



## Staff Mobile Phone Policy 2023-4

### INTRODUCTION

- 1.1 The purpose of this policy is to ensure the safe and effective use of mobile phones and other similar electronic hand-held devices, by all staff at HBEP. The policy outlines the legislative requirements with which HBEP must comply and provides guidance on the appropriate issue and usage of HBEP mobile phones. The aims of this policy are to:
- Ensure staff within HBEP understand the legislative requirements concerning the use of mobile phones whilst driving.
  - Support the authority in fulfilling its Duty of Care and ensuring the wellbeing of our employees.
  - Ensure mobile phones issued by HBEP are used appropriately and efficiently to support effective working practices.

### ISSUE OF HBEP MOBILE PHONES

- 2.1 A mobile phone or similar hand-held device can be a considerable investment for HBEP. Therefore, line managers must be satisfied that one or more of the following conditions are met before authorising the issue of a mobile phone:
- The employee is a remote worker and requires a mobile phone to enable them to undertake their job effectively.
  - Issuing the employee with a mobile phone will enable them to provide a more efficient service.
  - There is a requirement for the individual to be contactable whilst working away from their normal place of work and where other methods of communication (e.g. landline or e-mail) are unsatisfactory.
  - The individual's role involves out of hours support (e.g. on call) which necessitates alternative means of contact.

- The employee is a lone worker and their personal safety could be compromised if they are not in possession of a mobile phone. Please note that a mobile phone should not be relied upon as the sole means of ensuring an employee's personal safety. A Health and Safety Risk assessment should therefore be carried out to assess this requirement.
- The employee travels and visits areas where summoning help (if they break down, for example) may be difficult.
- There is a statutory/corporate requirement for a mobile phone (e.g. emergency planning).

Managers should also consider if it is necessary to allocate a mobile phone on an individual basis or if it may be more appropriate to supply a group or team phone. This is normally applicable where team members meet one of the above criteria but only on an intermittent or irregular basis. Where a mobile phone is allocated for site use eg Glenfield Annexe, this phone must be kept at the place of work and charged for the use of all HBEP staff when contacting parents/ taxis.

- 2.2 There may be occasions when an employee requests that HBEP issue them a mobile phone. To be eligible to be issued with a mobile phone, the employee must demonstrate that one or more of the criteria listed above applies. The manager has the right to refuse such a request if the criteria are not met and any refusal will be explained fully to the individual.

#### USE OF HBEP MOBILE PHONES

- 3.1 Employees who hold mobile phone issued by HBEP are reminded that the mobile phone is company property and ultimate liability for its misuse rests with the user and the company. Calls made or text messages/images sent from the mobile phone are to be treated in the same way as e-mail technology. In other words, employees should not access, store or distribute any offensive or inappropriate (e.g. defamatory or racist) material with the mobile phone. Non-adherence to this rule will carry serious consequences, up to and possibly including dismissal. HBEP staff will not use work phones to access social media apps such as Whats App, Facebook, Twitter, Tik Tok etc.
- 3.2 The number of calls made should be limited to those necessary for effective business.
- 3.3 Staff may be asked to justify monthly bills.
- 3.4 HBEP reserves the right to make the appropriate deductions from payroll for any amounts in excess of the monthly threshold. Staff may be asked to justify specific single call charges.

- 3.5 HBEP mobile phones should not normally be used for text messaging except for business purposes only. Staff may be asked to justify the charges apportioned to text messages on the monthly bill. Staff have access to pupil mobile phone numbers in case of emergency but they should not be receiving direct messages from pupils to a work phone. If this happens, a discussion needs to be held with pupil (and parents if necessary) to explain that this is not appropriate. Parents are able to contact HBEP staff on the given mobile numbers to communicate issues by text or call.
- 3.6 Only incidental personal use is allowed, otherwise there may be benefit in kind implications. HBEP will not accept liability for any benefit in kind implications, such as taxation, which may result from the provision of a company mobile phone.
- 3.7 Extreme care should be exercised when using mobile phones in cars. By law mobile phones can only be used when connected to a "hands free" unit. However if a telephone conversation is becoming protracted, you should stop the car in a safe place and continue the conversation. Using a hand held mobile device while driving, is not allowed by HBEP, as it is considered a serious risk and constitutes an offence under Road Traffic legislation. Remember that employees who are found using a hand held mobile device may receive penalty points on their licence. (See section 4 on mobile phones & driving, and Appendix A for further details).
- 3.8 Mobile phones should be kept charged to ensure that they are fully operational during working hours.
- 3.9 Mobile phones must be kept switched on at all times during working hours and kept in the employee's possession. They are not to be left in the car when the car is unattended and should not be switched off, except when absolutely necessary. While in meetings, mobile phones should be switched to silent tones so as not to disrupt proceedings. HBEP staff will use wireless access when on site to reduce the cost of unnecessary mobile data.
- 3.10 The phone's voicemail messenger function must be activated at all times.
- 3.11 Reasonable care must be taken to prevent accidental damage, loss or theft of mobile telephone equipment. In the event of the theft or loss of a mobile phone, the user must immediately contact the network operator and have the phone disabled. You must also notify the person responsible for issuing mobile phones in the company at the earliest opportunity.
- 3.12 Safeguarding and security: HBEP work phones are provided to enable safe recording of pupil work by photograph or video if required for courses, this should not be done on a personal mobile device. All HBEP phones need to be linked to the work email address as the Apple ID and not to a personal ID such

as icloud. All HBEP work phones need to be passcode enabled so that they cannot be accessed by other users due to the work-related content in emails and text messages.

- 3.13 Failure by an individual to adhere to these procedures may result in action being taken to withdraw the mobile phone facility. Serious or persistent breaches of this policy may result in disciplinary action up to or including dismissal.

## MOBILES PHONES & DRIVING

- 4.1 The provisions of this policy support the new regulations and in order to comply with these requirements the following guidelines should be followed by ALL staff when using mobile phones:
- 4.1.1 The use of HBEP hand held mobile phones whilst driving is prohibited at all times, including during out of office hours. Employees should not make or receive telephone calls or write, read or send text messages or emails whilst driving. This takes vision directly off the road and can cause serious and often fatal accidents.
- 4.1.2 The use of personal hand held mobile phones whilst driving at work is prohibited. Employees are also advised not to use their personal hand held mobile phones whilst driving during out of office hours.
- 4.1.3 Although hands-free equipment is not prohibited by the regulations, a driver can still be prosecuted for using a hands-free device if they fail to have proper control of the vehicle. In addition, a substantial body of research shows that drivers who use hands-free mobile phones whilst driving are distracted by taking part in a phone conversation and are significantly more likely to crash, causing injury or death to themselves or other people. HBEP does not therefore endorse the use of hands free mobile phones, except in the fulfilment of Civil Contingency duties. Employees who choose to use hands free mobile phones, do so at their own risk.
- 4.1.4 Hand-held mobile phones can only be used once the driver has stopped in a safe place and turned off the engine. It is therefore prohibited to use a mobile phone when stopped at traffic lights or when queuing in traffic.
- 4.1.5 If calling a mobile phone, always check that the other person is not driving and it is safe for them talk. If not terminate the call immediately and speak to them later.
- 4.1.6 Staff must not call colleagues if they anticipate they will be driving and line managers must not require their staff to make or receive calls whilst driving.

- 4.1.6 When driving, hand-held mobile phones must be switched to 'silent' and all calls diverted to voicemail or turned 'off'. Alternatively, if your mobile phone does not have this function let it ring and return the call later.

## HEALTH & SAFETY

- 5.1 The Health & Safety at Work Act (1974) places a duty on Redmoor Academy as an employer to ensure, the health, safety and welfare of our employees. This duty of care also extends to all other persons who may be affected by the work we carry out.
- 5.2 To enable Redmoor Academy to fulfil the requirements of the health and safety legislation, employees must abide by the following guidelines whilst at work:
- Mobile phones should not be used whilst carrying out any work activity where safety is important and their use might interfere with their concentration.
  - Mobile phones should not be used where there is a known risk of explosive atmosphere or near sensitive equipment.
  - Mobile phones should not be used in any situation whereby the safety of the individual or those in close contact is put at risk.

## APPENDIX A – THE LEGISLATIVE CONTEXT – MOBILE PHONES & DRIVING

It's illegal to hold and use a phone, sat nav, tablet, or any device that can send or receive data, while driving or riding a motorcycle.

This means you must not use a device in your hand for any reason, whether online or offline.

For example, you must not text, make calls, take photos or videos, or browse the web.

The law still applies to you if you're:

- stopped at traffic lights
- queuing in traffic
- supervising a learner driver
- driving a car that turns off the engine when you stop moving
- holding and using a device that's offline or in flight mode

### Exceptions

You can use a device held in your hand if:

- you need to call 999 or 112 in an emergency and it's unsafe or impractical to stop
- you're [safely parked](#)
- you're making a contactless payment in a vehicle that is not moving, for example at a drive-through restaurant
- you're using the device to park your vehicle remotely

### Using devices hands-free

You can use devices with hands-free access, as long as you do not hold them at any time during usage. Hands-free access means using, for example:

- a Bluetooth headset
- voice command
- a dashboard holder or mat
- a windscreen mount
- a built-in sat nav

The device must not block your view of the road and traffic ahead.

Staying in full control of your vehicle

You must [stay in full control of your vehicle](#) at all times. The [police can stop you](#) if they think you're not in control because you're distracted and you can be prosecuted.

Penalties

You can get 6 penalty points and a £200 fine if you hold and use a phone, sat nav, tablet, or any device that can send and receive data while driving or riding a motorcycle.

You'll also lose your licence if you [passed your driving test in the last 2 years](#).

You can get 3 penalty points if you do not have a full view of the road and traffic ahead or proper control of the vehicle.

You can also be taken to court where you can:

- be [banned from driving or riding](#)
- get a maximum fine of £1,000 (£2,500 if you're driving a lorry or bus)

#### APPENDIX B- Staff consent

- I have read and understand the policy above
- I have been issued with a mobile device by HBEP and consent to following the guidelines in this policy

Signature (digital):

.....

Date:

.....

Please return a signed copy of this policy to HBEP Coordinator