



EXCELSIA
COLLEGE
Sydney - Australia

Document Name

WORK HEALTH AND SAFETY SMOKE-FREE ENVIRONMENT POLICY AND PROCEDURE

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Purpose and Scope

Excelsia College is committed to providing and maintaining a safe and healthy work environment for its staff, students and anyone entering its premises, and/or other College work site and/or external work sites to second-hand smoke.

The intent of legislation such as the [Smoke-free Environment Act 2000 \(NSW\)](#) and the [Work Health and Safety Act 2011 \(NSW\)](#) and College policy is to prevent exposure to tobacco smoke at places of work and around Excelsia College Premises.

Amendments to the Smoke-free Environment Act prohibit smoking in a wide variety of outdoor public places. Per [section 6A of the Act](#), these areas include:

- within 10 metres of children's play equipment in outdoor public places
- swimming pools
- spectator areas at sports grounds when organised sporting events are being held
- railway and or light rail station platforms
- ferry wharves
- light rail stops
- bus stops
- taxi ranks
- within 4 metres of pedestrian access points to a public building.

The  [Smoke-free Guide: No smoking within 4 metres of a pedestrian access point to a building](#) provides information on which buildings are applicable.

From 6 July 2015, commercial outdoor dining areas will also be smoke-free.

Provision for smoking bans in these outdoor public areas have been made because:

- they are often visited by children and families and they can be crowded;
- they allow limited opportunity for people to avoid second hand smoke;
- this approach will achieve an important reduction in many people's exposure to second hand smoke;
- this approach will create a more supportive environment for those who have quit.

Excelsia College Board of Directors and Management Committee have an obligation under the [Work Health and Safety Act, 2011](#) to provide a safe and healthy work environment for all employees, students and visitors and an obligation under the [Smoke-free Environment Act, 2000](#) to prohibit smoking in enclosed public places and to prevent the spread of tobacco smoke into smoke-free areas under its control.

Definitions

- College vehicles - include College private use vehicles, pool cars and vans;
- Environmental Tobacco Smoke (ETS) - smoke that comes from the burning of a tobacco product and smoke that is exhaled by smokers. Inhaling environmental tobacco smoke is called involuntary passive smoking.
- College Premises - all land, property and any location/site whether on or off campus that may be under the control of the College or in use by the College for commercial, academic and/or research purposes, irrespective of whether the College is the owner, commercial occupier or simply a temporary user of the land, property or location/site;
- Tobacco Products - includes all tobacco, cigarette, cigar, waterpipe or any other product containing tobacco designed for human consumption or use.

Responsibility

The following people have a responsibility in relation to this procedure:

- Chief Executive
- Manager Human Resources
- WHS Committee
- Management Committee
- All staff and students of Excelsia College

Policy

Smoking is prohibited on all College Premises.

Excelsia College has a responsibility to minimise adverse environmental effects and has committed in its Environmental Management Policy to reduce pollution and waste. The College is required to comply with the [Protection of the Environment Operations Act 1997](#) and the [Waste Avoidance and Resource Recovery Act 2001](#) and is obliged under Australia's ratification of the [World Health Organisation \(WHO\) Framework Convention on Tobacco Control](#) to protect all people from exposure to tobacco smoke.

Smoking is also prohibited at and around all entrances to College Premises.

This policy applies to all persons on Excelsia College Premises.

Excelsia College is committed to ensuring the health, safety and welfare of its employees whilst at work and its students and visitors while on campus. The College has adopted the following principles:

- a. All persons on College Premises are entitled to a smoke-free environment;
- b. Smoking is prohibited, at all times, in College vehicles;
- c. Smoking is prohibited, at all times, on any approved College fieldwork activity where other persons may be exposed to Environmental Tobacco Smoke.

Sale of all tobacco products and electronic nicotine delivery systems or e-cigarettes is prohibited on College Premises.

Procedure

1. Responsibilities

- i. Managers and supervisors of areas, staff and students under their responsibility, must:
 - Ensure staff and students are aware of this policy;
 - Understand their responsibility to ensure the policy is enforced;
 - Ensure complaints with regard to alleged breaches of the policy are dealt with quickly and effectively;
 - Establish whether a breach has taken place before dealing with non-compliance.
- ii. All persons on College Premises:
 - Must not smoke anywhere on College Premises;
 - Must cooperate with the College in the implementation of this policy;
 - May request people who are smoking to cease smoking if they feel comfortable in doing so otherwise report the matter to the College's Facilities staff. If the request is ignored, the matter

must be referred to College's Facilities staff. The matter should also be reported in accordance with the Hazard Reporting Procedure.

iii. The Work Health and Safety Committee will:

- Monitor the effectiveness of this policy through a process of annual review;
- Liaise with the Management Committee with regard to promotion of this policy.

iv. Office of Finance and Facilities will:

- Update signage, as part of the normal update cycle, to reflect that the College is a smoke-free educational institution and workplace.

v. External inspectors

- Under the [Smoke-Free Environment Act, 2000](#) external inspectors are appointed by the Director General (Ministry of Health) and have the authority to enter premises and collect information on breaches of the Act and Regulations. They can require any person smoking in a smoke-free area to stop smoking. Under the Act monetary penalties are enforceable by the external inspectors for:
 - a. Individuals smoking in a smoke-free area;
 - b. Occupiers who allow a person to smoke in a smoke-free area;
 - c. Failure to display adequate signage;
 - d. Occupiers who fail to prevent the spread of smoke from a smoking to a smoke-free area.
- External inspectors, appointed by the Director General have the authority under the [Smoke-Free Environment Act, 2000](#) to enter the College and prosecute individuals and occupiers who breach the Act.

2. Dealing with Non-Compliance

Under the NSW [Smoke-Free Environment Act, 2000](#), fines can be issued by external inspectors for breaches of the act. The amount of the fine is as applicable under the act at the time of the offence and may be in excess of \$550 per breach.

3. Assistance for smokers

Excelsia College recognises that some staff and students may require assistance to quit smoking. Professional help to assist employees and students who wish to stop smoking is available from Quitline (a telephone advisory service available by calling 137 848) or by visiting www.icanquit.com.au.

Students may speak with a counsellor in accordance with the College's [Student Counselling Centre services](#) for assistance in adjusting their smoking habits to align with this policy.

4. Policy Dissemination

It is important that all persons on College Premises are aware of this policy. This will be facilitated as much as possible via the following means:

- All current staff and students will be advised of the policy through the normal College Policy dissemination protocols and will be reminded of the policy from time to time;

- All new vacant positions will be advertised with an advice about the College's [Smoke-Free Environment Policy](#); such advice will also be sent with letters of offer to successful candidates for vacancies;
- Contracts issued for work at the College will refer to the College's Smoke-Free Environment Policy;
- Prospective students will be advised of the policy at the time of the College making them an offer to study.

References and Related Documents

[Work Health and Safety Act 2011 \(NSW\)](#)

[Work Health and Safety Regulation 2011](#)

[Smoke-free Environment Act 2000 \(NSW\)](#)

[NSW Government Health](#)

[Smoke-free Environment Regulation 2007](#)

[Smoke-free Environment Amendment Regulation 2013](#)

[Western Sydney University, Smoke-Free Environment Policy](#)

[Quitline](#)

[WP-WHS-02 Hazard Reporting Procedure Issue 3E](#)