



C39/2

## POLICY REGISTER

**Subject:** Council – Smoke Free Premises

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<b>Minute No:</b>	195			
<b>Meeting Date Adopted:</b>	20/06/2005			

<b>Review Date:</b>	<b>May 2007</b>
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### POLICY

#### Introduction

The aim of this policy is to create smoke free premises in all Council premises except Administration Centre, 157 Maitland Street Muswellbrook which is covered by a separate policy.

**PRIMARY RESPONSIBILITY:** Management and all Staff

#### TERMS

##### Premises

Premises includes any place, and in particular includes:

- (a) any land, building or part of any building, or
- (b) any vehicle, vessel or aircraft, or
- (c) any installation on land, on the bed of any waters or floating on any waters, or
- (d) any tent or moveable structure.

##### Place of Work

Place of work means premises where persons work.

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## Council Official

council official includes councillors, members of staff of council and delegates of council

## **POLICY STATEMENT**

Muswellbrook Shire Council is committed to ensuring that all responsibilities under the Occupational Health and Safety legislation are undertaken and take all reasonable steps to provide council officials and visitors with a safe place to work and visit.

(Council reserves the right to review, vary or revoke this policy)

## **ISSUES TO CONSIDER**

### ***Hazards of Tobacco Smoking***

The medical evidence clearly establishes that tobacco smoke, either directly inhaled or indirectly inhaled (passive) is a serious health hazard. The Council is therefore committed to introduce policies to eliminate the involuntary exposure of council officials and visitors to the hazard.

### ***Community attitudes***

Community attitudes towards smoking have changed in recent times. There is strong community acceptance of restrictions on workplace smoking.

### ***Legal use of tobacco***

In adopting a policy for control of the hazard associated with tobacco smoke the Council recognizes that for council officials and visitors the purchase and use of tobacco is not an illegal activity. Therefore any policy must recognize, and accept, that it ought not to seek to unduly restrict an activity that is legal.

While recognizing that tobacco smoking is legal, council officials and visitors who voluntarily use tobacco products should not impose used cigarette emissions on non-smokers in the place of work.

## **GENERAL PRINCIPLES**

### ***Smoke free place of work***

The Council has adopted the following principles;

- All council officials and visitors are entitled to a smoke free premises and place of work.
- Smoking is prohibited in all Council buildings
- Smoking is prohibited in all council vehicles

### ***Adjacent to premises***

Adjacent to premises means the smoking activity is not in the physical proximity of the premises which;

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- Require people using the entrance or exit to pass through the tobacco smoke emission
- Allows tobacco smoke to enter the premises

The following list is indicative of premises where smoking is prohibited. However, if a premise is not listed, it is still covered by this policy.

- all council buildings (except residences)
- swimming pool areas
- entry areas between a car park and an entry door
- all vehicles, trucks and plant

### ***Fire hazard***

The use of tobacco in premises is recognized to be a serious fire hazard. Tobacco smoking is not permitted adjacent to any outdoor area where there are combustibles or flammables.

### ***Environmental degradation***

Discarded cigarette butts are not only visually unpleasant, they also degrade the environment and require resources to clean the area. The littering of Council grounds by cigarette butts is an unacceptable and unlawful practice as set by the Protection of the Environment Operations Act 1997

### **IMPLEMENTATION AND RESPONSIBILITIES:**

Particular attention will be given to ensure that;

- all council officials, regular visitors and other authorized persons are fully aware of the policy and their obligations.
- Consultation will be held to assist people with the implementation of the policy.
- management is aware of its responsibility to ensure the policy is fully enforced.
- complaints with regard to alleged breaches of the policy are dealt with in an expeditious manner.
- it is, in the first instance, the responsibility of managers to seek to resolve any breaches of the policy.
- appropriate signage will be provided to advise people of the smoke free areas and receptacles will be provided for disposal of cigarette butts

### **SOCIAL FUNCTIONS**

The policy applies to any social functions held at the premises.

### **RELEVANT LEGISLATION**

Occupational Health and Safety Act 2000 No 40

Local Government Act

Protection of the Environment Operations Act 1997

### **RELATED POLICIES**

Occupational Health & Safety: Alcohol And Other Drugs S5/4

Council Administration Centre – Smoke free premises C39/1

Recruitment Policy

### **EVALUATION**

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The effectiveness of this policy will be measured by no complaints regarding smoking in smoke free areas.

**FURTHER INFORMATION**

Council's Code of Conduct

Contact: Human Resources