

No Smoking Policy

1 Document Information

Version Date <i>(Draft or Council Meeting date)</i>	24 July 2018
Author	Risk Management Coordinator
Owner <i>(Relevant director)</i>	Director of Finance & Corporate Services
Status – <i>Draft, Approved, Adopted by Council, Superseded or Withdrawn</i>	Adopted by Council
Next Review Date	Within 12 months of Council being elected
Minute number <i>(once adopted by Council)</i>	18/07/14

2 Summary

The National Work Health and Safety Commission has resolved that, given the proven health risks of smoking, a tobacco/smoke-free work environment should be the objective for Australian workplaces. This commitment by the National Commission is consistent with the view that all atmospheric contaminants in work environments capable of causing ill-health should be eliminated or controlled.

There is an increasing body of scientific evidence, endorsed by the National Health and Medical Research Council and the World Health Organisation, pointing to the unhealthy effects of "passive smoking" due to the breathing in of other peoples' tobacco smoke. Research has shown that non-smokers with chronic heart or lung disease can experience severe distress when exposed to sufficient concentrations of second hand smoke. Many allergic individuals and even the majority of healthy non-smokers report discomfort when exposed to second hand smoke. Furthermore, medical studies indicate that long-term exposure to involuntary smoking may increase non-smokers' risks of developing severe lung disease.

Council encourages staff to quit smoking. By quitting smoking you will reduce your chance of having:

- cancer of the lungs, throat, mouth, lips, gums, kidneys and bladder
- heart disease and hardening of the arteries
- a stroke
- emphysema and other lung diseases
- gangrene and other circulation problems.

3 Approvals

Title	Date Approved	Signature
General Manager		

4 History

Minute No.	Summary of Changes	New Version Date
00/1/14		17/01/00
02/01/18		21/01/02
07/05/20	Adoption of OHS Management System and the relevant policies that form part of the system.	
	Reviewed by OHS Committee	03/12/08
09/03/17	Adopted By Council at March Council Meeting	
10/02/17	Readopted by Council	15 February 2010
13/09/30	Readopted as per s165(4)	17 September 2013
18/07/14	Risk Management Officer changed to Risk Management Coordinator. Readopted as per s165(4)	24 July 2018

5 Reason

Cabonne Council has developed a policy on smoking within the workplace in accordance with legal obligations for the health of all employees, staff and visitors. Accordingly, managers and supervisors shall promote and ensure compliance with the Smoking in the Workplace Policy. All visitors and contractors will be required to abide by this policy while on Cabonne Council premises/worksites.

6 Scope

The objectives of the Smoking in the Workplace policy are to:

- reduce passive smoking (such as exposure to environmental tobacco smoke), to protect the health of both non-smokers and smokers
- protect Cabonne Council against compensation damages
- encourage the reduction of active smoking
- abide by legislative requirements such as the New South Wales Work Health and Safety Act 2011 (WHS Act) that aims to protect the health, safety and welfare of people at work
- reduce the risk of fire
- reduce litter (cigarette butts) on Cabonne Council premises and maintain an attractive environment for all staff, employees, contractors and visitors to enjoy and be proud of.

7 Associated Legislation

Work Health and Safety Act 2011

Version Date: **Error! Reference source not found.**

Work Health and Safety Regulations 2011

Workcover NSW Health and Safety Guide - Passive Smoking

NSW Smoke Free Environment Act 2000 No.69

8 Definitions

Premises includes any place, and in particular includes:

- (a) any building or part of any building, such as administration building and courtyard, or
- (b) any vehicle or
- (c) any installation on land such as water and sewage plants, or
- (d) any tent or movable structure including umbrellas and sails.

Identified Worksites is a work site that has “No Smoking” signage displayed.

Major thoroughfare (for the purposes of this procedure only) - means any primary access way or walkway.

Cabonne Council building - means a building owned by or under the control of the Cabonne Council by virtue of a lease or rental agreement and includes points of entry, windows, bridges, stairways and air conditioning vents and ducts.

Cabonne Council property - means any property owned by or under the control of the Cabonne Council whether by freehold title or by lease or rental agreement and includes any portions of such property such as Family Day Care Centre and Library.

Vehicle - means a motor vehicle owned or leased by the Cabonne Council and used for Council purposes.

Visitor - means any person who is not a staff or employee on Cabonne Council property including volunteers and persons using Cabonne Council facilities.

Contractor - means person contracted to Council to perform work on Council property

9 Responsibilities

9.1 General Manager

The General Manager is responsible for the overall control and implementation of the policy.

9.2 Directors and Managers

Directors and Managers are responsible for the control of the policy and procedures within their area of responsibility.

9.3 Supervisors

Supervisors are responsible to ensure that all employees follow all procedures in relation to this policy.

9.4 Employees

Employees are required to abide by the requirements as set out in this Policy while on Council premises/worksites.

9.5 Others

Contractors and their employees are required to abide by the requirements as set out in this Policy while on Council premises/worksites. There will be no exemptions to this policy.

10 Related Documents

Document Name	Document Location
Disciplinary Procedures	Cabonne Council Policy Database
Employee Grievance Handling	Cabonne Council Policy Database
Induction Manual	Employees given copy on commencement
Code of Conduct	Cabonne Council Policy Database

11 Policy Statement

The policy applies to all Cabonne Council buildings, offices, identified work sites, vehicles and major thoroughfares.

All exposures through passive smoking are potentially hazardous to individual health. While exposures are more significant indoors, under certain circumstances, they are also significant outdoors.

Therefore, smoking is prohibited in all Council buildings, offices, identified worksites, vehicles, any area designated as an outside eating area, and major thoroughfares. For the purposes of this policy “thoroughfare” means any primary access way of walkway.

On all places of work people will not smoke within 15 metres of another person not being a smoker or vehicle leased or owned by Council.

Employees who smoke must do so in their allocated breaks, such as morning tea and lunch time, in areas that have been designated for smoking, and preferably away from the public eye.

All visitors and contractors will be required to abide by this policy while on Council premises/worksites.

Discipline

Complaints arising from staff smoking in non-smoking areas should be directed to the Supervisor in the first instance. Staff members who fail to comply with the policy will be counselled or warned appropriately by the appropriate person in their management structure. Repeated breaches will be reported to the Director, who will deal with them under established discipline procedures.

Breaches of the Council's policy on smoking will also be breaches of the NSW Work Health and Safety Act (2011), and Smoke-free Environment Act 2000 No 69.

The Cabonne Council Work Health and Safety Committee will oversee the policy and may recommend strategies to deal with specific complaints.