Tobacco, Vaping, Drugs & Alcohol-Free Environment Policy

Purpose

Peak Sports & Learning is committed to providing a safe, healthy, and child-focused environment that is free from tobacco, vaping devices and substances, alcohol, and illicit or impairing drugs. Our priority is to protect children from exposure to harmful substances and role model healthy behaviours at all times. The safety, rights and best interests of children are the paramount consideration in all our decisions, actions and practices.

This policy outlines our zero-tolerance approach to smoking, vaping, alcohol, and drugs within our services, vehicles, and any location where our programs operate. It ensures compliance with Regulation 82 of the Education and Care Services National Regulations, as amended from 1 September 2025, which requires that all education and care environments are free from tobacco, vaping devices, vaping substances, drugs, and alcohol.

We recognise our legal and moral responsibility to maintain a safe environment for children, families, educators, staff, volunteers, students, and visitors. This includes preventing exposure, prohibiting the supply of tobacco and vaping products to minors, and ensuring that all staff are fit to provide safe, high-quality education and care.

Considerations

Education and Care Services National Regulations	**National Quality Standard/s**	**Other Service policies/documentation**	**Other**
Regulations: 82, 83, 84, 155, 168, 170. Law: Sections 2A, 3A (NSW), 167	Quality Area 2 Children's Health and Safety 2.2.1 Quality Area 4 Staffing Arrangements 4.2, 4.2.2 Quality Area 7 Governance and Leadership 7.1.2, 7.1.3	- Code of Conduct - Child Safe Environment Policy - Child Protection Policy - Work Health and Safety Policy	Child Safe Standards Smoke-free Environment Act 2000 (NSW) Work Health and Safety Act 2011 (NSW)

Procedures

To meet the requirements of Regulation 82 – Environment to be free from tobacco, vaping devices, vaping substances, drugs and alcohol, Peak Sports & Learning enforces the following procedures:

- **No Smoking or Vaping in View of Children**
  Staff, volunteers, students, and contractors must not smoke or vape in vehicles, inside premises, or anywhere children can see them, at any time while children are in care.
- **Safe Storage of Tobacco and Vaping Products**
  Cigarettes, lighters, vaping devices, and vaping substances must be stored securely out of sight and reach of children at all times.

- **Smoke-Free Zones**
  The services, surrounding premises, and car park are designated smoke-free zones, in line with the Smoke-free Environment Act 2000 (NSW).

- **Visitors, Students and Volunteers**
  Students, volunteers, and visitors are not permitted to smoke or vape on the premises and must comply with this policy.

- **Parental and Family Compliance**
  Parents, family members, and relatives of enrolled children must not smoke or vape on the service premises. This requirement is communicated at enrolment.

- **Prohibition on Supply to Minors**
  It is illegal to provide tobacco, vaping products, or smoking devices to any person under the age of 18.

- **Excursions and Outings**
  Child Care Providers and educators must not smoke or vape while representing the service during excursions or outings.

- **Alcohol and Drugs**
  Educators, staff, volunteers, and contractors must have a blood alcohol concentration of 0.00 during all work hours.
  They must not consume or be under the influence of drugs, including prescription medication, that may impair their capacity to safely educate and care for children.

- **Medication That May Affect Work**
  Educators, staff, volunteers and students taking medication that may affect their ability to work safely with children must let the Responsible Person and Nominated Supervisor (SSM) know before starting work.

- **Support for Quitting**
  Staff are encouraged and supported to stop smoking or vaping through access to relevant health resources and programs.

- **Work Health and Safety Compliance**
  Supervisors and all staff share responsibility for enforcing this policy under Work Health and Safety legislation to protect the health of staff, children, and visitors.

- **Reasonable Belief or Suspicion**
  Where there is a reasonable belief that a person working with children is affected by alcohol or drugs, they will be removed from working directly with children straight away and the matter documented confidentially.

- **Breach of Policy**
  Any staff member, volunteer or student who violates this policy is in serious breach of their employment or engagement conditions and may be subject to disciplinary action, up to and including termination.

Roles & Responsibilities

Approved Provider / Nominated Supervisor

- Ensure compliance with Regulation 82 of the Education and Care Services National Regulations (as amended 1 September 2025).
- Put children's safety, wellbeing and best interests first as the paramount consideration in all decisions and actions under this policy.
- Provide clear induction and ongoing reminders about this policy to all educators, staff, students, volunteers, and visitors.
- Monitor the environment to ensure it remains free from tobacco, vaping devices and substances, alcohol, and illicit or impairing drugs at all times.
- Respond promptly and consistently to any breaches, applying disciplinary procedures where necessary.

Staff / Educators / Volunteers / Students

- Comply with all requirements of this policy at all times, including being fit for duty with 0.00 blood alcohol content and not impaired by drugs.
- Refrain from smoking or vaping in vehicles, on premises, or in view of children during work hours.
- Store any cigarettes, lighters, vapes, or related items securely out of sight and reach of children.
- Report any breaches or concerns immediately to the Nominated Supervisor or Responsible Person.
- Model healthy, safe behaviours for children and families.

Families / Visitors / Contractors

- Follow service expectations when on site, on excursions, or participating in service activities, including refraining from smoking or vaping in any area where the service operates.
- Not enter the service premises while affected by alcohol or drugs.
- Comply with the prohibition on providing tobacco or vaping products to anyone under 18 years of age.
- Support the service's commitment to a healthy and safe environment for all children.

Version Control Table

Version Control	Date Released	Next Review	Approved by	Amendment
1	Jan 2014	March 2018	Directors	Amendments to procedures as needed annually.
2	March 2018	August 2019	Directors	Version Control table introduced. Rewritten and edited to reflect 2018 updated Quality Standards.
3	March 2020	October 2022	Directors	Reviewed with no amendments. Moved to new document review timeline.
4	October 2022	October 2025	Directors	Reviewed with addition of vaping.
5	August 2025	August 2026	Directors	Rewrite to clearly define all child safe environment functions in line with *Regulation 168(2)(h)*, incorporating September 2025 updates to *Regulation 82* to include vaping devices and substances.
6	August 2026	August 2027	Directors	Added paramount consideration (Sections 2A and 3A NSW) and Section 167. Added reference to the Smoke-free Environment Act 2000 (NSW), updated Occupational Health and Safety to Work Health and Safety, and added medication reporting, reasonable suspicion and family expectations. Volunteers and students included in breach of policy.