

# TOBACCO, ALCOHOL AND ILLICIT DRUGS POLICY

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## PURPOSE

This policy provides guidelines to enable Home Road Kindergarten to:

- provide a safe environment for all children which ensures their safety, health and wellbeing
- promote a culture of health and wellbeing of all staff, children and families
- improve educational health and wellbeing outcomes for all children and families
- endorse the health benefits of avoiding smoking, alcohol and illicit drug use.

## POLICY STATEMENT

### 1. VALUES

Home Road Kindergarten is committed to:

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

### 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 Home Road Kindergarten.

### 3. BACKGROUND AND LEGISLATION

#### Background

The effects of illicit 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 illicit drugs can affect a person's ability to connect with and care for children. Alcohol and illicit 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 illicit drug use put themselves, children and other staff members in the workplace at risk of harm.

The key to tobacco, alcohol and illicit 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 Policy manual.

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

**Illicit Drug:** Refers to any substance taken to change the way the body and/or mind functions in a harmful manner.

**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:** smoking that 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 illicit 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](http://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 Home Road Kindergarten
- ensuring that children being educated and cared for by Home Road Kindergarten 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 Home Road Kindergarten are not affected by alcohol or illicit 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 Home Road Kindergarten (Regulation 83 (1))
- developing procedures for having staff members leave Home Road Kindergarten premises if they are under the influence of alcohol or illicit drugs, including guidelines to ensure that the staff member is able to get home safely (refer to *Code of Conduct Policy and Complaints and Grievances Policy*)
- developing, updating and reviewing the Tobacco, Alcohol and Illicit Drugs Policy in collaboration with the Nominated Supervisor, educators/staff, parents/guardians, children and others involved at Home Road Kindergarten
- 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 illicit drug initiatives
- ensuring the Tobacco, Alcohol and Illicit Drugs Policy is included in educator and staff induction/orientation
- preventing and managing risks associated with the use of alcohol and illicit 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/or training on tobacco, alcohol and illicit drugs, as required
- ensuring there is a smoke free zone (refer to *Definition*) within four metres of the entrance to Home Road Kindergarten premises, and within 10 metres of children's outdoor play areas
- if applicable, providing staff who identify as having an alcohol and/or illicit drug problem referrals to professional assistance, or the Employee Assistance Program
- 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
- ensuring that the Nominated Supervisor, educators, staff, families and visitors adhere to legislation and Home Road Kindergarten policies related to smoke-free areas and are asked not to smoke in proximity or 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 refrain from taking illicit drugs, particularly while around children
- if alcohol is present at staff or parent events, all legal requirements related to the sale or supply or alcohol are met, and responsible consumption is promoted

- supporting the Nominated Supervisor, educators, staff and families who want to quit smoking, drinking or using illicit drugs to access appropriate agencies if requested
- having resources available for educators and staff, family and community members about the health risks related to smoking, excessive drinking and taking illicit drugs, 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 Home Road Kindergarten
- ensuring that children being educated and cared for by Home Road Kindergarten 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 illicit drugs (including prescription medication) during working hours 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 Home Road Kindergarten are not affected by alcohol or illicit 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 for having staff members leave Home Road Kindergarten premises if they are under the influence of alcohol or illicit drugs, including guidelines to ensure that the staff member is able to get home safely (refer to *Code of Conduct Policy and Complaints and Grievances Policy*)
- developing, updating and reviewing the Tobacco, Alcohol and Illicit Drugs Policy in collaboration with the educators, staff, parents/guardians, children and others involved at Home Road Kindergarten
- considering diversity and cultural practices when implementing this policy and tobacco, alcohol and other illicit drug initiatives.
- ensuring the Tobacco, Alcohol and Illicit Drugs Policy is included in educator and staff induction/orientation.
- 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 illicit drugs, as required
- ensuring there is a smoke free zone (refer to *Definition*) within four metres of the entrance to Home Road Kindergarten premises, and within 10 meters of children's outdoor play areas
- providing staff who identify as having an alcohol and/or illicit drugs problem referrals to professional assistance, or the Employee Assistance Program if requested
- 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 Home Road Kindergarten policies related to smoke-free areas and are asked not to smoke in proximity or 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 refrain from taking illicit drugs, particularly while around children
- 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 illicit drugs to access appropriate agencies if requested
- having resources available for educators and staff, family and community members about the health risks related to smoking, excessive drinking and taking illicit drugs, 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 Home Road Kindergarten
- ensuring that children being educated and cared for by Home Road Kindergarten 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 illicit drugs (including prescription medication) during working hours that impairs their capacity to supervise or provide education and care to the children at Home Road Kindergarten (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 Illicit 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 Home Road Kindergarten policies related to smoke-free areas and are asked not to smoke in proximity or sight of children.
- encouraging families to refrain from taking illicit drugs, particularly while around children
- 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 illicit drugs to access appropriate agencies if requested
- 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 illicit drugs when attending Home Road Kindergarten
- refraining from smoking in the car with children
- participating in the Tobacco, Alcohol and Illicit 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**

Nil

**AUTHORISATION**

The policy was adopted by the Approved Provider of Home Road Kindergarten on 8 June 2021.

**REVIEW DATE: MAY 2023**