



Safety & Wellbeing Guidance Document

GD 7 – Mobile Phones

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INTRODUCTION

The Council has statutory obligations under the Health and Safety at Work Act and associated Regulations to ensure the health, safety and welfare of its staff and others. This document outlines the responsibilities and the operational procedures in place to demonstrate compliance with this legislation where members of staff use a mobile phone for work purposes. This document supports the standards outlined in AS33 – “Use of Mobile Phones, or similar”

USE OF MOBILES FOR WORK PURPOSES

Staff should not use a mobile phone in any public area where the use is prohibited e.g. petrol stations. As mobile phones transmit radio waves there is some potential for them to interfere with medical equipment. This situation may arise within certain areas of a nursing or hospital building.

When using a mobile phone, members of staff need to consider the following principles of safety, sensitivity, confidentiality and appropriateness:

- It should be possible to make the call without affecting the safety of yourself and others around you, or their clinical care.
- Try to keep mobile calls brief.
- Personal calls should be made during breaks or in exceptional circumstances.
- If the call is being made in a public place, consider the content and language used during the conversation.

In some cases staff may need to use a phone to record an image / photo for work purposes (i.e. a building repair or the investigation of a criminal offence). If the image does not identify any clients/service users, then there is no need to obtain consent. However, if a service user or member of staff is identifiable in the image then their consent should be sought. The inappropriate use of mobile phones could contravene the Data Protection Act and employees should therefore exercise caution when using a camera phone and ensure they have given prior notification to the head of establishment explaining the justification for the image.

Using any item of equipment that requires a degree of mental focus will distract the user from activities taking place around them. This can put mobile phone users at risk and is one reason for keeping calls brief. In some circumstances it may be appropriate to create a “safe zone” within a workplace where mobile phone use can take place. Such zones would be established in areas away from areas of risk and be visible to others working in the vicinity.

Any mobile phone chargers used within Council establishment will need periodic inspection in line with the guidance given in GD9 – Electrical Testing or Portable Equipment and Fixed Systems.

Use of Mobiles Whilst Driving

While this guidance talks about mobile phones the regulations relating the use of mobile phones whilst driving also cover the use of any similar device which “is or must be held at some point during the course of making or receiving a call or performing any other interactive communication function”. Examples could include sending or receiving written or spoken messages, still images or providing access to the Internet and could include the use of Personal Digital Assistants (PDA) if hand held.

When driving a vehicle on Council business then the following applies:

1. Employees are expressly prohibited from using/answering a hand held mobile phone while driving on duty. This includes answering or making calls when the vehicle is stopped at traffic lights or during traffic jams. For the avoidance of doubt, this prohibition applies to calls made using any hand held mobile phone device while travelling to or from work locations in the course of employment.
2. If at all possible, before setting off on a journey, ensure that calls are directed to a voice mail system or the phone is switched off.
3. As a general rule, where it is feasible, mobile phones of any kind should only be used when a vehicle is safely parked and the engine switched off.
4. While the use of hands free kits is not prohibited by the new regulations, the Highway Code advises that using hands free equipment is likely to distract attention from the road. The Council does not wish to put employees in a position where distraction may cause accidents. Accordingly the use of hands free mechanisms for making or receiving calls on Council business is discouraged. If calls are made or received particular care should be taken and all such calls should be kept as brief as possible. Consideration should be given to using voice activated equipment. The decision to install hands free equipment should only be taken once a risk assessment has been undertaken.
5. Mobile phones may be used for calls to 999 in genuine emergencies where it is unsafe or impractical to stop, although there are unlikely to be many situations where this is the case.
6. The use of mobile phones by passengers in vehicles is allowed.
7. While unlikely to apply within North Lanarkshire Council, it should be noted that anyone supervising a learner driver is not permitted to use a hand held mobile phone while doing so.
8. The use of 2-way radio equipment (unless it can also be used as a phone) when driving is not included in the regulations but it should be remembered that such use could be regarded as a distraction and as such could lead to prosecution for careless or dangerous driving. If the 2-way radio is a dual or multi purpose device that can be used both as a mobile phone and a 2-way radio, the guidance in this note on mobile phones applies.

Working around Mobile Phone Masts

A number of Council buildings have been used as sites for mobile phone towers, the strength of the signals emitted by such equipment can be high in the immediate vicinity of the mast. Accordingly there will be a need to use strict controls and a permit to work process.