

Early Years - Procedure

Smoke, Tobacco and Vape Free Environment

Procedure Number:	D25-240880	Directorate:	Connected Communities
Approval by:	Manager Family Children's Services	Responsible Officer:	Policy and Planning Support Officer, Strategic Planning and Partnership Lead
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Review Date:	3 years from approval date	Service Type:	<div>PSFO</div> <div>K</div> <div>M</div> <div>PG</div> <div>LDC</div>
Related Quality Area	Quality Area 2 – Health and Safety Quality Area 7 – Governance and Leadership		

Purpose

Council Early Years Services acknowledge the importance of a smoke free environment that contributes to good health and overall wellbeing. Council Early Years Services will provide a smoke free environment for children, educators, staff and families through learning, procedures, creating a safe and healthy physical and social environment, and developing community links and partnerships.

This procedure describes Councils commitment to reduce the potential risks associated with exposure to Environmental Tobacco Smoke (ETS). Council acknowledges the importance of a smoke free environment. This procedure is in relation to persons working or interacting with Early Years Council Services that use related products which includes smoking, e-cigarettes or vaping.

Scope

This policy and procedure apply to the Approved Provider, Nominated Supervisor, Persons in day-to-day Charge Early Childhood Teachers, Educators, Staff, Additional Assistants, Maternal Child Health Nurses, Preschool Field Officers, Playgroup Facilitators, students on placement, volunteers, families, children and others attending the program and activities of Council Early Years Services.

Procedure

Council must comply with the Tobacco Act of Australia 1987; The Early Childhood Education and Care National Regulations and Law; and the Department of Education Quality Authority Guidelines.

In the [Tobacco Act 1987](#) smoking and vaping is classed as unlawful and banned in the following locations:

- within the grounds of all Victorian child care services, kindergartens, and primary and secondary schools.
- within four metres of any public entrance to a Victorian child care service, kindergarten, and primary and secondary school.
- in all enclosed workplaces and many public spaces where people can be exposed to second-hand tobacco smoke or aerosol from an e-cigarette.

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Responsibilities

Approved Provider	<ul style="list-style-type: none">• Make available this procedure for all Early Years staff, contractors, volunteers, students, families/guardians on maintaining a smoke free environment at Council Early Years Services.
Nominated Supervisor	<ul style="list-style-type: none">• Provide and display the regulated “No smoking or vaping” signs in designated areas that comply with the Tobacco Act 1987.
Person day to day charge	<ul style="list-style-type: none">• Support staff to follow and comply with this procedure and the Tobacco Act 1987• Provide a smoke free environment for children, families, educators, staff, volunteers and visitors inclusive of incursions, excursions and family/special events.• Support all staff to understand that ‘No Smoking’ includes vaping of tobacco and non-tobacco materials.• Refrain from using sponsors for events that have affiliations with Tobacco, drug or alcohol companies.• All events will be Tobacco, vaping and smoke free environments.• Provide designated area for disposing of smoking and vaping waste (including e-waste).
Early Childhood Teachers, Educators, Relief Staff, additional assistants and all other staff including Maternal Child Health Nurses, Playgroup educators, Preschool Field Officers	<ul style="list-style-type: none">• Follow and comply with Council’s Smoke Free Workplace Policy, and Early Year’s <i>Smoke, Tobacco and Vape Free Environment</i> Procedure.• Only smoke or vape within designated areas. These areas must be outdoors and away from “the four metres of any public entrance to a Victorian child care service, kindergarten, and primary and secondary school”, as per the Tobacco Act 1987.• Do not smoke in Council Buildings or Council Vehicles.• For staff members who smoke or vape to take appropriate hygiene measures after smoking, so children are not exposed to second hand smoke.• Provide opportunities for children to learn about the health risk associated with tobacco, smoking, e-cigarettes and vaping.• Refrain from using sponsors for events that have affiliations with tobacco, drug or alcohol companies.• Professional learning opportunities and resources are available to staff and educators to guide discussion about the health and risk of smoking.• Educators and staff that want to cease smoking are encouraged and supported to access the relevant information or agencies.• Dispose of smoking waste products in the designated areas or containers (including e-waste disposal).• Undertake alcohol and/or drug screenings when deemed appropriate or necessary as per the Fitness for Duty Procedure.
Contractors, Students and Volunteers	<ul style="list-style-type: none">• Follow and comply with Council’s Smoke Free Workplace Policy, and Early Year’s <i>Smoke, Tobacco and Vape Free Environment</i> Procedure.

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- Only smoke or vape within designated areas. These areas must be outdoors and away from “the four metres of any public entrance to a Victorian child care service, kindergarten, and primary and secondary school”, as per the Tobacco Act 1987 and Knox City Council [Smoke Free Workplace](#) Policy.
- Take appropriate hygiene measures after smoking, so children are not exposed to second hand smoke.
- Dispose of smoking waste products in the designated areas or containers (including e-waste disposal).

Parents and Guardians

- Only smoke or vape within designated areas. These areas must be outdoors and away from “the four metres of any public entrance to a Victorian child care service, kindergarten, , and primary and secondary school”, as per the Tobacco Act 1987 and Council [Smoke Free Workplace](#) Policy.
 - Dispose of smoking waste products in the designated areas or containers (including e-waste disposal).
 - Comply with ‘no smoking or vaping’ laws at onsite and at offsite special events.
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Related References

- [Community Plan \(2021–31\)](#)
- [Council Health and Wellbeing Plan \(2025–29\)](#)

Related Policies & Procedures

- [Knox City Council Smoke Free Workplace Policy](#)
- [Knox City Council Code of Conduct](#)
- [Early Years Code of Conduct](#)
- [Providing a Child Safe Environment Procedure](#)
- [Asthma Procedure](#)
- [Education Program and Practice Procedure](#)
- [Fitness for Duty Procedure](#)

Relevant Legislation and Standards

- [Children’s Services Act 1996](#)
- [Education and Care Services National Law Act 2010](#)
- [Tobacco Act 1987](#)
- [Occupational Health & Safety Act \(2004\)](#)

Definitions

Term	Meaning
Smoking	When people smoke tobacco, they burn it so they can breathe it in or taste the smoke. This is done through cigarettes, e-cigarettes (including vapes), cigars, pipes.

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Enclosed Workspace	Enclosed workplaces are smoke free areas. Enclosed workplaces are places that have a roof, are mostly surrounded by walls (even if there are doors or open passageways), and where at least one person works.
E-Cigarettes or Vapes	A battery-operated device that delivers an aerosol by heating a liquid that users breathe in. People commonly refer to this aerosol as 'vapour', and to using an e-cigarette as 'vaping'.
Tobacco	Tobacco is made by drying leaves from tobacco plants and is the main component of cigarettes. Nicotine is the main chemical in tobacco – it is toxic, highly addictive and a dangerous chemical that can harm the human body.
Second Hand Smoke	Also called 'passive smoking', second hand smoke is made up of the smoke that smokers breathe out, or the smoke from the end of lit cigarettes and cigars. There is no safe level of passive smoking, and it poses a risk to children's development and health.
Tobacco Act 1987	Legislation in Victoria, Australia, that regulates the sale, advertising, and use of tobacco and e-cigarette products. The Act aims to reduce tobacco use and its associated health harms.

Please see [Early Years Quality System Glossary and Definitions](#) for further glossary and definitions.

Families: For all related Early Years Policies and Procedures, please refer to [Council's website](#). **Staff:** For all related Early Years Policies and Procedures, please refer to [Early Years Team Site](#) and [Quality Documents Page](#)

All staff working for Knox City Council Early Years Services are required to read and understand all Knox City Council Early Years Policies and Procedures.

Charter of Human Rights

This policy has been assessed against and complies with the [Charter of Human Rights & responsibilities Act 2006](#). The [Simplified Version of the United Nations Convention of the Rights](#) of the Child has also been considered.

Equity Impact Assessment Statement

This Procedure has been assessed through the Equity Impact Assessment Checklist & Inclusive Language Guide. The following groups have been considered in how their lived experience is considered and respected in the creation of documents for the Quality document system (Woman, Men, Young people/children, LGBTQI+ Communities and Gender Diverse People, First Nations People, People with Disabilities including Mental Health, Culturally and Linguistically Diverse People, low-income households & Senior Communities)

Sources

[Passive smoking | Australian Government Department of Health, Disability and Ageing](#)
[Cigarettes | Legal Information in Victoria | Youth Law Australia](#)
[Learning environments: smoke-free and vape-free | health.vic.gov.au](#)
[Smoke Free Environment | Red Nose Australia](#)

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[PolicyGuidelines_ProvidingAChildSafeEnvironment.pdf](#)

Administrative Updates

From time to time, circumstances may change leading to the need for minor administrative changes to this procedure. Where an update does not materially alter this policy, such a change may be made administratively. Examples of minor administrative changes include changes to names of Council departments or positions, change to names of Federal or State Government departments or a minor amendment to legislation that does not have material impact. Where any change or update may materially change the intent of this policy, it must be considered by Council.

The most current amendments to listed legislation can be found at:
Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
Commonwealth Legislation – Federal Register of Legislation:

Version Updates

v#	Date	Section	Changes (Brief)
V2.0	<u>07/08/2025</u>	Whole document	This document has been updated to include references to 'Vaping' as part of E-cigarettes, and to comply with the update from the Department of Education Quality Assessment Regulatory Division.

NO SMOKING OR VAPING



**on this premises and
within 4 metres of entrance**

PENALTIES MAY APPLY

Tobacco Act 1987

Source: [Resources and factsheets - tobacco reform | health.vic.gov.au](https://www.health.vic.gov.au/tobacco-reform/resources-and-factsheets)

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