

Dealing with Alleged Breaches of the Tobacco-Free Policy A Guide for Managers and Supervisors

1. Background

ACU's commitment to the implementation of the Tobacco Free Campuses policy requires a change in behaviour by students and staff members who are smokers, as designated smoking areas are being phased out and those who smoke are cannot smoke on University premises. In circumstances where it has been reported that individuals are smoking on campus in non-designated areas, a proactive and supportive approach that encourages a change in behaviour is the first step. This can avoid matters potentially escalating to disciplinary action. This guide aims to provide guidance to supervisors in the working and learning environment to deal with any potential breaches promptly, locally and informally.

ACU's [Tobacco Free Policy](#) provides specific guidance to staff, students, contractors and visitors regarding actions that can be taken if an individual is found to be smoking on university premises. Section 5.2 of the Policy states that:

- Individuals breaching the Tobacco-free Policy will be advised that the University is a smoke-free environment in the first instance and requested to move off campus to smoke;
- Alternatively the matter can be reported to campus security staff or their local Facilities Management Unit; and
- In the instances of continuous breaches of the smoke-free Policy, the Facilities Management Unit will advise the immediate supervisor or manager of the staff member or the appropriate Academic supervisor for students.

2. Dealing with alleged breaches of the Tobacco Free Policy

Section 5.1 of the University's Tobacco-free Policy states that it is the responsibility of managers and supervisors of working or learning areas to:

- Ensure that staff, students, visitors, volunteers and contractors are aware of this policy;
- Understand their responsibility as managers and supervisors to ensure the policy is enforced;
- Ensure complaints with regard to alleged breaches of the policy are investigated and dealt with quickly and effectively.

The checklist below provides a guide for dealing with alleged repeated breaches of the Tobacco-free policy reported to the supervisor by Facilities management locally in a timely manner. It is important to keep in mind that the goal is to encourage a change in behaviour through an open and respectful conversation, with the aim of avoiding an escalation to possible disciplinary action where possible. An informal discussion with the individual it has been reported is smoking on University premises that provides guidance on what is expected and potential consequences of continuing the behaviour can resolve the matter and avoid time consuming formal processes.

CHECKLIST FOR SUPERVISORS AND MANAGERS

Familiarise yourself with the relevant policies and procedures including the [ACU Tobacco-free policy](#) and the [smoke free web site](#), which provides information about options for support.

Address the Issue Promptly

Make a time to speak with the staff member at the earliest opportunity to discuss the issue. The aim is to address the matter informally at the local level early on to avoid escalation to consideration of

CHECKLIST FOR SUPERVISORS AND MANAGERS

disciplinary action and offer support that will encourage the desired behaviour.

Be Clear and Direct about the Issue

Explain clearly and concisely that it has been reported to you that the staff member has been smoking on University premises on more than one occasion, which is potentially a breach of Section 5.2 of the ACU Tobacco Free policy.

Explain the Potential Consequences of continuing the behaviour

Advise that the University breaches of policy seriously and the consequences of continuing behaviour that could be considered a breach of University policy and if the behaviour continues, including disciplinary action under the University Staff Code of Conduct.

Listen Actively

Encourage open discussion that gives the staff member with the opportunity to provide an explanation for their behaviour. The aim here is to support a change of behaviour, so it is important to listen with empathy. However it needs to be reinforced that there smoking on Campus is not permitted, and that if they have been smoking on University premises, a change of behaviour is required to avoid disciplinary consequences.

Offer Appropriate Support

- Ensure that the individual understands where they are permitted to smoke i.e. nearby areas off campus.
- advise the staff member about options for support available to manage/reduce smoking, [ACU smoke-free web site](#).

Follow up

Schedule a follow up meeting to check that the matter is resolved, and take further action if required.

Meetings and interviews should be documented including details of who attended, action taken to respond to the issue (outcomes) and any further action required.

Further Reported Breaches

In the situation where there are reports of continued breaches of the Tobacco Free Policy, consultation your nominated supervisor should be the next step to guide your actions, with additional support available from your local Human Resources representative if required. Actions could include consideration of disciplinary actions under the Staff Code of Conduct. The above steps would be evidence in any further action required.