

Tobacco Vaping, Drug and Alcohol- Free Policy

NATIONAL QUALITY STANDARDS

This policy relates to:

Quality Area 2: Children's Health and Safety

- 2.2. – *Safety*: Each child is protected.
- 2.2.1- Supervision: At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
- 2.2.3- Child Safety and Protection: Management, educators and staff are aware of their roles and responsibilities regarding child safety, including the need to identify and respond to every child at risk of abuse or neglect

Quality Area 7: Governance and Leadership

- 7.1.2 – *Management systems*: Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe.
- 7.1.3- Roles and responsibilities: Roles and Responsibilities are clearly defined and understood and support effective decision-making and operation of the service.

STATEMENT

In accordance with the *Education and Care Services National Law* and *Education and Care Services National Regulations*, KAZ Early Learning Centre maintains a strict prohibition on the use, possession, or supply of tobacco products, e-cigarettes (vaping devices), illicit drugs, and alcohol on the premises, including all indoor and outdoor areas, and during any service-related activities or excursions. Staff, volunteers, visitors, and families must ensure they are not under the influence of alcohol or any drug that may impair their capacity to provide safe, high-quality education and care. This policy is designed to protect the health, safety, and wellbeing of all children, staff, families, and visitors, and to model healthy lifestyle choices for the children in our care.

RATIONALE

Our service has a duty of care to provide a safe, healthy, and supportive environment for all children, staff, families, and visitors. Exposure to tobacco smoke, vaping aerosols, illicit drugs, or alcohol can have immediate and long-term negative effects on children's health, development, and wellbeing. Children are particularly vulnerable due to their developing bodies and inability to remove themselves from harmful environments.

By prohibiting the use, possession, or influence of these substances on the premises and during all service-related activities, we uphold our obligations under the *Education and Care Services National Law* and *National Regulations*, as well as public health legislation. This policy also models positive health and lifestyle behaviours, reinforces our commitment to the *National Quality Standard* (Quality Area 2 – Children's Health and Safety), and supports a culture of safety, respect, and wellbeing within our community.

IMPLEMENTATION

In accordance with the *Education and Care Services National Regulations* (Regulations 82, 83, and 97) and Section 167 of the *Education and Care Services National Law*, the Approved Provider must ensure the service environment is free from the use, possession, and influence of tobacco, vaping products, illicit drugs, and alcohol. This includes ensuring that all employees, educators, volunteers, students, and visitors are not affected by alcohol, drugs (including prescription or over-the-counter medication) in a way that impairs their capacity to supervise or provide education and care to children.

All staff, educators, volunteers, and students must comply with this policy at all times, including during service-related activities, excursions, and social events held outside of operating hours.

Definitions

Alcohol

A depressant drug that affects both mental and motor function. Examples include beer, wine, and spirits.

Under the Influence

A state in which a person's judgement, behaviour, or physical ability is impaired by alcohol, drugs, or other substances, affecting their ability to perform duties safely and responsibly.

Drugs

- **Illegal Drugs:** Substances such as cannabis, amphetamines, ecstasy, cocaine, and heroin, which are prohibited by law.
- **Prescription and Over-the-Counter Medications:** Medications legally obtained but which may impair safe work performance if misused or if taken without medical guidance. Employees taking medication must consult a medical professional and inform the Nominated Supervisor or Responsible Person if the medication could impair their ability to provide safe care.
- **Illicit Drugs:** Includes illegal drugs, prescription medicines obtained unlawfully, and other substances used inappropriately (e.g., sniffing glue, inhaling solvents).

E-Cigarettes (Vaping)

Battery-powered devices that heat a liquid to produce an aerosol or vapour, inhaled by the user, mimicking the process of smoking.

Use of Tobacco, Vaping, Drugs, and Alcohol

- The Service supports and complies with the *Smoke-Free Environment Act 2000* and related public health legislation.
- Smoking and vaping are strictly prohibited within the service building, outdoor play areas, surrounding land, and within 5 metres of the property boundary.
- Staff must not:
 - Consume alcohol or illegal drugs before or during work hours.
 - Work under the influence of alcohol, illegal drugs, or impairing medication.
 - Possess or use illegal drugs at the service or during service-related activities.
 - Drive a vehicle while under the influence of alcohol or illegal substances when transporting children or attending service business.
- The odour of tobacco or vaping products must not be detectable on staff while on duty.

- Smoking or vaping is not permitted while supervising or participating in excursions.

Medical Considerations

Staff using prescribed medication that may impair safe performance must inform the Nominated Supervisor and may be required to provide a medical clearance before engaging in direct care duties.

Respect for People and the Service

- All staff are responsible for protecting the health, safety, and wellbeing of themselves and others.
- Employees must provide adequate supervision at all times and take reasonable action to prevent foreseeable harm to children.
- Professional conduct must be maintained at all times, both on-site and during service-related events.

EXPECTATIONS OF LEADERS AND MANAGEMENT

Leaders and management must:

- Ensure staff are aware of and have access to this policy.
- Model professional conduct in all situations.
- Take immediate and appropriate action if a breach occurs.
- Include policy induction for new staff, students, and volunteers.
- Ensure signage at the service entrance communicates smoking, vaping, drug, and alcohol restrictions to families and visitors.

Expectations of Employees

Employees must:

- Act honestly and with due care in all duties.
- Report suspected breaches of this policy to management.
- Not possess, sell, or distribute illegal drugs in any service-related context.
- Ensure they are fit for duty at all times.
- Maintain confidentiality in all related matters.

Social Events

Employees must adhere to this policy during any service-related event, whether held on or off-site and inside or outside operating hours. Non-alcoholic options must be provided, and transport arrangements considered to promote safety.

Suspicion of Breach

If there is reasonable suspicion an employee is under the influence, the Nominated Supervisor will:

- Remove them from child contact immediately.
- Document observations (e.g., smell of alcohol, slurred speech, impaired coordination).
- Initiate disciplinary procedures, which may include suspension or termination.
- In some cases, require drug or alcohol screening before returning to work.

Breach of Policy

Any breach of this policy may result in disciplinary action up to and including termination, especially in cases where child safety is compromised.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011

82 Tobacco, drug and alcohol-free environment

83 Staff members and family day care educators not to be affected by alcohol or drugs

84 Awareness of child protection law

155 Interactions with children

168 Education and care services must have policies and procedures

170 Policies and procedures are to be followed

190 Infringement offences

SOURCES

Australian Children's Education & Care Quality Authority. (2025). *Guide to the National Quality Framework* <https://www.acecqa.gov.au/sites/default/files/2025-01/Guide-to-the-NQF-250101.pdf>

Australian Government. Business. *Work Health and Safety* <https://business.gov.au/risk-management/health-and-safety/work-health-and-safety>

Australian Government. Department of Health. *What are drugs?* <https://www.health.gov.au/topics/drugs/about-drugs/what-are-drugs>

Australian Government. Safe Work Australia. *Drugs and alcohol* <https://www.safeworkaustralia.gov.au/safety-topic/hazards/drugs-and-alcohol>

Education and Care Services National Law Act 2010. (Amended 2023).

Education and Care Services National Regulations. (2011). (Amended 2023).

NSW Government. SafeWork NSW. *Alcohol and other drugs* <https://www.safework.nsw.gov.au/safety-starts-here/mental-health-at-work-the-basics/alcohol-and-other-drugs>

NSW Government. Work Cover NSW. (2006) *Alcohol and other drugs in the workplace, Guide to developing a workplace alcohol and other drugs policy* http://www.safework.nsw.gov.au/_data/assets/pdf_file/0003/49962/drugs_alcohol_workplace_guide_1359.pdf

Ombudsman Act 2001 (Cth).

Work Health and Safety Act 2011 (Cth).

Workplace Relations Act 1996 (Cth).

Work Place Law. *Drug and alcohol testing in the workplace.* <https://www.workplacelaw.com.au/posts/drug-and-alcohol-testing-in-the-workplace>

POLICY REVIEW

- The Service will review this policy and guidelines every 12 months.
- Families are encouraged to collaborate with the service to review policies and procedures.
- Educators/Carers are essential stakeholders in the policy review process and are encouraged to be actively involved.

Developed	August 2025
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Last Reviewed	
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Next Review	August 2026
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