



Smoke Free Policy

1. Purpose

The Smoke Free Policy requires that all WA health system entities are smoke free. This includes, but is not limited to, all owned or leased buildings, structures, outdoor areas, grounds, car parks and vehicles.

The purpose of the Policy is to:

- protect and prevent tobacco related health risks for all WA health system entity employees, consumers, contractors and visitors to WA health system entity sites by eliminating potential exposure to second-hand smoke; and
- lead by example and deliver a clear message to the community and other Government agencies that WA health system entities are dedicated to providing smoke free services.

This Policy sets the requirements for WA health system entities to achieve a smoke-free environment and uphold their responsibility to prevent exposure to second-hand smoke. Under the Occupational Safety and Health Regulations 1996, smoking is not permitted in enclosed workplaces.

The Policy is consistent with the following legislation:

- *Occupational Safety and Health Act 1984 (WA)*
- Occupational Safety and Health Regulations 1996
- *Tobacco Products Control Act 2006.*

While ensuring a smoke-free environment is a responsibility of all WA health system entities, Health Service Providers that provide clinical services (i.e. Child and Adolescent Health Service, East Metropolitan Health Service, North Metropolitan Health Service, South Metropolitan Health Service, and WA Country Health Service) hold additional responsibilities under this Policy.

This Policy is a mandatory requirement under the *Public Health Policy Framework* pursuant to section 26(2)(l) of the *Health Services Act 2016*.

This Policy is a mandatory requirement for the Department of Health pursuant to Section 29 of the *Public Sector Management Act 1994*.

This policy supersedes Operational Directive 0414/13 *Smoke Free WA Health System Policy*.

The Policy is consistent with:

- [National Tobacco Strategy 2012-2018](#)
- [Western Australian Health Promotion Strategic Framework 2017-2021](#)

- [National Occupational Health and Safety Commission \(NOHSC\) Guidance note on the 'Elimination of Environmental Tobacco Smoke in the Workplace'](#).

2. Applicability

This Policy is applicable to all WA health system entities as defined in this policy.

To the extent that the requirements contained within this Policy are applicable to the services purchased from contracted health entities, WA health system entities are responsible for ensuring these requirements are accurately reflected in the relevant contract and managed accordingly.

3. Policy requirements

To ensure smoking is not permitted (including use of electronic cigarettes and other personal vaporisers) in any owned or leased buildings, structures, outdoor areas, grounds, car parks or vehicles, WA health system entities must ensure that they have local policies and procedures in place to meet the following requirements:

1. Implement WA health system entity and site-specific management and compliance strategies.
2. Implement WA health system entity and site-specific communication strategies to ensure that anyone entering WA health system entity owned or leased buildings, grounds and vehicles understands that smoking is not permitted.

In addition to the above, Health Service Providers that provide clinical services must ensure that they have local policies and procedures in place to meet the following requirements:

3. Provide employees with access to nicotine replacement therapy products including lozenges, gums, patches, inhalators, or mouth sprays.
4. Assess and record the smoking status of all adult inpatients.
5. Provide treatment for nicotine dependent inpatients.

Until 1 July 2022, adult (18 years of age and over) involuntary mental health inpatients may be exempted from the Smoke Free Policy, in certain circumstances and at the discretion of the Health Service Provider. These circumstances are detailed within the related document *Implementation of the partial exemption for involuntary mental health patients*.

4. Compliance monitoring

WA health system entities are responsible for ensuring compliance with this Policy.

The Department of Health is responsible for conducting periodic audits of policy compliance on behalf of the system manager. Health Service Providers must provide a report annually for the period 1 July to 30 June to the System Manager on compliance with this Policy. Reports must be provided to the Tobacco Policy Unit, Chronic Disease

Prevention Directorate, Public and Aboriginal Health Division, Department of Health for the review and collation of data by 14 August following the reporting period end date.

5. Related documents

The following documents are mandatory pursuant to this Policy:

- *Implementation of the partial exemption for involuntary mental health inpatients*

6. Supporting information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- *Guidelines for the implementation of the Smoke Free Policy*
- *Guidelines for supporting involuntary mental health inpatients*

7. Definitions

The following definition(s) are relevant to this Policy.

Term	Definition
WA health system entity	<ul style="list-style-type: none">• All Health Service Providers as established by an order made under section 32(1)(b) of the <i>Health Services Act 2016</i>;• The Department of Health as an administrative division of the State of Western Australia pursuant to section 35 of the <i>Public Sector Management Act 1994</i>. Note: Contracted health entities are not considered WA health system entities.
Involuntary mental health inpatient	A person who is referred, detained or involuntary either under the <i>Mental Health Act 2014</i> or <i>Criminal Law Mentally impaired Accused Act 1996</i> .

8. Policy contact

Enquiries relating to this Policy may be directed to:

Division: Public and Aboriginal Health

Directorate: Chronic Disease Prevention

Email: CDPD.admin@health.wa.gov.au

9. Document control

Version	Published date	Effective from	Review date	Effective to*	Amendment (s)
MP 0158/21	1 July 2021	1 July 2021	June 2024	Current	Original version

10. Approval

Approval by	Nicole O’Keefe, Assistant Director General, Strategy and Governance Division, Department of Health
Approval date	10 May 2021

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