drug Misuse and Trafficking Act 1985 -

Early Years Learning Framework (EYLF) - http://files.acecqa.gov.au/files/National-Quality-Framework-Resources-Kit/belonging_being_and_becoming_the_early_years_learning_framework_for_australia.pdf

Education and Care Services National Regulations 2011

<http://www.legislation.nsw.gov.au/#/view/regulation/2011/653>

National Quality Framework (NQF) - <http://acecqa.gov.au/national-quality-framework/>

NSW Health - <http://www.health.nsw.gov.au/tobacco/Pages/smoke-free-laws.aspx>

NSW Health Online Reporting Form - https://nswhealth.formstack.com/forms/online_form_2__copy

United Nations Convention on the rights of the child - <https://www.unicef.org.au/>

Related Telephone Numbers

- Early Childhood Directorate – 1800 619 113
- ACECQA 1300 422 327
- Police Department 000

Amendment History

Version	Amendment	Short Description
1.6.2018	Clarification of responsibilities	Further clarification of responsibilities of each party

This policy will be updated to ensure compliance with all relevant legal requirements every year. Appropriate consultation of all stakeholders (including staff and families) will be conducted on a timely basis. In accordance with Regulation 172 of the *Education and Care Services National Regulation*, families of children enrolled will be notified at least 14 days and their input considered prior to any amendment of policies and procedures that have any impact on their children or family.

Date: 1st June 2018
Version: 1.6.2018
Last Amended By: Heather Sheridan
Next Review: June 2019
Position: Nominated Supervisor
