

Mawson Lakes School - OSHC

Policy Statement on Tobacco, Alcohol & Other Drugs

All employees and contractors of Mawson Lakes OSHC have a right to a safe and healthy workplace. Employers have obligations under state/territory and federal legislation to provide a safe and healthy workplace. Employees and contractors also have obligations under law to take reasonable care to protect themselves and others in the workplace.

All children have the right to experience quality care in an environment, which provides for their health and safety. The Education and Care Services National Law Act 2010 requires that approved provider, Director/ Nominated Supervisor take reasonable care to protect children from foreseeable risk of harm.

Both adults and children at Mawson Lakes OSHC are entitled to be protected from the effects of environmental tobacco smoke, and the actions of people under the influence of alcohol or other drugs. Staff with health issues that require on-going medications/drugs, may need special consideration in relation to this policy.

The Education and Care Services National Law specifies that educators/staff must not be affected by alcohol or drugs that adversely affect that person's ability to educate and care for children whilst on Mawson Lakes OSHC premises when operating. Children that are being educated and cared for by the service must be provided with an environment that is free from the use of tobacco, illicit drugs and alcohol. To meet its obligations under these and occupational safety and health regulation, Mawson Lakes OSHC has adopted a smoke-free workplace policy that will eliminate smoking in the workplace and prevent exposure of workers and visitors to environmental tobacco smoke. The service will also act promptly to remove any person considered to be affected by alcohol, illicit drugs or other potentially harmful substance.

HOW POLICY WILL BE IMPLEMENTED (specific policies and procedures)

- The use of tobacco, alcohol and other drugs policy will be highlighted to all educators/staff during their orientation to the service when first employed. They will be regularly reminded during staff meetings or through staff room notices that they must not smoke in the buildings, outdoor play areas or parking areas of the service. Staff must not report to work if they are impaired from the use of drugs or alcohol as this will compromise their duty of care to the children and their work colleagues.

Smoking

- NO SMOKING signs are displayed at entrances and throughout the premises to alert employees and visitors entering the service to the non-smoking policy.
- Smoking is not permitted at functions such as professional meetings, parent evenings, training sessions etc. held in the OSHC or on school grounds.
- Smoking is not permitted in the services' buses or cars. If driving a private car and another employee or an enrolled child is present, smoking is not permitted.

Use of Alcohol or Drugs

- Employees must notify the Director/Nominated Supervisor of any changes or additions to current personal medication. This is to ensure the safety to the employee and their co-workers in the event they have an adverse reaction to the medication being taken. This includes all over the counter medication as well as prescription medication.
- Employees must not use recreational drugs or consume alcohol for a minimum of 8 hours before their shift beginning.
- If the Director/Nominated Supervisor suspects an employee of being impaired from alcohol or other drugs during their work shift they will immediately consult with the employee to identify the extent of the problem and allow the employee to respond to any issues.
- If the educator/staff member suspects a work colleague of being impaired from alcohol or other drugs they should immediately report their concerns to the Director/Nominated Supervisor.
- If after the consultation, the employee admits to being impaired from alcohol or other drugs, the employee will receive a written warning that their behaviour was unacceptable and that a repeat will be seriously dealt with. He/she will be instructed to leave the workplace immediately.
- If the employee does not admit to being impaired from drugs or alcohol, but the Director/Nominated Supervisor believes their behaviour and responses to questions indicates otherwise, this will be explained to the employee and one of the following options will be implemented depending on the specific situation:
 - The employee will be asked to undergo an alcohol or drug test.
 - The employee will be allocated duties which do not require contact with enrolled children.
 - The employee will be required to leave the workplace.
- Where a positive test result is achieved, the employee will be warned that their behaviour was unacceptable and that a repeat will be considered a serious misconduct, and will be handled in line with standard grievance procedures.

Supporting Employees to Better Health

- Mawson Lakes OSHC will encourage, support and assist employees who wish to give up smoking where practicable.
- Where the employee has a specific problem that is contributing to their behaviour, the service will support them through some of the following means:
 - Suggesting the employee contacts his/her personal doctor for an initial assessment and treatment, and helping the employee locate a doctor if he/she does not have a personal doctor.
 - Identifying community-based organisations, including those of a medical and non-medical nature, and self-help groups that may be useful to employees in dealing with their alcohol or drug-related problems, and refer the employee to those organisations.
 - Identify professionals and services that specialise in the counselling, treatment and rehabilitation of alcohol and drug-related problems in the community.
- The level of support the service is able to provide will be dependent upon:
 - The seriousness of the employee's actions

- The employee's length of service and past record
- The service's ability to provide support

Maintaining Safe Premises

- Any further incident in which the employee is found smoking, impaired from alcohol or other drugs during their work shift will be considered serious misconduct, and will be handled in line with standard grievance procedures.
- The Director/Nominated Supervisor will ensure that neither tobacco, alcohol, drugs nor other potentially harmful substances are present on the premises while children are at the service, with exception of medications for children or staff that are authorised according to the service policy.

Legislation and Government Requirements

- Federal and State Occupational Safety & Health Legislation
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations

National Quality Framework

- **Education and Care Services National Law Act 2010 (Vic)**- Section 3(2)(a); 3(3)(f); 167
- **Education and Care Services National Regulations**: 82; 83; 99
- **National Quality Standard for Early Childhood Education and Care and School Age Care (Nov 2010)**- Element 2.3.1; Element 2.3.2; Element 7.3.5
- **Early Years Learning Framework for Australia**
- **Framework for School Age Care in Australia**