

Alcohol, drugs and smoking policy and procedure



Purpose

The purpose of this procedure is to set out how Access4u aims to:

- be a responsible employer with regards to the effects of alcohol, drugs, cigarettes and vaping in the workplace
- ensure a safe, healthy, and productive workplace by minimising risks associated with the use of alcohol and other drugs.
- prevent the exposure of employees, customers and visitors to tobacco smoke or e-cigarette vape
- meet its obligations under Workplace Health and Safety requirements
- to ensure, so far as is reasonably practicable, the health and safety of workers and others in the workplace.

Scope

Compliance with this procedure is mandatory all employees, volunteers, students and temporary contractors engaged in Access4u activities; collectively referred to as 'employees' throughout this document.

Responsibilities and delegations

This policy applies to	Governing body, staff and volunteers
Specific responsibilities	The Board – Responsible for ensuring effective governance mechanisms are in place. The CEO and Managers – Responsible for monitoring and ensuring adherence to Policy and related procedures. Ensure due diligence and takes reasonable steps to ensure Access4u are meeting their obligations Ensure objectives of the policy are achieved. Staff – Responsible for adherence to this and related policies, procedures and forms that support this policy.
Policy approval	CEO

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Policy context – this policy relates to:	
Standards	• Family and Community Services Act 1972 • National Disability Insurance Scheme Quality and Safeguarding Framework • National Standards for Out-of-Home care (NOOHCS) • The Office of the Guardian for Children and Young People - Charter of Rights
Legislation	• National Disability Insurance Scheme (Provider Registration and Practice Standards) Rules 2018 • National Disability Insurance Scheme Act 2013 • Disability Discrimination Act (DDA) 1992 • The Disability Services Act SA 1993 • Work Health and Safety Act SA 2012 • Work Health and Safety Regulations 2012 (SA) • Tobacco and E-Cigarette Products Act SA 1997
Contractual obligations	• NDIS Code of Conduct • Government of SA, DCP Contract Management Framework
Organisation policies and procedures	• Professional ethics and conduct policy • Disciplinary procedure • Work Health and Safety policy • Hazards policy • Incident management policy • Incident, hazard, and near miss management procedure
Forms, record keeping, other documents	• Code of conduct

Definitions	
<i>Workplace</i>	Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. This includes our buildings (including our residential services) and their grounds, the employee's home when working from home, motor vehicles, educational, vocational and community settings, and customers' homes.
<i>e-cigarette</i>	E-cigarette is defined under the Tobacco and E-Cigarette Products Act 1997 as "<i>a device that is designed to generate or release an aerosol or vapour for inhalation by its user in a manner similar to the inhalation of smoke from an ignited tobacco product</i>"

Policy Statement

We are required to comply with the responsibilities under the Work Health and Safety Act (SA) 2012 to provide and maintain, in so far as is reasonably practicable, a safe and healthy working environment for all employees, contractors and others.

We accept the responsibility to provide our employees, customers and visitors with workplaces free from tobacco smoke and e-cigarette vape and smoking and vaping is prohibited in all our workplaces.

The aim of this procedure is to reduce exposure to passive smoking (exposure to environmental tobacco smoke) and vape emitted from e-cigarettes.

We have a zero-tolerance approach to any person attending the workplace or performing work duties while:

- under the influence of alcohol and/or drugs (including illicit drugs, misused prescription medications, or other substances that impair capacity), or
- having a blood alcohol concentration above 0.00% while undertaking work duties, unless otherwise lawfully permitted and approved for specific roles.

No person is to attend work, remain at work, or operate plant, equipment, or vehicles while impaired by alcohol or drugs.

Implementation

Education

We communicate this procedure to all employees.

Employees must request that parents and customers refrain from smoking or vaping while employees are in their homes. To assist with this prevention method, we will proactively communicate with our customers and their carers about this procedure and its requirements.

Signs indicating a smoke free environment will be placed in prominent areas at all workplaces as appropriate.

Advice to new or potential employees

This procedure does not permit discrimination against smokers or vapers. However, smokers or vapers will be expected to comply with this procedure at all times.

Responsibilities

All workers are required to:

- Present fit for work and not be impaired by alcohol or drugs
- Take prescribed medications responsibly and notify their supervisor if side effects may impact safety

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- Comply with reasonable directions relating to fitness for work assessments
- Report concerns where another person may be impaired and pose a safety risk

Managers and supervisors are responsible for:

- Monitoring for signs of impairment affecting safety
- Taking immediate action where impairment is suspected
- Ensuring risks are managed in accordance with WHS procedures
- Supporting workers to access assistance where appropriate

Alcohol

Any staff member presenting for work under the influence of alcohol may be sent home on sick leave by Access4u management. Repeat offenses will be dealt with under the Access4u Discipline Procedures.

The Access4u workplace will be alcohol free with the exception of functions approved by Management.

Illegal and prescription drugs

No illegal drugs are to be brought on to Access4u's or any other workplace premises at any time.

Any staff member presenting for work whose capacity to adequately perform their duties appears to be affected by something they have taken, including prescription medication, may be sent home on sick leave by Access4u management.

Where a staff member is required to take a prescription medication that affects their capacity to perform their duties, this will be treated the same as any illness affecting work performance. Staff must inform their supervisor (where safety risk exists) if they are taking medication that may affect their ability to safely perform work duties. Confidentiality will be maintained where practicable. The staff member may be offered sick leave and/or reduced or limited duties for a fixed period.

A staff member who repeatedly presents for work affected by drugs, other than those prescribed for them by a medical practitioner, will be dealt with under the Access4u Discipline Procedures and offered support and counselling.

Managing suspected drug or alcohol impairment

Drug and alcohol misuse can be both highly sensitive and also indicate private issues. Situations potentially involving drugs or alcohol must therefore be managed with care and confidentiality. Staff should raise any concerns privately with their coordinator or manager or the Senior Manager Specialist Services. Staff will not confront other staff regarding suspected drug or alcohol use, nor will they discuss their suspicions with fellow workers unless as part of the organisation's reporting procedure with a designated person.

The Senior Manager Specialist Services or their delegate will engage the staff member in a discussion about potential drug or alcohol use. There may be many reasons for a worker's behaviour that could have similar symptoms to drug or alcohol impairment, such as illness/injury, prescribed medications, or other personal circumstances. Staff should therefore refrain from assuming the reasons for a worker's

behaviour, instead approaching the discussion from the perspective of safety or general performance rather than an accusation of suspected alcohol or drug use.

Smoking

Tobacco smoking is the leading cause of preventable disease and death in Australia. Exposure to passive smoking can produce symptoms of ill health, particularly for people with pre-existing medical conditions, such as respiratory or cardiovascular conditions. There is no recognised safe level of tobacco smoke exposure.

Under the Work Health and Safety Act 2012 Access4u has a legal commitment to provide a safe and healthy workplace for all employees, visitors and customers.

Under the Tobacco Products Regulation Act 1997 smoking is prohibited in all enclosed workplaces and some unenclosed areas. A person must not smoke or use an e-cigarette within 10 metres of children's playground equipment located in a public area. This includes playgrounds at public parks, schools, sporting venues, restaurants, hotels and businesses.

All Access4u premises and vehicles are smoke free. Staff, guests and customers are not permitted to smoke tobacco or e-cigarettes on the premises or in the vehicles.

Staff are only permitted to smoke or vape during their allocated break times and must not smoke on Access4u or customers' premises.

Some customers find it hard to ask staff not to smoke around them or may be unable to remove themselves from situations where people are smoking near them.

When working with customers, staff must adhere to the above legislation and respect the customer's preferences, especially if a customer is in a non-smoking household.

Contact with the public

Visitors to our workplaces will be courteously requested to observe the prohibition on smoking or vaping while on our premises (refer Enforcement below).

Any visitor who wants to smoke or vape will be advised that they must do this only when they are outside our grounds.

Community settings

In public outdoor places and when supporting customers in the community, employees need to be considerate about their smoking or vaping.

Employees should refrain from smoking or vaping in public places and in close proximity to customers. If an employee wishes to smoke or vape in an outdoor community venue the following guidelines must be followed:

- Smoking or vaping must not occur within 10 metres of other employees and customers present
- Smoking or vaping must not be easily observed by employees, customers and public

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- other employees and customers must (if appropriate) be consulted before smoking or vaping occurs
- adherence to these guidelines must in no way impact on the employee's duty of care or breach staff to customer ratio. Refer Duty of care and dignity of risk policy (GOV-POL-015) and Staff to customer ratio procedure (SDS-PRO-012) for further information.

Enforcement

The responsibility for enforcing this procedure rests with Managers and the CEO.

Employees are reminded that they are obliged under the *Work Health and Safety Act 2012 (SA)* to protect the health of others in any workplace which includes all of the settings listed above.

Employees must comply with this policy.

If parents, customers or others smoke or vape in the presence of an employee, a polite explanation of our procedure on smoking or vaping may be appropriate. If the individual continues to smoke or vape, it is the right of the employee(s) to inform that person they have our consent to leave the environment and to meet at another time or venue. Managers should be advised of such instances to enable support and management of the issue.

Grievance resolution

Where a grievance against this procedure or its manner of implementation arises, it should be referred to the relevant Manager.

Where this fails to result in a resolution, the matter should be referred to HR for consideration and action.