

MOBILE PHONE POLICY

VERSION: 1



Version	By Author	Reason	Reviewed/Modified	Date Ratified
1	HB/CC/TS	New policy to cover H&S, Safeguarding and use of MSN provided mobile phones	February 2021	25/02/2021
1	HB/CC/TS	No changes	December 2021	28/02/2022

This policy applies to all members of the Make Some Noise team including Trustees, members of staff, volunteers and freelance workers contracted to Make Some Noise.

Policy Aim

This policy aims to primarily safeguard the users of Make Some Noise issued mobile phones and to:

- 1 promote the effective use of mobile phone facilities
- 2 ensure all users understand how mobile phones supplied by Make Some Noise should and should not be used
- 3 protect both Make Some Noise and individuals from the possibility of legal action,
- 4 protect Make Some Noise's information technology systems against damage from mobile phones which have email and internet facilities
- 5 show best practice use of personal mobile phones for work use, in conjunction with the Safeguarding Policy and the Data Protection Policy

Monitoring, reporting and review

The Chief Executive Officer will ensure that Make Some Noise monitors the effectiveness of this policy (and appendices). Make Some Noise will present Mobile Phone reports covering number of phones in use, cases of policy breach, outcomes of decisions made and changes made to processes/activities as a consequence of a case to the Board of Trustees quarterly and any subsequent reviews of this policy

Introduction

Make Some Noise recognises its legal duty under the Children Act 1989 and Vulnerable Groups Act 2006 and subsequent legislation to work with other agencies under the relevant local authority safeguarding procedures in order to protect children and other vulnerable people accessing our services from "significant harm" to their health and development.

- Section 1: Use of Make Some Noise issued Mobile Phones
- Section 2: Security issues related to use of Mobile devices
- Section 3: Safeguarding issues related to use of Mobile devices
- Section 4: Mobiles and driving / Health and Safety

Postal address:

c/o 2 Staffordshire Place,
Tipping Street, Stafford, ST16 2DH

Office address:

Eastgate House
Eastgate Street, Stafford, ST16 2NG

01785 278 454
info@make-some-noise.com

make-some-noise.com

makesomenoisewm

SECTION 1: USE OF MAKE SOME NOISE ISSUED MOBILE PHONES

This Section applies to all members of the Make Some Noise team including, staff, , freelance workers and sets out the arrangements and conditions for the use of a mobile phone provided by Make Some Noise for use on Make Some Noise programmes or business.

Who is provided with a mobile device?

A mobile phone will only be provided to an employee or freelancer for Make Some Noise where it is deemed essential for a specific programme and where funding is available.

Who owns the device?

The owner of the device will be Make Some Noise. Make Some Noise reserve the right to carry out an audit of the mobile device at any time – this will include, but not be restricted to, apps on the phone, call and text logs, contact lists etc.

Make Some Noise issued mobiles enable access to Make Some Noise emails whilst away from the office. The ability to access organisational data beyond the physical security of the office using a mobile device provides great flexibility and benefits to the organisation but also introduces new security threats.

The requirements of this and other related Policies should be followed scrupulously.

The mobile phone must be used in a responsible manner and will be monitored in line with the relevant Make Some Noise Policies.

Cost Control measures on Make Some Noise issued mobiles

- Mobile phones are provided with **unlimited texts** and **phone calls** and **9gb data per month**
- Premium rate numbers are barred on all handsets
- Phones have a spending cap so will not be able to go over the 9gb per month and incur additional expense
- Personal calls and text messages are not permitted on Make Some Noise issued mobile devices unless in an emergency where using personal mobiles puts user at greater risk
- Those provided with a Make Some Noise issued mobile device should not diverting calls to either phones, except where dual-sim usage has been permitted by line manager
- You may not take your phone with you on annual leave. Your phone can, with the agreement by Head of Operations & Programmes, be handed to another member of the freelance team to ensure continuation of cover for the project whilst you are unavailable
- Users should not request callers to contact them on their Make Some Noise issued mobile device when travelling abroad
- Users should not allow usage of their mobile device by any other person except in an emergency where using personal mobiles puts user at greater risk
- Mobile phone bills will be monitored to identify any unusual or non-business-related calls. Where inappropriate use is identified this will be discussed and action may be taken against those abusing phone use (for Make Some Noise employees this could be

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disciplinary action and Freelance workers may be invoiced for the additional costs or have the additional costs deducted from payments for sessions

- Only agreed social media and other apps may be downloaded. Permission should be sought from line manager before anything new is downloaded.
- No apps should be downloaded if they incur a cost
- Users may change ring tones, background colours, wallpapers etc ensuring they do not breach any other Make Some Noise policy
- Users must not change any of the other settings on the device.

Loss of mobile devices and accessories

All users are responsible for their mobile device and should take good care of the device and accessories to avoid any damage, loss or theft. In the event that a user requires a replacement due to loss or damage then they **may be liable for the cost** of its replacement if it is considered they have been negligent in its upkeep. Subsequent repeated losses will be viewed very seriously and may result in disciplinary action.

Loss or theft of a device should be reported within 24 hours to your line manager.

Health and Safety Issues

The handsets provided by Virgin Mobile are warranted by the equipment manufacturers to comply fully with the relevant health and safety regulations.

Mobiles and accessories, which are damaged or worn out, should be returned to Make Some Noise to be disposed of using environmentally sound recycling and GDPR compliant disposal methods.

Music downloads

Users must ensure that where they download or transfer music onto a mobile device which has been issued by Make Some Noise that they ensure that this does not breach relevant copyright rules.

Return of mobile device

All mobiles are the property of Make Some Noise who are responsible to Virgin Mobile for all equipment costs. All equipment must be returned to Make Some Noise when an employee leaves the organisation, a freelancer is no longer contracted to a programme for which the phone was issued, or if requested to do so by Make Some Noise for any other reason. Failure to return the device may result in Make Some Noise seeking to recoup the costs of the device.

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SECTION 2: SECURITY ISSUES RELATED TO USE OF MOBILE DEVICES

This Section applies to all members of the Make Some Noise team including Trustees, staff, volunteers and freelance workers using a Mobile phone on Make Some Noise business or programmes. It applies to both personal and Make Some Noise provided devices.

Security

The use of mobile/smartphones in Make Some Noise work and programmes provides a great many advantages but also safeguarding risks.

To eliminate the risk of a security breach the following conditions of use must be adhered to at all times.

Users should:

- familiarise themselves with all Make Some Policies that may relate to use of a mobile phone (in particular the social media section of the Safeguarding Policy and Data Protection Policy)
- ensure that the mobile phone is locked at all times when not in use using a PIN number (the use of pattern lock is not permitted)
- make sure they know where the mobile device is at all times
- at all times and at all locations, when using the mobile device on Make Some Noise business, adhere to the relevant Make Some Noise Policies
- In the event of loss\theft of a phone that has confidential\restricted information on it (e.g. carer/participant contacts, photographs etc of service users) users need to contact your line manager
- only be purchased/use additional memory cards with line manager authority
- ensure the confidentiality of all Make Some Noise related digital data, including emails, messages and contact details

Users should not:

- leave the mobile device unattended or unsecured at any time
- share the mobile device password with anyone else, including family members
- allow anyone else to use the mobile device, including family members
- write down the password to the device
- access personal information, data or correspondence if anybody else can see the mobile device screen
- make any changes to the firmware on the handset including software downloads without prior permission from Make Some Noise
- Failure to abide by all the above may result in action being taken (for Make Some Noise employees this could be disciplinary action and Freelance workers may be subject to removal of phone, withdrawal of existing contract)

Internet Access

- Where access to the internet is necessary users are still subject to the relevant Make Some Noise Policies

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- Make Some Noise reserve the right to view internet service provider mobile logs as part of its ongoing information security management.
- Internet access should be relevant to project work only

What you are allowed to do with the mobile device provided by Make Some Noise

- Communicate with service users by text, email and phone call as directed by line manager
Communicate with service users through authorised social media / telecommunication channels as directed by line manager

Authorised Apps

Zoom

Whatsapp – Make Some Noise Work and Project Groups only (do not use to contact service users)

Outlook

Facebook – Make Some Noise Profile Account Only

Facebook Messenger Make Some Noise Profile Account Only

Citrix Workspace

Microsoft Free Apps for viewing documents

Adobe Acrobat Reader

Dropbox – free Make Some Noise Profile Account only

Google Drive – free Make Some Noise Profile Account only

Spotify – free Make Some Noise Profile Account only

Instagram – Make Some Noise Profile Account only

Twitter – Make Some Noise Profile Account only

SECTION 3: SAFEGUARDING ISSUES RELATED TO USE OF MOBILE DEVICES

Mobile phones, email and social networking

Members of Make Some Noise team should only possess mobile phone numbers and/or email addresses for children and young people with the knowledge and permission of the parent/carers.

Should it be necessary to contact a participant on their own personal mobile, then this should be only for professional purposes e.g. – to make a single call to make last minute changes to workshops

It is NOT acceptable to make multiple calls or send numerous messages to pupils or to make calls/send messages that are unconnected with professional duties. Similarly, team members should only give their phone numbers/email addresses to children and young people with the knowledge and permission of the pupil's parent/carers. Any necessary contact in respect of making arrangements (for workshops, performances etc) should normally be with the parent/carers.

Other policies and must be adhered to regarding how approval for data is confirmed (Safeguarding Policy) and how long sensitive data can be held for (Data Protection Policy).

It is understood that establishing any social media platforms to publicise, document, celebrate and administer a project may be beneficial. It is however expressly forbidden for a team member to use their Make Some Noise issued mobile device or a freelance worker using their personal phone to exchange private messages with children, young people and vulnerable adults via social networking sites, or messaging services such as Facebook Messenger, Snapchat or WhatsApp. Where a child, young person or vulnerable adult initiates such contact the team member must inform them that they are prohibited from corresponding privately and therefore must disclose this to line manager. All communication with children, young people and vulnerable adults must be open to multiple members of the Make Some Noise office team.

For the purpose of transparency, accountability and personal safety any use of social networking to support a project must be authorised by the Safeguarding Officer(s). Any such authorisation must be documented.

All Make Some Noise team members should be aware that the new offence of "grooming" has been in force since 1 May 2004

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SECTION 4: MOBILES AND DRIVING / HEALTH AND SAFETY

It is illegal to hold a phone or sat nav while driving or riding a motorcycle. You must have hands-free access, such as:

- 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. 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.

The law still applies to you if you're:

- stopped at traffic lights
- queuing in traffic
- supervising a learner driver.

You can only use a hand-held phone legally if either of these apply:

- you are safely parked
- you need to call 999 or 112 in an emergency and it's unsafe or impractical to stop.

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- **Mobile phone will include the use of similar hand-held device**
- **Driving will include riding a motor cycle.**

Purpose and Scope

It has always been the company's policy that employees are prohibited from making or receiving calls whilst driving on Company Business and as part of our overall Health and Safety policy we are committed to reducing the risks which our employees face and create when driving for work purposes. Include freelancers etc (particularly where MSN mobile provided)

We have been reviewing best practice with regard to safe driving practices and a substantial body of research compiled by ROSPA shows that using a hand-held or hands-free mobile phone while driving is a significant distraction, and substantially increases the risk of the driver crashing. Drivers who use mobile phones, whether hand-held or hands-free:

- are much less aware of what's happening on the road around them
- fail to see road signs
- fail to maintain proper lane position and steady speed
- are more likely to tailgate the vehicle in front

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- react more slowly and take longer to brake
- are more likely to enter unsafe gaps in traffic
- feel more stress and frustration.

Research indicates that these drivers are four times more likely to be involved in an accident. In the event of an accident, a driver could be charged for “failing to have proper control of their vehicle” and could be fined, banned or face a custodial sentence depending on the circumstances.

As stated as part of our overall Health and Safety practice, we are committed to reducing the risk which our team members face and therefore with our duty of care in mind our policy is now a complete ban on the use of mobile phones whilst driving. Safe practice suggests you wait until you have parked in a safe place and then deal with your phone calls and voice mails whilst you are stationary.

Team members driving for work must never make or receive calls, send or read texts or emails or otherwise use a mobile phone, whether hand-held or hands-free while driving. Persistent failure to comply with this will be regarded as a serious matter which may lead to disciplinary action being taken up to and including dismissal.

Responsibilities:

Senior Managers must:

Lead by example, both in the way they personally drive and by not tolerating poor driving practice amongst colleagues. They must never make or receive a call on a mobile while driving or read or send texts or emails.

Line Managers must ensure:

- They also lead by personal example
- They do not expect team members to answer or make calls when they are driving
- Team members understand their responsibilities not to use a hand-held or hands-free mobile phone while driving
- Team members switch phones to voicemail (or Customer Services for those working in the field) or switch them off, while driving, or ask a passenger to use the phone
- Team members plan journeys to include rest stops which also provide opportunities to check messages and return/make calls
- Work practices do not pressurise team members to use a mobile phone while driving
- Compliance with the mobile phone policy is included in team meetings, field accompaniments, PMP reviews and periodic checks are conducted to ensure that the policy is being followed
- They follow our monitoring, reporting and investigation procedures to help learn lessons which could help improve our future road safety performance
- They challenge unsafe attitudes and behaviours, encourage team members to drive safely, and lead by personal example by never themselves using a phone when driving.

Team Members must:

- Never use a hands-held or hands-free phone while driving
- Plan journeys so they include rest stops when messages can be checked, and calls returned
- Ensure their phone is switched off and can take messages (or divert to Customer Services) while they are driving or allow a passenger to use the phone
- Do not create, read, or send SMS text messages whilst driving
- Co-operate with monitoring, reporting and investigation procedures.

The Law

Employers will be open to prosecution if:

- They cause or permit an employee to drive while using a phone or to not have proper control of the vehicle
- They require an employee to make/receive calls whilst driving
- An employee drives dangerously because they are using a phone installed by the employer whether hand-held or hands-free.

Team Members should be aware that under the road Traffic Act 1988 and the Construction and Use Regulations 1986, drivers must have proper control of their vehicles at all times. Drivers can be prosecuted for careless, inconsiderate or dangerous driving, if using a phone causes them to drive this way. Potential penalties include unlimited fines, disqualification, and up to 10 years imprisonment.

Exemptions

Calls can be made to 999 or 112 in a genuine emergency, provided stopping is unsafe or impractical.

Sat Navs and Other Distractions

It is not a specific offence to use the controls on a sat-nav while driving. However, if this causes bad driving, or leads to an accident, a driver can be prosecuted for a number of offences. This is also the case for a wide range of other in-car distractions. Please therefore ensure you are not distracted by using your Sat Nav, changing CDs, radio channels etc

Use of handsets while driving

Unless a specific risk assessment has been undertaken no driver on Make Some Noise business shall use a mobile phone (even if it is equipped with a hands free kit or has Bluetooth capability) or other similar hand held device whilst driving or if the vehicle is stationary in a traffic jam or at traffic lights for example. Failure to abide by this may result in disciplinary action being taken.

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RELEVANT LEGISLATION

- Children Act 1989
- Vulnerable Groups Act 2006
- Data Protection Act 1988
- General Data Protection Regulations (GDPR) May 2018

FORMS REFERRED TO IN THIS POLICY

- None

LINKED POLICIES

- IT & Internet
- Data Protection
- Safeguarding
- Health & Safety
- Social Media use

FURTHER INFORMATION

- Refer to www.gov.uk/using-mobile-phones-when-driving-the-law
- For any mobile related query please contact your line manager.