

<b>POLICY/PROCEDURE NAME &amp; REVIEW PROCESS</b>	<b>TOBACCO DRUG and ALCOHOL-FREE POLICY</b> <p>This policy and procedure have been created to provide our stakeholders with clear guidelines and transparency to our practices.</p> <p>We welcome feedback and input from all our stakeholders at any time and this policy is subject to review based on feedback or due date of annual review.</p>
<b>NATIONAL QUALITY STANDARD</b>	<b>QUALITY AREA 2- CHILDREN'S HEALTH AND SAFETY</b> <b>2.1 Health</b> 2.1.2 -Health practices and procedures 2.1.3 -Healthy Lifestyle
<b>NATIONAL LAW AND REGULATIONS</b>	82- Tobacco, drug, and alcohol-free environment 83- Staff members and family day care educators not to be affected by alcohol or drugs 170-Policies and procedures to be followed 171-Policies and procedures to be kept available 172- Notification of change to policies or procedures
<b>RELATED POLICIES and RECORDS</b>	<ul style="list-style-type: none"> <li>Code of Conduct policy</li> <li>Code of Conduct Declaration Record</li> <li>Staff Handbook</li> </ul>
<b>SCOPE OF POLICY</b>	This policy applies to all children, educators, staff, families, management, students, volunteers, and visitors at our service.
<b>AIM OF POLICY</b>	To ensure that our service has strong guidelines, procedures, and practices in place regarding staff understanding and adherence to a tobacco drug and alcohol-free environment, for all children who attend our service in order to support their safety, wellbeing, and protection. Our aim is to provide a clear policy, implement the policy, support practices relating to the policy, train staff regarding the policy and maintain and update the compliance of the policy for all our stakeholders.
<b>SERVICE IMPLEMENTATION</b>	<p><b>Implementation</b></p> <p>Children are particularly prone to the harmful effects of environmental tobacco smoke because, their lungs and body weight are small so the dangerous substances in smoke are more harmful. Children are at risk if they're exposed to second-hand smoke.</p> <p>If they live with someone who regularly smokes in their home, they breathe in the same amount of nicotine as if they were smoking 60 to 150 cigarettes a year.</p> <p>This amount:</p> <ul style="list-style-type: none"> <li>Is enough to be considered an occasional smoker.</li> <li>Increases their risk of lung cancer by 20% to 30%.</li> <li>Doubles the chance of them becoming a smoker later in life.</li> </ul> <p>Children breathe faster than adults and inhale more chemicals when exposed to second-hand smoke. They are at greater risk of:</p> <ul style="list-style-type: none"> <li>Asthma — passive smoking increases both the risk of developing asthma and the symptoms of asthma.</li> <li>Behavioural problems — these include attention deficit hyperactivity disorder (ADHD) and anti-social behaviour.</li> <li>Middle ear infections — these can cause temporary hearing impairment and in severe cases the damage can be permanent.</li> <li>Poor lung development — children's lungs are still developing and the increased levels of carbon monoxide from second-hand smoke aggravates allergies and increases the risk of respiratory illness.</li> <li>Respiratory illness — bronchitis, croup, bronchiolitis, and pneumonia are the most common causes of death in childhood worldwide.</li> <li>Sudden infant death syndrome (SIDS) — the risk of SIDS is double for children exposed to second-hand smoke.</li> </ul> <p>With this knowledge of the above information, the management and staff have an obligation to ensure the safety of all children at the service.</p> <p><b>In relation to the smoking of tobacco:</b></p> <ul style="list-style-type: none"> <li>Smoking will not be permitted in any areas surrounding the service.</li> <li>Within working hours, staff employed at the service will not smoke in front of, or in the sight of, children in their care.</li> </ul>

Policy Name	<b>TOBACCO DRUG and ALCOHOL-FREE POLICY</b>			Policy Version	V.7
Owner	Fishbowl Service Support Pty Ltd				
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<b>Service Support Within Reach</b>	Warning -uncontrolled when printed. This document is current at the time of printing and may be subject to change without notice				

- Staff who wish to smoke during work hours may do so away from the service as per state requirements and away from the sight of general public and only in their scheduled lunch break, or other approved breaks.
- Students and volunteers attending the service will not be permitted to smoke in the environment and must adhere to the **Tobacco, Drug and Alcohol-Free Policy**.
- Parents, family members or relatives of children enrolled at the service will not be permitted to smoke in the service environment and must adhere to the Tobacco, Drug and Alcohol-Free Policy.
- All visitors to the service including maintenance personnel and contractors will not be permitted to smoke in the service and must adhere to the Tobacco, Drug and Alcohol-Free Environment Policy.
- The responsibility for enforcing this policy rests with approved provider and nominated supervisor. They are obliged under the work health and safety legislation to protect the health of their fellow workers, and visitors, while at the service.
- In the following states of Australia, the following bans are in place and prohibit smoking within the following distances near the entrance of a childcare service.

<b>Queensland</b>	5 metres of an entrance to a childcare service
<b>New South Wales</b>	4 metres of an entrance to a childcare service
<b>Victoria</b>	4 metres of an entrance to a childcare service
<b>Northern Territory</b>	5 metres of an entrance to a childcare service
<b>ACT</b>	4 metres of an entrance to a childcare service
<b>Tasmania</b>	4 metres of an entrance to a childcare service
<b>South Australia</b>	4 metres of an entrance to a childcare service
<b>Western Australia</b>	4 metres of an entrance to a childcare service

### Vaping

Smoking is burning something to breathe smoke into the lungs, such as a cigarette. Vaping is breathing in vapor from heated liquid.

Both smoking and vaping involve breathing in chemicals that can harm your health.

Vaping or E-cigarettes can deliver an aerosol of nicotine by heating a liquid and are promoted as an alternative to combustible tobacco. Even those labelled nicotine-free can still contain nicotine.

E-cigarettes are known by many names including electronic cigarettes, e-cigars, e-cigs, e-hookahs, mods, vape pens, vapes, tank systems, and personal vapourisers. They may look like regular cigarettes, cigars, or pipes, while others resemble pens, USB sticks, and other everyday items.

### How Vaping can affect children

- E-cigarettes are a poisoning risk, especially to younger children.
- One teaspoon of commercially available liquid nicotine can cause irreversible damage or death to a child. Liquid nicotine vials are often easy to squeeze and can lack tamper-proof packaging, increasing the risk of children ingesting the poison. 'Fun' packaging designs may also increase the appeal to small children.
- Short-term it can cause vomiting, nausea, coughing, shortness of breath, mouth irritation and asthma.
- Long-term it can cause lung damage, heart disease and cancers.

The aerosol or vapor from e-cigarettes contains cancer-causing chemicals and heavy metals.

The long-term health effects of vaping found that people using e-cigarettes had a higher risk of respiratory disease than people who never smoked.

It is important to remember that vaping in areas that are designated Smoke Free zones is prohibited.

The table above applies to Vaping as well as smoking and all staff must comply with this.

The same rules apply to staff who vape as do staff who smoke.

- Staff members are asked not to vape during work hours.

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If they do Vape, they will:

- Keep vaping equipment and vaping liquid out of reach of children.
- Put on another shirt that is not branded prior to vaping.
- Wash their hands thoroughly on return.
- Change their clothes if they retain the smell of vaping.
- Not vape in public whilst wearing the service uniform.
- Observe state specific restrictions regarding distance from service (as per table above)

#### **In regard to Drugs and Alcohol**

- Alcohol is not to be consumed at the service at any time when children are being educated and cared for.
- Illicit Drugs are not allowed at the service at any time and possessing or consuming these is an unlawful act.
- The nominated supervisor will report anyone found in possession of illicit drugs at the service to the police.
- Visitors to the service (including parents and relatives of children attending the service) are not to be affected by alcohol or drugs at any time when children are being educated and cared for.
- No member of staff (including students, volunteers, and visitors) will work while affected by alcohol or drugs (including prescription medication) that impairs the staff member's capacity to supervise or provide education and care to the children.
- Where an educator or members of staff have concerns relating to the fitness of a staff member to be supervising children due to the effects of drugs and/or alcohol these concerns should be reported immediately to the nominated supervisor.

#### **Alcohol and Drug Testing**

The management of the service reserves the right to conduct the following tests:

- "For cause" drug and alcohol testing - namely, whereby the service and management is under a reasonable suspicion that an employee is impaired or under the influence of drugs or alcohol, for example by way of observation or other reasonable method including disclosure an employee's behaviour or work performance indicates the person is under the influence of alcohol or other drugs.
- Testing of any employee involved in an accident or 'near miss' where it is reasonably believed that impairment is due to abuse of alcohol and/or other drugs that may have been a contributing factor will also occur as directed by the service.
- Random alcohol and other drug testing may also be conducted on a periodic basis without prior notification.

#### **Refusal of Employee to Comply with Testing**

- Any employee directed by the service management to undertake an alcohol and / or drug test must comply with the direction.
- Any refusal to comply with a direction to immediately undertake testing will be treated as a breach of this policy.
- Any employee who refuses an Alcohol or Drug Test will be treated with the same consequences as a positive alcohol or non-negative drug test result.
- The service management is responsible for ensuring that an employee who is suspected of breaching this policy is provided with transport to and from the testing location (if required) and / or is provided with appropriate assistance to return home safely where necessary.
- Where an employee is directed to undertake an alcohol and / or drug test, the service will meet the costs of the initial test regardless of the test results.

Each member of the team plays an important role in the implementation of each policies guidelines, and they are outlined as below but not limited to the following:

#### **The Approved Provider**

- Will ensure that obligations under the Education and Care Services National Law and National Regulations are met.
- Will ensure they take reasonable steps to ensure that the nominated supervisor, educators, staff, and volunteers follow the policy and procedures.

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- Will ensure they provide the nominated supervisor, educators, staff and volunteers the documentation to perform their role, follow policy, procedure, and document according to regulatory and service requirements.
- Will ensure that adequate induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the nominated supervisor and staff are equipped with ongoing professional development and training they require to comply with this policy
- Will encourage feedback from stakeholders regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.

#### **The Nominated Supervisor**

- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they take reasonable steps to ensure that the educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the educators, staff and volunteers the documentation to perform their role, follow policy and procedure and ensure they are checking the documentation according to regulatory and service requirements.
- Will ensure that a rigorous recruitment process is completed, and a thorough induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the staff are supported with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders and staff regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.
- Will conduct regular staff meetings to address policy compliance with legislation, policy implementation, changes to policy and or collect feedback for annual review of policy.

#### **Educators**

In regard to smoking and Vaping

- Staff members are asked not to smoke or vape during work hours. Staff and management have a professional and ethical responsibility to minimise the risk of children inhaling any residual environmental smoke if they have smoked a cigarette or vaped prior to contact with children.

If they do smoke or vape, they will:

- Ensure they keep all cigarettes, vapes and lighters out of reach of children.
- Put on another shirt that is not branded prior to smoking or vaping.
- Wash their hands thoroughly on return.
- Change their clothes if they retain the smell of smoking or vaping.
- Dispose of cigarette butts thoughtfully.
- Not smoke or vape in public whilst wearing the service uniform.
- Observe state specific restrictions regarding distance from service.

#### **In regard to Drugs**

- Illicit drugs are not allowed on the premises at any time and possessing or consuming these is an unlawful act. All staff will be aware that if they are found in possession of illicit drugs the nominated supervisor is obligated to report to the police.
- Staff may be asked to take an alcohol and /or drug test if there is suspicion of their taking of any illegal or banned substance at the service, however management cannot force an educator to partake of this, but refusal may invoke same penalties as a positive alcohol and drug test.
- If staff are taking prescription medication, they must ensure that the medication does not affect their ability to provide care to the children at our service. Full disclosure to the nominated supervisor if any medication taken may have an adverse effect on the educator's ability.

#### **In regard to Alcohol:**

- Alcohol is not to be consumed on the premises of the service.
- Staff must not commence work or return to work while affected by alcohol or other drugs.
- Any alcoholic gifts given to staff will be removed from service premises immediately or placed in a secure space away from children.

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	<ul style="list-style-type: none"> <li>Any breach of this policy, including confidentiality will be regarded as a serious matter by the service and will involve disciplinary action up to and including termination of employment.</li> <li>Any attempt to avoid, falsify or give incorrect information about an alcohol and/or drug test will constitute serious misconduct and disciplinary action up to and including termination of employment.</li> <li>Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.</li> <li>Will ensure they take reasonable steps to follow the service policy and procedures and seek advice or further support if unsure.</li> <li>Will ensure they complete and document any related records regarding the implementation of this policy and practice requirements of the service.</li> <li>Will attend any ongoing professional development, staff meetings and training they require to comply with this policy and practice requirements of the service.</li> <li>Will provide feedback to the nominated supervisor or approved provider regarding the policy's effectiveness, particularly in relation to identifying and responding to child safety concerns.</li> <li>Will provide feedback regarding policy review when required.</li> </ul> <p><b>Families</b></p> <p>If families present at the service visibly under the influence of drugs or alcohol, then we have an obligation to the child/ren at our service.</p> <p>The following must be adhered to:</p> <ul style="list-style-type: none"> <li>Staff will immediately alert or send someone to advise the nominated supervisor.</li> <li>In the absence of the nominated supervisor, staff will inform the responsible person on premises.</li> <li>Management will raise the issue with the parent/guardian collecting the child.</li> <li>They will suggest that the person does not (where applicable) drive and offer them the choice of calling a friend to collect both the child and the person or calling a taxi.</li> <li>If the parent/guardian threatens to become violent and there is concern for the safety to staff/ and/or other children, then the person in charge should: <ul style="list-style-type: none"> <li>Allow them and their child to leave the service.</li> <li>Obtain number plate of the vehicle and direction of travel if possible.</li> <li>Phone the police immediately on 000 and give details.</li> <li>Report the incident to the appropriate department for child protection. (state applicable)</li> </ul> </li> </ul>
<b>REGULATION IMPLEMENTATION</b>	The following procedures outline and support all stakeholders to understand and implement the regulatory guidelines of this policy.
<b>In regard to regulation 82- Tobacco, drug and alcohol-free environment and Regulation 83- Staff members and family day care educators not to be affected by alcohol or drugs.</b>	<p><b>Approved Provider will</b></p> <ul style="list-style-type: none"> <li>Ensure the service environment is free from the use of tobacco, illicit drugs, and alcohol.</li> <li>Ensure nominated supervisor, staff members and volunteers at the service are not affected by alcohol or drugs (including prescription medication) that may impair their capacity to supervise or provide education and care to children at the service.</li> <li>Ensure that the nominated supervisor must not consume alcohol or be affected by alcohol or drugs (including prescription medications) that may impair their capacity to provide education and care to children at the service.</li> <li>Ensure an appropriate induction explaining this policy will be discussed prior to employment. nominated supervisor will implement this process every time a new candidate is employed.</li> <li>Place no smoking signs throughout the service.</li> <li>Ensure that prescription medications such as asthma preventatives and treatment, and paracetamol are acceptable, but will be managed in accordance with the service's administration of medication policy.</li> <li>Immediately relieve any staff member from duties whose capacity to supervise or provide education and care to children is impaired by alcohol or drugs (including prescribed medication).</li> <li>Notify the regulatory authority within seven days of becoming aware of an educator's impaired capacity to supervise or provide education and care to children due to alcohol or drugs.</li> <li>Ensure there is an understanding for all employees if a person is found under the influence of drugs or alcohol (nominated supervisor or any staff member) they risk disciplinary action which</li> </ul>

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	<p>may result in dismissal. If that person is a volunteer or casual at the service their involvement or employment will be discontinued.</p> <ul style="list-style-type: none"> <li>Ensure if the nominated supervisor is showing signs of being under the influence of drugs or alcohol a responsible person must report this information to the approved provider.</li> <li>Ensure if an educator is showing signs of being under the influence of drugs and or alcohol then a responsible person must report this information to the nominated supervisor or approved provider if they are not already aware.</li> <li>Ensure the same rules apply to any visitor, trainee or volunteer at the service, the nominated supervisor must be made aware as soon as possible.</li> <li>Employees found to be in possession of illegal drugs at the service will be reported to the police and shall be immediately dismissed for serious and wilful misconduct.</li> <li>In regard to functions involving alcohol - alcohol will only be permitted and supplied for company functions and events at the discretion of the approved provider who is responsible for the management and control of consumption for all service functions and events (both on-site and off-site).</li> </ul>
<b>In regard to regulation 170- Policies and procedures to be followed.</b>	<p><b>Approved Provider will</b></p> <ul style="list-style-type: none"> <li>Ensure that all staff and volunteers are made aware of regulatory policies and procedures by ensuring that this forms a part of the induction process.</li> <li>Ensure probationary reviews will be conducted once new staff are appointed at the 3- month and 6-month mark to ensure that they are following policy and procedure and to review and revise regulatory policies.</li> <li>Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure and further training and revision of procedural practices in relation to policy and procedure.</li> <li>Ensure annual review and revision of policies and procedures will be conducted, and all educators will be given the opportunity for input.</li> </ul>
<b>In regard to Regulation 171- Policies and procedures to be kept available.</b>	<p><b>Approved Provider will</b></p> <ul style="list-style-type: none"> <li>Ensure that policies and procedures are available to all staff and the location and availability will form a part of the induction process.</li> <li>Ensure policies will be available on request for all staff members to have access when required.</li> <li>Ensure policies will be available when required for staff members to download copies and/or print out if required in order to complete assignments or to form part of their research and/ or update their knowledge.</li> <li>Ensure policies will be available for all stakeholders when requested and when updating.</li> </ul>
<b>In regard to Regulation 172- Notification of change to policies or procedures</b>	<p><b>Approved Provider will</b></p> <ul style="list-style-type: none"> <li>Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure, provide further training and allow for input if required in relation to policy and procedure.</li> <li>Ensure stakeholders will be invited to provide feedback for policies and procedures at any time, not just on annual review but will also be invited to add feedback at review time or after an event that may require change to policy or procedure.</li> <li>Ensure policies and procedures will be emailed or put on display in the foyer for stakeholders to have the ability to provide feedback.</li> <li>Ensure feedback will be considered from stakeholders and educators and may result in a change in policy.</li> <li>Ensure policy and procedure may be changed at any time if there has been an incident in the service that has required a change to be implemented for the safety and health of children and or educators.</li> <li>Ensure in the event of a change to a policy after feedback or a situation that occurs, we will provide 14 days' notice to all stakeholders before the change takes effect.</li> </ul>
<b>CONTINUOUS IMPROVEMENT</b>	<p>We are dedicated to the ongoing improvement of our practices and procedures through the following actions:</p> <ul style="list-style-type: none"> <li>Conducting regular reviews and updates of this policy with all stakeholders.</li> <li>Actively seeking feedback from children, families, and staff members.</li> <li>Providing targeted skill development and training for staff when areas for improvement are identified or when gaps in policy and procedure implementation are observed.</li> </ul>

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<b>KEY TERMS</b>	<ul style="list-style-type: none"> <li>▪ <b>Stakeholder</b> - a person or group of people who have an interest in a business, a person such as an employee or customer. They have a sense of responsibility toward it and an interest in its success.</li> <li>▪ <b>Vaping/ E-cigarettes</b>- an E-cigarette primarily heats heat liquids to produce a vapour that looks like smoke, which users inhale. Using an e-cigarette is often called 'vaping'.</li> </ul>
<b>WE GRATEFULLY ACKNOWLEDGE THE FOLLOWING SOURCES</b>	<ul style="list-style-type: none"> <li>▪ Australian Children's Education &amp; Care Quality Authority. ACEQCA</li> <li>▪ Australian Government Department of Health <a href="https://www.health.gov.au/vaping/new-laws">https://www.health.gov.au/vaping/new-laws</a></li> <li>▪ Australian Government Work Health and Safety Act 2011</li> <li>▪ Code of Ethics</li> <li>▪ Education and Care Services National Regulations.</li> <li>▪ Education and Care Services National Law Act 2010.</li> <li>▪ Guide to the Education and Care Services National Law and the Education and Care Services National Regulations.</li> <li>▪ Guide to the National Quality Framework.</li> <li>▪ Health Direct -<a href="https://www.healthdirect.gov.au/e-cigarettes-vaping">https://www.healthdirect.gov.au/e-cigarettes-vaping</a></li> <li>▪ National Quality Standard.</li> <li>▪ Staying Healthy in Childcare 6th Edition</li> <li>▪ Smoke Free Environment Act 2001</li> <li>▪ <b>Smoking and vaping: Advice for parents   Victorian Government (<a href="http://www.vic.gov.au">www.vic.gov.au</a>)</b></li> <li>▪ Tobacco in Australia.</li> <li>▪ The known harms of e-cigarettes and vaping   Queensland Health</li> <li>▪ <a href="https://www.health.nsw.gov.au/vaping">https://www.health.nsw.gov.au/vaping</a></li> <li>▪ United Convention on the Rights of the Child</li> </ul>

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