

Smoke Free Workplace Policy

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Version 1	29/8/2024	Draft Version reviewed by HR Officer
Version 2	20/11/2024	Addition of no smoking in vehicles and smoking in breaks when outside wording

Further Document Information and Relationships	
Related Legislation*	<ul style="list-style-type: none"> i. <i>Work Health and Safety Act 2011</i> ii. <i>Smoke-free Environment Act 2000</i> iii. <i>Work Health and Safety Regulation 2017</i> iv. <i>Smoke-free Environment Regulation 2016</i>
Related Policies	
Related Documents	<ul style="list-style-type: none"> i. <i>Code of Practice - Managing the Work Environment and Facilities, August 2019</i>

*Note: Any reference to Legislation will be updated in the Policy as required. See website <http://www.legislation.nsw.gov.au/> for current Acts, Regulations and Environmental Planning Instruments.



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1. Purpose

This Policy describes Liverpool Plains Shire Council (Council) approach to providing a smoke-free environment for all workers, contractors, and visitors. This policy aims to protect individuals from the harmful effects of smoking and vaping and comply with relevant legislation.

2. Objective

The objective of this policy is to:

- Outline Liverpool Plains Shire Council (Council) approach to risks posed to its workers from environmental tobacco smoke (ETS) and the use of e-cigarettes (vaping)
- Ensure that all workers including employees, contractors and volunteers understand Councils approach to controlling the risks of ETS
- Ensure that Council meets its obligations within the NSW *Smoke-free Environment* and *Work Health and Safety* legislative framework

3. Scope

This policy applies to:

- all Council's premises and sites, including all buildings, structures, car parks, outdoor areas, and vehicles.
- all staff, visitors, volunteers, contractors at all Council sites; and
- all activities that burn tobacco and tobacco related products, herbs, or drugs, including cigarettes, cigars, pipes, water pipes, electronic cigarettes and vaping products that includes non-nicotine-based products.

Where Council is a tenant, or occupies space, in a building or site owned or controlled by another organisation, staff, visitors, volunteers and contractors must also comply with the requirements of the site owner or controller.

3.1. Consultation

To assist in the development of Council's smoke-free workplace policy and to guide its implementation, feedback has been sought from the following stakeholders:

- Workplace Health and Safety Committee
- Staff Consultative Committee
- Management Team Meeting

4. Responsibilities

Role	Responsibilities
General Manager (GM) Directors	<ul style="list-style-type: none"> • Ensure that the procedure promotes and champions a workplace culture that encourages good health and wellbeing • Model appropriate workplace behaviour and monitor the work environment to ensure the behaviour of others is in accordance with this policy; and



	<ul style="list-style-type: none"> • Ensure People Leaders support, manage and consistently apply this procedure in their area.
Managers and Supervisors	<ul style="list-style-type: none"> • Communicate the procedure to workers; and • Ensure consistent and equitable application of the policy
Human Resources	<ul style="list-style-type: none"> • Provide advice regarding the policy • Implement and oversee adherence to the policy • Conduct periodic reviews to ensure its effectiveness
Workers, visitors and others	<ul style="list-style-type: none"> • Must comply with this policy

5. Smoke-free Workplace

Council recognises that it is an individual's choice to use tobacco products, however, as the person conducting a business or undertaking (PCBU) and under the requirements of the Workplace Health and Safety Act 2011 and Smoke-Free Environment Act 2000, Council has a responsibility to take steps to reduce the harm caused by tobacco use for smokers and non-smokers, including exposure to environmental tobacco smoke.

Further, Council has a responsibility to mitigate fire risk exposure from smoking in the workplace.

Therefore, Council is a smoke-free workplace with no designated outdoor smoking areas located at the Depot or Administration building.

All Council plant, equipment, and light vehicles are designated as smoke-free.

Staff are permitted to smoke during designated break times, provided they do so outside and well away from others in compliance with workplace health and safety standards.

Staff should exercise discretion and ensure their smoking does not interfere with work activities or impact public spaces, even in larger worksites such as roads or open spaces like public ovals.

5.1. Smoke free outdoor public places

As per section 6A Smoke-free areas – outdoor public places of the *Smoke-free Environment Act 2000*, the following are **smoke-free areas**:

1. a place that is within 10 metres of children's play equipment but only if the children's play equipment is in an outdoor public place,
2. a swimming pool complex,
3. an area set aside for or being used by spectators to watch an organised sporting event at a sports ground or other recreational area, but only when an organised sporting event is being held there,
4. the platform of a passenger railway or light rail station,
5. a bus stop (with **bus stop** to include any area where persons queue or gather when waiting at a bus stop),
6. a taxi rank (with **taxi rank** to include any area where persons queue or gather when waiting at a taxi rank),
7. a place that is within 4 metres of a pedestrian access point to a building,



8. a commercial outdoor dining area,
9. a place at a public hospital, health institution or health service.

5.2. Smoke-free area signage

As per Clause 6 of the *Smoke-free Environment Regulation 2016*, the **smoking prohibited symbol** means the symbol designated in the Australian Standard entitled AS 1319—1994, *Safety signs for the occupational environment* to indicate where smoking is prohibited.

Mandatory – Minimum A4 in size



Not mandatory but recommended



6. Support and assistance

Council supports staff who want to stop smoking. Further information is available from the following:

- Council's HR team,
- NSW Quitline 13 7848 (13 QUIT) a confidential telephone information and counselling service, managed by Cancer Institute NSW, to help smokers and vapers quit. Quitline also provides quitting tips and information to carers, family members and other health professionals.
- The iCanQuit website – <https://www.icanquit.com.au/>
- Cancer Council NSW - <https://www.cancercouncil.com.au/cancer-prevention/smoking/>



7. Breach of procedures

While the emphasis will generally be on informal resolution, and respectful communication of these procedures, smokers should be aware that a breach of these procedures also breaches Work Health and Safety legislation and tobacco control legislation as outlined in section 7 below.

Repeated breaches may be dealt with under the appropriate disciplinary procedures relevant for workers. Any issue involving smoking should be reported to the supervisor/manager of the area as per the Council's hazard reporting procedures.

8. Policy Statement

Council acknowledges that there is now overwhelming evidence that exposure to Environmental Tobacco Smoke (ETS) is harmful to a person's health.

There is no safe level of exposure to ETS.

Long-term exposure to ETS can have serious adverse health effects including heart disease and lung cancer. Breathing ETS can increase the risk of heart attack, particularly for those with existing heart disease or asthma, and even brief exposure to ETS can trigger symptoms such as irritation of the eyes and nose, headaches, sore throat, and cough.

Because of the acknowledged health hazards of exposure to ETS, and to comply with its legal obligations, Council has adopted a smoke-free workplace policy that formalises its commitment to protecting individuals from the harmful effects of smoking and vaping, while promoting overall wellbeing.