

## CHAPTER 8 – POLICY ON SMOKING IN THE WORKPLACE

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**NSW HEALTH SMOKE-FREE HEALTH CARE POLICY (PD2015\_003)****PURPOSE**

The aim of this Policy Directive is to reduce the risks to health associated with tobacco use by clients, staff and visitors to NSW Health facilities and the community's exposure to second-hand smoke. This policy applies to banning the use of cigarettes and other smoking products in NSW Health buildings, grounds and vehicles and also to the use of electronic cigarettes to eliminate the risks of exposure to particulate matter emitted by second-hand vapour. However, in the case of electronic cigarettes the smoke-free by-law and the *Smoke-free Environment Act 2000* do not apply.

**MANDATORY REQUIREMENTS**

Compliance with the NSW Health Smoke-free Health Care Policy means that all NSW Health buildings, grounds and vehicles are smoke-free with the exception of designated outdoor smoking areas determined by Local Health Districts (LHDs) and speciality network governed statutory health corporations that choose to provide such areas using a smoke-free by-law.

LHDs and speciality network governed statutory health corporations will ensure compliance with smoke-free by-laws where they are in place. Where appropriate and in line with the NSW Health Prosecution Policy and Guidelines, Penalty Infringement Notices (PINs) may be issued to staff, clients and visitors who fail to comply with the smoke-free by-law. LHDs will also enforce the *Smoke-free Environment Act 2000* (the Act) in settings applicable to buildings and grounds regardless of whether a smoke-free by-law exists.

This includes:

- Enclosed public places.
- Within 4 metres of the pedestrian access point to buildings.
- Bus stops and cab ranks, where people queue or gather.
- Within 10 metres of children's play equipment.
- In commercial outdoor dining areas from 6 July 2015.

Staff, clients and visitors to NSW Health facilities will be informed about smoke-free requirements under this policy, the Act and smoke-free by-laws, where they exist.

All clients of LHDs, St Vincent's Health Network and speciality network governed statutory health corporations will be asked about their smoking status and those who smoke will be supported to manage their nicotine dependence and quit, through:

- Provision of brief intervention to clients including the option of nicotine replacement therapy (NRT), where clinically appropriate.
- Provision at discharge of at least three days' supply of any NRT product the client has been using in hospital.
- Referral to Quitline 13 78 48 and/or a smoking cessation advisor for ongoing advice and support to quit.

All staff of LHDs, St Vincent's Health Network and speciality network governed statutory health corporations who smoke will be able to access from their organisation, at least four weeks' supply of free NRT per year (including a variety of NRT product choices).

**IMPLEMENTATION****NSW Ministry of Health responsibilities**

- Develop model smoke-free by-laws and Instrument of Appointment for use by LHDs and speciality network governed statutory health corporations.
- Develop and distribute a state-wide guide on smoking cessation and brief intervention.

**Chief Executive responsibilities**

- Ensure the requirements and standards of the Policy are implemented, monitored, reviewed and acted on accordingly.
- Determine whether to implement a smoke-free by-law to allow smoking bans in NSW Health buildings, vehicles and grounds not already covered by the Act to be enforced, designated smoking areas to be established and PINs to be issued (relevant for LHDs and speciality network governed statutory health corporations only).
- Enforce the Act as it applies to NSW Health buildings and grounds and the smoke-free by-law, where this is in place.
- Support managers and staff to implement the policy, including following up on reported breaches.
- Report implementation progress of the policy to the Ministry on a regular basis.
- Ensure a system is in place to support staff to quit or manage their nicotine dependence including access to brief intervention, at least four weeks of free NRT per year, where clinically appropriate and referral to NSW Quitline 13 78 48 and/or smoking cessation advisor (relevant to LHDs, St Vincent's Health Network and speciality network governed health corporations only).

**Manager responsibilities**

- Support staff to implement and comply with the policy and monitor staff compliance.
- Implement an appropriate strategy to inform clients, staff and visitors of the policy.
- Support all relevant staff to obtain smoking cessation training and ensure clinical staff provide brief intervention to all clients who smoke, where applicable.
- Ensure cessation support is available to staff to quit or manage their nicotine dependence, including provision of at least four weeks free NRT per year where clinically appropriate and referral to NSW Quitline 13 78 48 and/or smoking cessation advisor (relevant to LHDs, St Vincent's Health Network and speciality network governed health corporations only).

**Staff responsibilities**

- Implement and comply with the policy.
- Access smoking cessation training and provide routine brief intervention to clients who smoke, including assessment and documentation of clients' smoking status and support to manage nicotine dependence including provision of NRT, where clinically appropriate, referral to NSW Quitline 13 78 48 and/or smoking cessation advisor (relevant to LHDs, St Vincent's Health Network and speciality network governed health corporations only).

**NOTIFICATION OF AMENDMENT TO THE NSW HEALTH SMOKE-FREE HEALTH CARE POLICY PD2015\_003 (IB2018\_026)****PURPOSE**

The Information Bulletin is to notify the NSW Health system that the *Smoke-free Environment Amendment Act 2018* will commence on 1 July 2018. This means that in the case of electronic cigarettes that the *Smoke-free Environment Act 2000* will apply and will also cover Local Health District smoke-free by-laws that refer to the *Smoke-free Environment Act 2000*.

**KEY INFORMATION**

The NSW Health Smoke-free Health Care Policy bans the use of cigarettes and other smoking products in NSW Health buildings, grounds and vehicles and also the use of electronic cigarettes to eliminate the risks of exposure to particulate matter emitted by second-hand vapour.

The Smoke-free Environment Amendment Act 2018 will commence on 1 July 2018. The Act amends the Smoke-free Environment Act 2000 to prohibit the use of e-cigarettes in public places where the Smoke-free Environment Act 2000 currently bans smoking. This Act will also affect the smoke-free by-laws. Local health districts smoke-free bylaws that refer to the Smoke-free Environment Act 2000 will automatically cover ecigarette use in the same way they cover smoking cigarettes. This means Penalty Infringement Notices (PINs) may be issued for using e-cigarettes where a PIN could be issued for smoking

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