

# Smoke Free Environment Policy

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## Approval

Policy owner	Executive Director, People, Culture and Safety		
Approved by	Executive Leadership Team State Council		
Date approved	ELT 2/10/2024 State Council 26/10/2024	Review date	26/10/2027

## Purpose

1. The Society recognises the importance of preventing the harm and risk associated with smoking in the workplace.
2. The Society has an obligation under work health and safety law to provide a safe and healthy workplace for all employees, members and volunteers.
3. The Society also has an obligation under the Smoke-Free Environment Act 2000 (NSW) and Smoke-Free Public Places Act 2003 (ACT) to prohibit smoking in enclosed public places and to prevent the spread of tobacco or e-cigarettes smoke into smoke-free areas under its control.
4. This Policy sets out the Society's requirements relating to maintaining a smoke-free environment.

## Scope

5. This policy applies to:
  - All Society Personnel, including members, volunteers, consultants and contractors
  - All Society workplaces, which may include buildings, other structures, vehicles and open areas where Society endorsed work activities are conducted.

Specific policies and procedures are in place for Society managed Accommodation Services.

## Related policies and procedures

6. Related policies and procedures include:
  - Code of Conduct
  - Counselling and Disciplinary policy
  - Motor Vehicle Policy
  - Centres Policy and Operations Manual
  - Health & Safety Policy
  - Risk Management Framework and Risk Register
  - Gifts and Entertainment Policy

## Policy principles

7. As an agent of social justice in the community, the Society recognises that smoking places an unfair burden on the most disadvantaged people in the community, impacting heavily on both their health and wellbeing and their finances.
8. All society owned and controlled properties and premises are non-smoking areas, unless specifically designated and signposted as a smoking area. The designation of a smoking area requires approval from the CEO and Executive Director responsible for workplace health and safety. Smoking areas will

only be designated where it is deemed a harm-reducing practice. Society personnel are prohibited from smoking on any Society owned or controlled property or premises.

9. Under the Smoke-free Environment Act 2000, smoking is prohibited within 4 meters of a pedestrian access point to a public building, which includes Society workplaces. Non-compliance with this policy introduces risks to the People We Assist and Society personnel and may result in disciplinary action.
10. Wherever possible, the Society will encourage positive health decisions in personnel and people we assist. Non-smoking advice and information will be available on service sites and on the staff portal. Where People We Assist choose to smoke, they must do so off premises unless a designated smoking area is available.

## Roles and responsibilities

11. Managers, Team Leaders and Presidents (support by Regional Directors) are responsible for:
  - a. In relation to their workplaces, providing sufficient information and instruction to Society Personnel both at induction and ongoing, that covers the Society's policy and procedures with respect to smoking.
12. If appropriate, arranging for risk assessments to be conducted so as to identify areas outside of the workplace where smoking may be accommodated. (These designated areas should be away from windows, doorways, passageways, vents and enclosed common domain areas, to prevent environmental tobacco smoke from entering occupied areas).
  - a. A monitoring process that ensures that occupants of workplaces in their line of management comply with Society policy.
  - b. Managing smoking in accordance with Society values when special needs cases are identified.
  - c. Promoting smoking cessation initiatives to workers and the people we assist, where appropriate. Information and support options are available on the Cancer Council NSW website: [Resources to help you quit smoking - Cancer Council NSW](#).
13. In keeping with WHS law, Society Personnel, visitors, contractors and others entering the workplace must cooperate with reasonable instructions and measures introduced by the Society that are designed to protect the health and safety of Society Personnel and other occupants of the workplace. This effectively means abstaining from smoking within facilities and abiding by legal requirements and local smoking protocols (use of designated areas etc.)
14. Any person who receives a request not to smoke in a workplace is expected to comply and respond in a cooperative and courteous manner.
15. Society Personnel have the right to ask the People We Assist to refrain from smoking in their presence.

## Review

16. This policy and its implementation will be reviewed every three years or on a needs basis as required to align with legislative or practice changes.

## Further assistance

17. Any questions about the implementation of this policy can be addressed to the Director, Safety and Emergency Management.

## References

18. Relevant legislation, regulations or other instruments include:

- The Smoke-free Environment Act 2000
- The Smoke-free Environment Regulation 2016
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)
- Workers Compensation Act 1987 No 70 (NSW)
- State Insurance and Care Governance Act 2015 (NSW)

19. Work Health and Safety Codes of Practice

## Approval and amendment history

Version	Approval authority	Date	Amendment summary
Doc #	Executive Leadership Team State Council		NA

## Appendix 1: Definitions

20. Relevant definitions include:

<b>Society Personnel</b>	Any person (or group of people) engaged by the Society to assist in its works. This includes members, volunteers, employees, contractors, consultants, office holders and Board Directors.
<b>Volunteer</b>	A person undertaking unpaid work for the Society. For the purposes of legislative compliance all requirements of volunteers in this policy apply to members as well as interns, student placements, mutual obligation participants and mandated court orders.
<b>Worker</b>	Any person who carries out work for the Society, including: an employee, member, volunteer, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, and employee of a labour hire company placed with a 'host employer'.
<b>Workplace</b>	A workplace is any place where a worker goes or is likely to be while work is carried out. This may include offices, warehouses, shops, services sites, the homes of PWA and vehicles.
<b>Smoke(ing)</b>	To smoke means to use, consume, hold or otherwise have control over a tobacco product, non-tobacco smoking product or e-cigarette that is generating (whether or not by burning) smoke or an aerosol or vapour.