

SMOKE-FREE POLICY

Policy Statement: The McSence Group has a smoke-free policy which has been developed to protect all employees, customers, contractors, tenants, and visitors from exposure to second-hand smoke and to assist compliance with the Smoking, Health and Social Care (Scotland) Act 2005. Exposure to second-hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. Ventilation or separating smokers and non-smokers within the same airspace does not completely stop potentially dangerous exposure.

All Employees: This policy applies to all persons working for or on our behalf of the McSence Group of Companies which includes the subsidiary companies - *McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd* in any capacity including but not limited to:

- ✦ All employees at all levels, prospective employees, agency workers, seconded workers, temporary workers, contractors/sub-contractors, clients, agents, external consultants, volunteers, members of the public, group's supply chain, third-party representatives and/or business partners who will be referred to in our Group policies as "all employees".

The Workplace: This policy applies to all persons working for or on our behalf of the McSence Group of Companies in any capacity at the workplace(s) as defined below which includes but not limited to:

- ✦ McSence Premises, Offices, Units, Business Park, Client's Premises, External Meeting Places, Customers' Homes, Gardens, Sheltered Housing, Whilst On-Call, On-Duty, Emergency Cover, Working from Home including On-Line Meetings, Whilst Driving in Company Time, Working Public Areas (café's, trains, coffee shops, buses etc) and will be referred to throughout this policy as "the workplace".

Purpose: All the McSence Group's workplaces are smoke-free as all permanent or temporary employees, consultants, contractors, tenants, customers, members of the public or visitors have the right to work in a smoke-free environment where smoking is prohibited throughout the entire workplace - this includes:

- ✦ Clients premises
- ✦ Contractors premises
- ✦ Customer's homes, service user's homes, care homes, sheltered housing, hospices
- ✦ McSence Business park, main entrances, fire exits, doorways, surrounding grounds, the car park
- ✦ McSence satellite offices, buildings, car parks
- ✦ Whilst on duty

Smoking at Work: the law:

Smoking is not allowed in any enclosed workplace, public building or on public transport in the UK.

Penalty for smoking in the workplace:

Workers can be fined up to £200, or up to £50 in Scotland.

The law does not apply to e-cigarettes - employers can decide if they can be used on their premises.

What businesses must do:

Businesses must:

- ✦ Display 'no smoking' signs in all workplaces and vehicles
- ✦ Make sure people do not smoke in enclosed work premises or shared vehicles
- ✦ Staff smoking rooms are not allowed - smokers MUST go outside

Fines and penalties:

Businesses can be fined up to £2,500 if they do not stop people smoking in the workplace or up to £1,000 if they do not display 'no smoking' signs. In Scotland, there is a fixed penalty fine of £200, which can go up to £2,500 if the fine is not paid.

Smoking in Work Vehicles:

Smoking is not allowed in any work vehicle that more than one person uses and is not permitted in the following:

- ✦ Company cars used by more than one employee
- ✦ Goods vehicles used by more than one driver
- ✦ All company vehicles including leased, owned, liveried or identifiable as related to the McSence Group
- ✦ Any work vehicle that more than one person uses
- ✦ Company vehicles used by more than one employee or driver
- ✦ Buses, Taxis & Vans

Smoke Free Vehicles: Smoking is not allowed in any work vehicle that more than one person uses and the ideal is that all vehicles used by McSence Group employees as part of their work should become smoke-free. This is particularly relevant when a private vehicle is being used to convey passengers or other colleagues plus the use of private vehicles as a 'smoking shelter' should be discouraged.

Designated Areas: At the McSence Business Park there is an external designated area where McSence Group's permanent or temporary employees, consultants, contractors, tenants, customers, members of the public or visitors can smoke in the open smoking shelter – this is located near to the Buckie House and Colliery Court buildings within the McSence Business Park. Appropriate 'No smoking' signs are clearly displayed at the entrances to and within the McSence Group's premises. When McSence Group's permanent or temporary employees, consultants, contractors are working at other offices or building including clients' premises, they must adhere to the designated smoking areas according to the premise's rules where smoking will only be permitted inside designated and properly constructed "smoking shelters".

Company PPE & Uniform: McSence Group's permanent or temporary employees, consultants or contractors are expected to comply fully with the McSence Group's smoke free policy and understand that smoking in company liveried PPE and/or uniform may affect customers - those involved in patient care due to the smell and possible infection control issues. If staff do smoke off-site, they have to ensure their liveried PPE and/or uniform is fully covered and failure to comply with this instruction will be treated as misconduct and may result in disciplinary action being taken.

Smoking in Public: McSence Group's permanent or temporary employees, consultants or contractors should not be identifiable as an employee of McSence Group when smoking in public.

E-Cigarettes: E-cigarettes fall outside the scope of smoke free legislation as the act of smoking requires a substance to be burnt and is currently excluded from the smoking policy. However, those smoking E-cigarettes must be mindful of others within the same airspace who have the right to object to the smoking of E-cigarettes.

Smoking Breaks: There's no statutory right to 'smoking breaks'. However, workers in the UK are legally permitted to one 'rest break' whilst at work. The break must be at least 20 minutes in length, providing six hours or more that day has been worked. Employers are not obliged to pay for this break as per employee's terms of employment. Any additional smoking and/or breaks should be taken in your own time and not part of your working day.

Help to Stop Smoking: The McSence Group offers support to any employee who wishes to stop smoking and further information can be obtained from your Line Manager and sources of support are: Smoke line 0800 848484, www.hebs.com/tobacco, the Public Health Department of your local NHS Board, or your local GP surgery - contact details can be found in your local directory.

Implementation: The responsibility for policy implementation rests with the Line Managers and Business Unit Managers. The Chief Executive Officer is responsible for regular review updating. The Business Unit and/or Line Manager's shall inform all permanent or temporary employees, consultants, contractors, customers, tenants, members of the public or visitors of the policy and the implementation and monitoring of the policy. McSence Group's permanent or temporary employees, consultants, contractors, tenants, customers, members of the public or visitors including new personnel are obliged to adhere to and facilitate the implementation of the policy which forms part of the McSence Corporate Induction Training, McSence on-site contractor's policy and McSence training & conference centre terms and conditions of use.

Non-Compliance: In the case of non-adherence relating to customers, members of the public or visitors, the person responsible for the individual(s) should advise the individual(s) of the McSence Group's policy. In the case of non-adherence relating to consultants or contractors the individual's employer should be immediately advised of the incident. If any McSence Group's permanent or temporary employees are known to be, or strongly suspected of smoking in the workplace, other than in the designated area, then the employee may be subject to our disciplinary procedure. Employees who refuse to adhere to the Company policy may be subject to action under our disciplinary procedure, up to and including dismissal.

Company Intranet – Staff Zone: All the McSence Groups policies, procedures, handbooks are available on-line to all employees on the McSence Group's Staff Zone Intranet via our website [Login | McSence](#)

Compliance: Failure to comply with the provisions of this Policy may result in Disciplinary proceedings.



McSence Group Signatory:

David Maxwell | Chief Executive

McSence Group - McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd

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Policy Amendments & Revisions: This policy will be reviewed annually and, if necessary, revised in the light of legislative or organisational changes. Improvements will be made by learning from experience and the use of an established annual review. Should any amendments, revisions, or updates be made to this policy it is the responsibility of the Company Senior Management Team (SMT) to see that all relevant employees receive notice and training if necessary.