



Mobile Device Policy

ABSTRACT

The Council has an acceptable usage approach to the use of personal mobiles/devices during the working day to make telephone calls, send texts or check social media accounts.

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1 Introduction

1.1 What is the policy about?

The purpose of this policy is to assist in the protection of all data and mobile phones/devices owned and used by employees of Peterlee Town Council. This includes protecting equipment and information from unauthorised or unlawful access, accidental or deliberate loss, damage, theft or destruction. It describes current legislation and also provides Health and Safety guidance relating to the use of such devices.

This document describes eligibility criteria for the issue of a mobile phones/devices and includes safe and acceptable use of mobile phones/devices supplied to employees of the Council. It includes within its scope the acceptable use of mobile phones, smartphones, laptops and tablets.

2 Who does the policy apply to?

This policy applies to all employees of Peterlee Town Council.

2.1 Responsibilities

The responsibility for the appropriate use of mobile phones/devices rests with the designated user. By accepting the mobile phone/device, the user agrees to adhere to the Mobile Device Policy. The assigned user must sign and complete the Mobile Device Acceptance Form available as supporting **document A**. The user is responsible for the security and usage of the device, SIM card and any accessories.

The mobile phone/device must not be passed to another employee, elected member or member of the public for use without prior consent from the line manager.

All mobile phones/devices provided by the Council, respective tariffs, numbers and licences remain the property of the Council at all times. Mobile phones/devices issued by the Council should not be used while working for another employer, an employee's own company or for personal political reasons.

2.2 Legislation

The legislation underpinning this policy is the Health Act 2006 (as amended 2009). Additionally, the Health and Safety at Work etc. Act 1974 informs employers they have a duty of care to their employees.

2.3 Issue of equipment

The need for a Council employee to have a mobile phone/device must be justified by their line manager according to the role and responsibilities of that employee. Mobile phones/devices will be issued by the Council with the intention that they are used for work purposes. A Mobile Device Business Case Form available as supporting **document B** must be completed by the manager and submitted to the Town Clerk for approval before any mobile phone/device can be issued. An agreed standard mobile/device will be issued unless a different device is required. If a different device is required, this must be requested on the Mobile Device Business Case Form with the reasons why.

2.4 Use of Council mobile phones/devices

The Council accepts that the use of mobile phones/devices is an important part of working life and that there are, in certain circumstances, safety benefits in terms of security and communication in emergency situations.

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The sending or receiving of Short Message System (SMS) text messages for the purposes of downloading, or otherwise accessing, ring tones, games, commercial competitions, sports report services and other non-business related activities or applications on Council mobile phones/devices is not permitted.

Users must not use, try to use, or let anyone else use employee Council mobile phones/devices for:

- anything that is illegal or immoral;
- making offensive, threatening or harassing calls;
- use of SMS, multi-media messaging or email to send or receive inappropriate or offensive remarks, graphics or images; or
- use in contravention of Regulation 104 of the Road Vehicles (Construction and Use) Regulations, 1986; i.e. using a mobile phone whilst driving.

Council mobile phones/devices may need to be switched off during meetings, training courses and other work activities. If this is the case and an employee is normally required to be contacted by a mobile phone they should inform their line manager of the fact that they will be unobtainable for the duration of the activity.

Local rules should also be observed in other areas such as where there is a potentially flammable atmosphere or where there is bulk storage of flammable substances. Employees should not use any mobile phones/devices when operating machinery and should observe any department protocols as directed by their line manager.

When visiting public sites, users should be aware of, and respect, local policies regarding the use of mobile phones/devices. For example, it may be necessary to switch such devices off in hospitals, schools and courts.

2.5 Use of personal mobile phones during the working day

The Council has an acceptable usage approach to the use of personal mobiles/devices during the working day to make telephone calls, send texts or check social media accounts. Excessive use of personal mobiles/devices at work can become a distraction and affect productivity. In this case, managers can request employees to restrict their usage. When using a personal mobile device at work the general behaviours expected under the Code of Conduct will be applied, including the use of a camera and recording equipment to record colleagues, customers or visitors.

Employees who do use personal mobile phones/devices during the working day will need to be mindful that if they are working in public facing roles, it does not set a professional and positive image to members of the public. In order to avoid disrupting other colleagues, the following etiquette should be used:

- turn off the ringer and switch off text alert;
- only use the mobile phone/device for important calls; and
- find a private place to take a call such as away from your desk.

2.6 Monitoring and usage monitoring

All council-provided device usage will be monitored by the Finance Accountancy Assistant/Town Clerk and high usage or use outside of the tariff will be reported to the Town Clerk (in the case of the Town Clerk to the Mayor). All calls, texts and data usage from mobile phones/devices are logged and can be traced at any time should misuse of a handset be suspected. The Council recognises that some moderate personal use of council-provided devices is acceptable e.g. texts, phone calls and access to social media accounts. Should this use go over contracted allowances then any excess may be reclaimed from the user. Any personal use of council devices is subject to the general terms of this policy and the Council's Code of Conduct.

2.7 Security

All mobile phones/devices require a phone PIN set by the user when setting up their account on the device for security reasons. Different devices have different security capabilities. Users should familiarise themselves with and use the security facilities on the mobile phones/devices.

The loss of mobile phones/devices that can send, store and retrieve email or access the Council's information systems has potentially serious repercussions for the Council because of the sensitivity of the information that may be stored on them.

Sensitive, confidential, or otherwise valuable information should not be permanently stored on any mobile phones/devices and transferred to a secure network area as soon as possible. Business data should only be stored on a mobile phone/device if there is a genuine business need and should be deleted as soon as that need has ended. This may include emails or texts.

Mobile phones/devices must be kept secure at all times and every reasonable effort should be taken to minimise the opportunity for loss, theft or damage. As soon as it is discovered, losses of mobile phones/devices must be reported directly to your manager where arrangements will be made to disable the device and replace it.

Faulty devices should be reported to Town Clerk as soon as possible and where available, replacements may be supplied.

Unauthorised devices should not be connected to any ICT equipment at the Council including to mobile phones/devices. Only Council issued SIM cards must be used in Council mobile phones/devices.

3 Health and Safety

The Council has a statutory duty to ensure that potential risks from work activities are appropriately assessed and adequate information and instruction is given to all relevant persons to ensure that the use of mobile phones/devices will only be undertaken when it is safe to do so, and in accordance with this policy.

When conducting any risk assessment(s) or developing safe systems of work, line managers should consider the potential effects of a mobile phone/devices on the operation being carried out, for example, is it an essential piece of equipment for communication where an individual is working alone or can it become a hazard when carrying out a specific activity such as driving or when operating heavy machinery.

Mobile telephones/devices may also pose a significant hazard during other work activities. The user should ensure they always follow the manufacturer's instructions as well as workplace rules when using mobile phone/devices.

3.1 Mobile phones and driving

The use of hand held mobile phones while driving at work is prohibited. Under existing law a person may be regarded as 'driving' a vehicle even while the engine is running and the vehicle is stationary such as stopped at traffic lights and queuing in traffic. This applies to all vehicles, including motorcycles. A driver must exercise proper control of their vehicle at all times and not become distracted due to mobile phones/devices and in-vehicle systems. The mobile phone/device should be switched off or switched to voicemail for the duration of the journey.

The only reason any driver is permitted to make a mobile telephone call whilst driving a vehicle is to make a genuine emergency 999 or a 112 call when it would be unsafe/unpractical to stop the vehicle to make that call. Dialling 112 from a mobile phone will access the emergency services in the same way as 999. It will over-ride the need to enter a PIN code, making it possible to use anyone's phone. It will search other networks for a signal and prioritise the call if the network is busy. 112 calls are free of charge.

Even when using 'hands free' equipment a driver can be distracted from what is happening on the road. If an employee must receive a telephone call using 'hands free' equipment when driving, they should tell the person that they are driving and offer to call the person back when they have finished driving or have pulled over. 'Hands-free' equipment will only be supplied in Council owned or hired vehicles after a business case has been submitted by a line manager to the Town Clerk using the Mobile Device Business Case Form available as supporting document B to show that they have considered the risk.

Employees should ensure that their mobile phone/device is switched off at a petrol refuelling station or in the vicinity of any other potentially flammable atmosphere. Mobile phones/devices still transmit signals when switched on even if the user is not making/receiving a call.

3.2 Reducing exposure to radio waves

There have been concerns that the radio waves produced and received by mobile phones/devices might be unsafe. These radio waves are a type of low-energy, non-ionising electromagnetic radiation that includes visible light, ultraviolet (UV), and infrared radiation. Concerns have been expressed that prolonged or frequent exposure to radio waves might increase a person's risk of health problems such as cancer. However, most current research suggests it's unlikely that radio waves from mobile phones or base stations increase the risk of any health problems.

As part of good practice, there are various measures that employees can take to lower their exposure to radio waves produced by mobile phones/devices. These include:

- only making short calls on mobile phones/devices, and avoid using it more than necessary;
- use a hands-free kit to keep the mobile phone/device as far away from your head as possible;
- keep the mobile phone/device away from your body when it is in standby mode;
- only use the mobile phone/device when the reception is strong – this is often indicated by bars of energy on the screen – as weak reception causes the phone to use more energy to communicate with the base station;
- not press the mobile phone/device tight against their ear, leaving a slight gap between the phone and the ear to help reduce the concentration of absorbed energy; and
- when making or receiving an unavoidably lengthy telephone call, change the phone periodically from ear to ear.

3.3 Social media and online participation

The Council recognises the value of social media particularly as a means of building participation and engagement. However, social media must be treated with respect and caution as they can introduce risks to the Council's assets and reputation.

Access to social media at work on any Council ICT device is at the discretion of the Council and must not affect performance or productivity at work. Any misuse of the facility can result in it being withdrawn and potentially disciplinary action.

When using social media, employees must make it clear that the views they express are not those of Peterlee Town Council. This is especially necessary if it appears from the account profile that the employee works for Peterlee Town Council. Employees are personally responsible for any information that they publish. Further information can be obtained from the Council's Code of Conduct available from your manager or cloud storage.

4 Device recycling

On leaving the Council, the mobile phone/device and phone number will remain the property of the Council and will not be transferred to the individual. All mobile phones/devices should be re-used where possible. Managers should ensure all data is wiped from the mobile phone/device before returning to the Town Clerk where it can be passed to another user.

4.1 Supporting documents

The following documents support this policy.

A	Mobile Device Acceptance Form
B	Mobile Device Business Case Form

5 Associated documents

Code of Conduct

6 Confidentiality

All information will be handled sensitively and used only for its proper purpose. Under the Data Protection Act 1998 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

7 Dealing with abuses of the policy

Employees who attempt to abuse this policy may face disciplinary action. The council takes false or misleading accusations very seriously which may result in further action taken through the disciplinary procedure. This will not include ill-founded allegations that were made in good faith.

8 Equality and diversity

Peterlee Town Council is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our aim is to treat people fairly, with respect and dignity. We also aim to comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

9 Contact details

If you would like any further advice or would like the document in an alternative format, please contact the Town Clerk using the contact details below:

Email: clerk@peterlee.gov.uk

Tel: 0191 586 2491