

TOBACCO, ALCOHOL AND OTHER DRUGS

Best Practice – Quality Area 2

PURPOSE

This policy provides guidelines to enable Bond Street Kindergarten Chilwell Inc to:

- provide a safe environment for all children which ensures their safety, health and wellbeing
- promote a cultural of health and wellbeing of all staff, children and families
- improve educational health and wellbeing outcomes for all children and families
- provide access to information on quitting smoking, alcohol and other drug use and promote the health benefits of avoiding these behaviours.

POLICY STATEMENT

1. VALUES

Bond Street Kindergarten Chilwell Inc is committed to:

- ensuring a smoke-free and drug-free environment for children, families, educators, staff, volunteers and visitors
- promoting responsible alcohol consumption to our service community
- encouraging educators and staff to build on opportunistic learning moments with children
- providing information to educators, staff and families about the health benefits of not smoking or taking drugs, and responsible alcohol consumption.

2. SCOPE

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Person in Day-to-Day Charge, educators, staff, contractors, volunteers, students, parents/guardians and visitors attending the programs and activities of Bond Street Kindergarten Chilwell Inc.

3. BACKGROUND AND LEGISLATION

Background

The effects of drugs and alcohol can impair the capacity of a person to make judgments relating to the care, safety and education of young children. The effects of tobacco smoking on an individual's health are well documented. Second-hand smoke (refer to *Definition*) and third-hand smoke (refer to *Definition*) is dangerous, especially for babies and children, as they have smaller airways that are still developing.

Children exposed to second-hand smoke are at an increased risk of early death and disease from various causes. Second-hand smoke can impair a baby's breathing and heart rate, which can put the baby at a higher risk of sudden unexpected death in infancy (SUDI). Exposure to second-hand smoke (refer to *Definition*) and third-hand smoke (refer to *Definition*) can affect a child's developing brain due to the sensitivities of the brain to very small amounts of toxins.

Drinking alcohol or taking other drugs can affect a person's ability to connect with and care for children. Alcohol and other drug use can become an occupational health and safety issue, as it may impair one's ability to exercise judgment, coordination, motor control, concentration, and alertness in the workplace. Employees unfit for work as a result of alcohol or other drug use put themselves, children and other staff members in the workplace at risk of harm.

The key to tobacco, alcohol and other drugs in the early years is prevention. The most effective means of prevention is providing an early childhood environment that is supportive and protective of all

children. Building resilience and developing social and emotional competencies should start early to enhance the potential for children to resist risky behaviours later on.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- Child Wellbeing and Safety Act 2005 (Vic) (Part 2: Principles for children)
- Early Childhood Australia's Code of Ethics (2016)
- Education and Care Services National Law Act 2010: Section 174
- Education and Care Services National Regulations 2011: Regulations 82, 82, 175, 176
- Liquor Control Reform Act 1998
- National Quality Standard, Quality Area 2: Children's Health and Safety
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2007
- Tobacco Act 1987 (Vic)

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved Provider, Nominated Supervisor, Notifiable Complaints, Serious Incidents, Duty of Care, etc. refer to the Definitions file of the PolicyWorks catalogue.

Alcohol: A depressant drug that slows down activity in the central nervous system.

Drug: Refers to any substance taken to change the way the body and/or mind functions.

Notifiable complaint: A complaint that alleges a breach of the Education and Care Services National Act or Regulation, or alleges that the health, safety or wellbeing of a child at the service may have been compromised. Any complaint of this nature must be reported by the Approved Provider to the secretary of DET within 24 hours of the complaint being made (Section 174(2) (b), Regulation 176(2) (b)). Written reports to DET must include:

- details of the event or incident
- the name of the person who initially made the complaint
- if appropriate, the name of the child concerned and the condition of the child, including a medical or incident report (where relevant)
- contact details of a nominated member of the Grievances Subcommittee/investigator
- Any other relevant information.

Written notification of complaints must be submitted via the National Quality Agenda IT system (NQAITS): <http://www.acecqa.gov.au/national-quality-agenda-it-system>. If the Approved Provider is unsure whether the matter is a notifiable complaint, it is good practice to contact DET for confirmation.

Prescription medication: medicine that can only be made available to a patient on the written instruction of an authorised health professional. Examples of prescription medicines include blood pressure tablets, cancer medicine and strong painkillers.

Reportable incidences: Under the Occupational Health and Safety Act 2004 (OHS Act), employers and self-employed persons must notify WorkSafe immediately after becoming aware an incident has occurred.

Reporting incidents resulting in:

- death

- a person needing medical treatment within 48 hours of being exposed to a substance
- a person needing immediate treatment as an in-patient at a hospital
- a person needing immediate medical treatment for one of the following injuries: amputation, serious head injury or serious eye injury, removal of skin (example: de-gloving/ scalping) electric shock, spinal injury, loss of a bodily function, serious lacerations (example: requiring stitching or other medical treatment).

Reporting incidents involving:

- registered or licensed plant collapsing, overturning, falling or malfunctioning
- collapse or failure of an excavation, or shoring supporting an excavation
- collapse of a building structure (or partial collapse)
- implosion, explosion, or fire
- escape, spillage or leakage of any substance
- plant or objects falling from high places

Second-hand smoke: refers to the ambient smoke that is a by-product of active smoking. It consists mainly of exhaled mainstream smoke and side stream smoke mixed with air. Breathing in second-hand smoke is also called passive smoking or involuntary smoking.

Smoke Free Zone: where smoking is prohibited in all enclosed workplaces and certain public spaces where members of the public gather and may be exposed to second-hand tobacco smoke.

Third-hand smoke: refers to residual tobacco smoke constituents that remain on clothes, surfaces and in dust after tobacco has been smoked. These substances are then re-emitted as gases or react with other compounds in the environment to create other substances.

Tobacco prevention: Involves guided age-appropriate, sensitive discussions about health issues related to tobacco as opportunities arise.

Tobacco, alcohol and other drugs: For the purposes of this policy and for the Healthy Early Childhood Services Achievement Program, the 'Tobacco, Alcohol and Other Drugs' health priority area focuses on creating smoke-free and drug-free environments and responsible alcohol consumption.

5. SOURCES AND RELATED POLICIES

Sources

- Alcohol and Drug Foundation: <https://adf.org.au>
- Cancer Council Victoria: <https://www.cancervic.org.au>
- Quit Victoria: <https://www.quit.org.au>
- Raising Children Network: <https://raisingchildren.net.au>
- Tobacco in Australia: <https://www.tobaccoinaustralia.org.au>
- Health.Vic: www2.health.vic.gov.au
- Work Safe Victoria: [Guide for developing a workplace alcohol and other drugs policy](#) (2017)

Related policies

- *Child Safe Environment Policy*
- *Code of Conduct Policy*
- *Complaints and Grievances Policy*
- *Delivery and Collection of Children Policy*
- *Interactions with Children Policy*

- *Occupational Health and Safety Policy*
- *Staffing Policy*

PROCEDURES

The Approved Provider or Persons with Management and Control is responsible for:

- providing a safe and healthy environment for educators, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Bond Street Kindergarten Chilwell Inc
- ensuring that children being educated and cared for by Bond Street Kindergarten Chilwell Inc are provided with an environment that is free from the use of tobacco, illicit drugs and alcohol (Regulation 82 (1))
- ensuring that a Nominated Supervisor, educators, staff, contractors, volunteers, students on placement at Bond Street Kindergarten Chilwell Inc are not affected by alcohol or drugs, including prescription medication (refer to *Definition*) so as to impair the person's capacity to supervise or provide education and care to children at Bond Street Kindergarten Chilwell Inc (Regulation 83 (1))
- developing procedures that include steps to remove an affected staff member from Bond Street Kindergarten Chilwell Inc so they do not further endanger other staff and children. Procedures should provide guidelines to ensure that the staff member is able to get home safely and outline steps for initiating police or ambulance intervention if the situation cannot be safely managed at the workplace level. (refer to *Code of Conduct Policy and Complaints and Grievances Policy*)
- developing, updating and reviewing the Tobacco, Alcohol and other Drugs Policy in collaboration with the Nominated Supervisor, educators/staff, parents/guardians, children and others involved at Bond Street Kindergarten Chilwell Inc
- providing the Nominated Supervisor, educators, staff, contractors, volunteers, students and families with information about policy requirements, with opportunities to provide feedback and input
- considering diversity and cultural practices when implementing this policy and tobacco, alcohol and other drug initiatives.
- ensuring the Tobacco, Alcohol and other Drug Policy is included in educator and staff induction/orientation.
- preventing and managing risks associated with the use of alcohol and other drugs
- monitoring the health and safety of educators, staff, contractors, volunteers, students on placement, parents/guardians and children
- providing information and training to educators and staff, including information and training on tobacco, alcohol and other drugs
- ensuring the entire premises is a smoke free zone (refer to *Definition*)
- providing staff who identify as having an alcohol and/or other drugs problem referrals to professional assistance, or the Employee Assistance Program (if applicable)
- ensuring that all service events, on and off site, are smoke-free and drug-free
- if there is alcohol at a staff or family event, ensuring all legal requirements related to the sale and supply of alcohol are met and that responsible consumption of alcohol is promoted
- if external organisations use the premises, a formal agreement ensuring that the service premises are smoke-free, drug-free and responsible alcohol consumption is promoted
- ensuring that the Nominated Supervisor, educators, staff, families and visitors adhere to legislation and Bond Street Kindergarten Chilwell Inc policies related to smoke-free areas and are asked not to smoke in sight of children.
- encouraging the Nominated Supervisor, educators and staff who smoke to take appropriate hygiene measures after smoking so that children are not exposed to second-hand (see *Definition*) and third-hand smoke (see *Definition*) (refer to *Hygiene Policy*)

- encouraging the Nominated Supervisor, educators, staff and families to drink responsibly and refrain from taking drugs, particularly while around children
- not encouraging the consumption of alcohol as a part of events, celebrations, awards, gifts and fundraising. If alcohol is present at staff or parent events, all legal requirements related to the sale or supply of alcohol are met, and responsible consumption is promoted.
- supporting the Nominated Supervisor, educators, staff and families who want to quit smoking, drinking or using other drugs to access appropriate agencies
- providing resources about the health risks related to smoking, excessive drinking and taking drugs to educators and staff.
- providing information about health risks related to smoking, excessive drinking and using other drugs to families and community members, including information about accessing support services.
- ensuring that partnerships are established with relevant organisations and health professionals to support smoke-free, drug-free and responsible consumption of alcohol initiatives where appropriate.
- ensuring that there are no partnerships with organisations that market or supply alcohol or tobacco.

The Nominated Supervisor and Person in Day-to-Day Charge is responsible for:

- providing a safe and healthy environment for educators, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Bond Street Kindergarten Chilwell Inc
- ensuring that children being educated and cared for by Bond Street Kindergarten Chilwell Inc are provided with an environment that is free from the use of tobacco, illicit drugs and alcohol (Regulation 82 (1))
- not consuming alcohol or be affected by alcohol or drugs (including prescription medication) that impairs capacity to supervise or provide education and care to the children (Regulation 83 (2) (a) (b))
- ensuring that educators, staff, contractors, volunteers, students on placement at Bond Street Kindergarten Chilwell Inc are not affected by alcohol or drugs, including prescription medication (refer to Definition) so as to impair the person's capacity to supervise or provide education and care to children being educated and cared for by the service (Regulation 83 (1)) (refer to *Code of Conduct Policy*)
- taking reasonable care for their own health and safety in the workplace, and the health and safety of others who may be affected by their acts or omissions (OHS Act section 25(1)(a) and (b)).
- developing in conjunction with the Approved Provider procedures that include steps to remove an affected staff member from Bond Street Kindergarten Chilwell Inc so they do not further endanger other staff and children. Procedures should provide guidelines to ensure that the staff member is able to get home safely and outline steps for initiating police or ambulance intervention if the situation cannot be safely managed at the workplace level (refer to *Code of Conduct Policy and Complaints and Grievances Policy*)
- developing, updating and reviewing the Tobacco, Alcohol and other Drugs Policy in collaboration with the educators, staff, parents/guardians, children and others involved at Bond Street Kindergarten Chilwell Inc
- considering diversity and cultural practices when implementing this policy and tobacco, alcohol and other drug initiatives.
- ensuring the Tobacco, Alcohol and other Drugs Policy is included in educator and staff induction/orientation.
- preventing and managing risks associated with the use of alcohol and other drugs
- monitoring the health and safety of educators, staff, contractors, volunteers, students on placement, parents/guardians and children
- providing information and training to educators and staff, including information and training on tobacco, alcohol and other drugs

- ensuring there is smoke free zone (refer to *Definition*) within four metres of the entrance to [Service Name] premises, and within 10 meters of children's outdoor play areas
- providing staff who identify as having an alcohol and/or other drugs problem referrals to professional assistance, or the Employee Assistance Program (if applicable)
- ensuring that there is smoke-free signage that can be easily seen and understood by the whole community
- ensuring that all service events, on and off site, are smoke-free and drug-free
- if there is alcohol at a staff or family event, ensuring all legal requirements related to the sale and supply of alcohol are met and that responsible consumption of alcohol is promoted
- if external organisations use the premises, a formal agreement ensuring that the service premises are smoke-free, drug-free and responsible alcohol consumption is promoted
- providing educators, staff, contractors, volunteers, students on placement and families with information about policy requirements, with opportunities to provide feedback and input
- ensuring educators, staff, families and visitors adhere to legislation and Bond Street Kindergarten Chilwell Inc policies related to smoke-free areas and are asked not to smoke in sight of children.
- encouraging the educators and staff who smoke to take appropriate hygiene measures after smoking so that children are not exposed to second-hand (see *Definition*) and third-hand smoke (see *Definition*) (refer to *Hygiene Policy*)
- encouraging the educators, staff and families to drink responsibly and refrain from taking drugs, particularly while around children
- not encouraging the consumption of alcohol as a part of events, celebrations, awards, gifts and fundraising. If alcohol is present at staff or parent events, all legal requirements related to the sale or supply of alcohol are met, and responsible consumption is promoted.
- supporting the educators, staff and families who want to quit smoking, drinking or using other drugs to access appropriate agencies
- providing resources about the health risks related to smoking, excessive drinking and taking drugs to educators and staff.
- providing information about health risks related to smoking, excessive drinking and using other drugs to families and community members, including information about accessing support services.
- ensuring that partnerships are established with relevant organisations and health professionals to support smoke-free, drug-free and responsible consumption of alcohol initiatives where appropriate.
- ensuring that there are no partnerships with organisations that market or supply alcohol or tobacco.

Educators and all other staff are responsible for:

- providing a safe and healthy environment for other educators, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Bond Street Kindergarten Chilwell Inc
- ensuring that children being educated and cared for by Bond Street Kindergarten Chilwell Inc are provided with an environment that is free from the use of tobacco, illicit drugs and alcohol (Regulation 82 (1))
- not consuming alcohol or being affected by alcohol or drugs (including prescription medication) that impairs their capacity to supervise or provide education and care to the children at Bond Street Kindergarten Chilwell Inc (Regulation 83 (1))
- taking reasonable care for their own health and safety in the workplace, and the health and safety of others who may be affected by their acts or omissions (OHS Act section 25(1)(a) and (b)).
- participating in developing, updating, and reviewing the Tobacco, Alcohol and other Drugs Policy in collaboration with the Approved Provider and Nominated Supervisor.
- implementing appropriate hygiene measures after smoking so that children are not exposed to second-hand (see *Definition*) and third-hand smoke (see *Definition*) (refer to *Hygiene Policy*)

- guiding age-appropriate, sensitive discussions about health issues related to tobacco, alcohol and drug use as opportunities arise (e.g. if a child is pretending to smoke).
- ensuring families and visitors adhere to legislation and Bond Street Kindergarten Chilwell Inc policies related to smoke-free areas and are asked not to smoke in sight of children.
- encouraging families to drink responsibly and refrain from taking drugs, particularly while around children
- not encouraging the consumption of alcohol as a part of events, celebrations, awards, gifts and fundraising. If alcohol is present at staff or parent events, all legal requirements related to the sale or supply of alcohol are met, and responsible consumption is promoted.
- supporting families who want to quit smoking, drinking or using other drugs to access appropriate agencies
- engaging in professional development and resources that guide age-appropriate, sensitive discussions about health issues related to tobacco, alcohol and drug use as opportunities arise.

Parents/guardians are responsible for:

- reading and complying with this policy
- not consuming or being under the influence of alcohol or affected by drugs when attending Bond Street Kindergarten Chilwell Inc
- refraining from smoking in the car with children under the age of 18
- participating in the Tobacco, Alcohol and other Drugs Policy development and/or review.

Students, contractors, volunteers and visitors while at the service, are responsible for following this policy and its procedures.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- assess whether a satisfactory resolution has been achieved in relation to issues arising from this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

Appendix 1: Alcohol and/or Drug Use

AUTHORISATION

The policy was adopted by the Approved Provider of Bond Street Kindergarten Chilwell Inc on 13 May 2021.

REVIEW DATE: 13/05/2024

APPENDIX 1: ALCOHOL AND/OR DRUG USE

Purpose

The purpose of this procedure is to ensure that staff are able to carry out their duties in a safe and responsible manner, consistent with the Tobacco, Alcohol and Other Drugs Policy and the Code of Conduct Policy.

Definition

Reasonable belief means a belief based on sufficient evidence that supports a conclusion on the balance of probabilities.

Staff responsibilities

Bond Street Kindergarten Chilwell Inc staff have a responsibility to be fit for duty and to meet the inherent job requirements and standards of conduct as outlined in the Code of Conduct.

All staff:

- are responsible for ensuring that they are fit to perform their duties without risk to the health, safety and well-being of themselves and others within the workplace
- must carry out their duties and responsibilities in a safe manner at all times
- should not be adversely affected by alcohol or drugs (including prescription drugs) during working hours or whilst on the premises
- should not consume alcohol or other drugs (other than prescribed or over-the-counter medications) during working hours or on Bond Street Kindergarten Chilwell Inc premises.
- should not be in possession of illicit drugs (or prescription drugs without justification)

Staff who have concerns about themselves or other staff members due to possible alcohol or other drug use (including prescribed medication) should consult with their supervisor.

Fitness to work

Where, a manager or supervisor holds a reasonable belief that a staff member is unfit to safely perform their duties, because of the effects of alcohol or other drugs (including prescribed medication), or any other cause, they will be quickly and safely removed from the work area and will not be permitted to work the remainder of the shift. The staff member will be paid as per a regular shift.

A brief interview will, where practicable, be conducted to give the staff member an opportunity to explain his/her behaviour. If the manager remains of the view that the staff member cannot safely perform their work, they will:

- explain this to the staff member
- advise them that they cannot remain at the workplace and their absence for the balance of the day/shift will be paid as normal
- make every effort to ensure the staff member's safety, including appropriate transport home
- instruct the staff member to attend a meeting the following working day/shift prior to commencing work
- undertake any further investigation of the circumstances of the incident as appropriate.

At the meeting on the following workday, the staff member will be interviewed by their manager. The staff member may have a support person present at that meeting. The manager will outline the concerns about the observed behaviour, the subsequently affected work performance (if relevant) and any safety risk as a result of the incident on the previous working day, and indicate that this is the staff member's opportunity to offer an explanation for the behaviour described.

The staff member will also be made aware of support services available. Staff who participate in a program of rehabilitation may be able to access their existing sick leave or other leave accruals. All information will be treated in strict confidence.