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| **Sample Policy on** **Mobile Phone Use** |
| Policy & GuidanceVERSION 1: 6th March 2020 |
| This sample policy should be seen in the context of the promotion of health, safety and welfare of all workers and is intended to prevent problems associated with distraction of individuals at work due to mobile phone usage.The policy applies equally across the organisation at all levels to ensure the safety, health and welfare of individuals, colleagues, the public and the overall place of work. |
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| Policy on Mobile Phone Use |
| INTRODUCTORY GUIDANCE NOTE |

This sample policy document is provided as a template for CIF members to adopt should they wish to do so. The information provided serves as a guide as to what should be included in a workplace mobile phone policy. No two companies are the same, therefore requirements will differ depending on the needs of the company and/or client and/or contractor(s). Additional section(s) may be added or removed as deemed appropriate.

The Construction Industry Federation (CIF) accepts no responsibility for and provides no guarantees, undertakings or warranties concerning the accuracy or completeness of the information provided and does not accept any liability whatsoever arising from any errors or omissions. If you require professional or legal advice you should consult a suitably qualified person.

Where ***red text*** is provided, Company may adopt the red text or alternatively remove the red text from the final revision and replace with its own text.

**Note:** *Company should delete this Introductory Guidance Note from the final draft of the Policy Document.*

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| Policy on Mobile Phone Use |
| SECTION 0 - CONTENTS |

Contents

[INTRODUCTORY GUIDANCE NOTE 1](file:///H%3A%5C09_H%26S%5C9.27_Mobile%20Phone%20Policy%5CCIF%20Policy%20Template_Mobile%20Phone%20Use_DRAFT_27.01.2020.docx#_Toc31026183)

[SECTION 0 - CONTENTS 2](file:///H%3A%5C09_H%26S%5C9.27_Mobile%20Phone%20Policy%5CCIF%20Policy%20Template_Mobile%20Phone%20Use_DRAFT_27.01.2020.docx#_Toc31026184)

[SECTION 1 - POLICY 3](file:///H%3A%5C09_H%26S%5C9.27_Mobile%20Phone%20Policy%5CCIF%20Policy%20Template_Mobile%20Phone%20Use_DRAFT_27.01.2020.docx#_Toc31026185)

[1.0 General Statement / Declaration 3](#_Toc31026186)

[2.0 Scope of this Policy 4](#_Toc31026187)

[2.1 Exceptions to this Policy 4](#_Toc31026188)

[3.0 Hazards & Associated Controls for Mobile Phone Use 5](#_Toc31026189)

[3.1 Hazards 5](#_Toc31026190)

[3.2 Control Measures 6](#_Toc31026191)

[4.0 Responsibilities for this Policy 7](#_Toc31026192)

[4.1 Employers Responsibilities 7](#_Toc31026193)

[4.2 Employees Responsibility 7](#_Toc31026194)

[*4.2.1* *Personal Mobile Phones* 7](#_Toc31026195)

[*4.2.2* *Company Issued Mobile Phones* 8](#_Toc31026196)

[5.0 Mobile Phone Use 9](#_Toc31026197)

[5.1 Mobile Phone Use on a Construction Site 9](#_Toc31026198)

[5.2 Mobile Phone Use When Driving 9](#_Toc31026199)

[5.3 Inappropriate Use of Mobile Phones 9](#_Toc31026200)

[6.0 Breaches of this Policy 10](#_Toc31026201)

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| Policy on Mobile Phone Use |
| SECTION 1 - POLICY |

## 1.0 General Statement / Declaration

This organisation, *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* (insert Company’s Name) considers its employees as its most valuable resource and is committed to providing a safe and healthy workplace for all workers under their direction. Therefore, this policy should be seen in the context of the promotion of health, safety and welfare of all workers.

Mobile phones, while offering many advantages for communication and for specific work tasks, may also present a significant safety hazard, particularly if they are used during safety critical operations such as driving, operation of plant or machinery, working at height or working in heavily trafficked areas.

Research indicates that driver distraction is one of the major causal factors in road traffic collisions, the use of mobile phones being a particular risk. Reading and composing text messages or dialling phone numbers forces individuals to divert their eyes and minds from other tasks, whether at work or driving. This distraction could place an individual at risk of harm.

The inappropriate use of mobile phone devices could expose employees and the employing organisation to risks including, theft, disclosure of information, disruption of services, fraud or litigation. The purpose of this policy is to define acceptable, safe and secure standards for the use and management of mobile phone devices whilst at work.

This organisation aims to contribute to a safe, healthy and productive work environment by:

* Restricting the use of mobile phones on construction sites during working hours;
* Issuing mobile phones to persons undertaking particular roles or tasks;
* Providing clear guidance on appropriate use of mobile phones at work.

I hereby declare that I shall abide by the conditions outlined in *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* *(insert Company’s Name)* policy on mobile phone use.

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| --- | --- |
| *Signed by:* |  |
| *Individual’s Name:* |  |
| *Company’s Name:* |  |
| *Date:* | \_ |

## 2.0 Scope of this Policy

The purpose of this policy is to provide clear directions to employees and management staff of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (insert Company’s Name) by providing a readily available reference document outlining the company’s policy on mobile phone use. The policy applies equally across the organisation at all levels to ensure:

1. The health and wellness of individuals, and
2. The safety, health and welfare of colleagues, the public and the overall place of work.

The place of work may be considered as the company’s registered premise, attributed worksites, plant equipment/machinery, company cars or travelling for work or at any time where the employee is being paid by the organisation.

In the context of this Policy, the term ‘mobile phones’ includes any mobile phone or electronic device capable of remote communication, such as a cellular phone, smart phone, personal digital assistance (PDA) or portable tablet/iPad.

### 2.1 Exceptions to this Policy

All persons are subject to this policy. However, certain positions who are required to be contactable by Company Management, suppliers or others in fulfilment of their duties on site may carry with them a mobile phone and may operate under conditions outlined herein; these roles are limited to the following:

* Persons engaged as either Designer, Project Supervisor, Supervisor, Foreman, Charge-hand, Safety Advisor, Safety Representative, Site Security, Logistics.
* Company Management.
* Those who are required to be contactable in the event of an emergency such as members of Emergency Response Teams and Nominated First Aid Responders.
* Lone or remote workers, where a mobile phone constitutes a nominated part of their personal protective equipment (ppe).

These individuals will ensure that calls are kept to a minimum whilst on site and will employ the ‘Place of Safety Protocol’, as explained in Section 3.2.

For clarity, arrangements for various roles in construction are summarised in the following table.

|  |  |  |  |
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| Category of Employment | * Site Worker
* Craftsperson
* Cleaning Crew
* Contractors
 | * Site Supervision
* Management
* Health & Safety
* Engineer
* Designer
* Foreman
* Security
* Logistics
 | * Driving for Work
* Operators of Plant, Equipment & Machinery
* Deliveries & Collections
 |
| Site Rules | Mobile phones must be switched off or turned to silent/vibrate mode during working hours. Phones may only be used during rest or break periods in welfare facilities, in car parks or at an ‘agreed mobile phone answering point’. | These individuals will ensure that calls are kept to a minimum whilst on site and will employ the ‘Place of Safety Protocol’ to ensure safe use of phones. Phones must not be used whilst operating Plant Equipment or Machinery. | Operators of Mobile Plant Equipment, Vehicles or Machinery must not utilise their mobile phone when operating equipment. Where practicable, turn-off equipment and relocate to an ‘agreed mobile phone answering point’ for mobile phone use in a safe zone.  |

## 3.0 Hazards & Associated Controls for Mobile Phone Use

### 3.1 Hazards

When we think of hazards associated with mobile phone use, we consider the following:

* **Potential for accidents/incidents at work**

A person using a mobile phone, whether reading/writing text messages or verbally communicating with others is not fully aware of movements in their surroundings and may be at higher risk of danger from site activities such as moving plant equipment or transporting loads. Persons working on site may be in a position of danger (for example: working at height, working on live equipment, using power tools, etc.) when someone attempts to contact them; this may place that individual at risk as a direct result of distraction.

* **Potential for accidents/incidents when driving for work**

Research indicates that driver distraction is one of the major causal factors in road traffic collisions; an employee glancing down to read a text message may accidentally run over another employee or collide with another vehicle or obstacle. Mobile phone must not be operated when driving. If a driver needs to take a phone call, he/she shall either utilise an integrated hands-free driving kit or stop the vehicle/machinery in a safe zone and take the call.

* **Loss of data or violation of the GDPR**

The use of mobile phones in the workplace may threaten a violation of privacy rights, where phones are utilised for non-work-related activities such as taking photographs for personal purpose and/or sharing on social media. An employee could unintentionally violate another employee’s privacy rights under the General Data Protection Regulations (GDPR) by sharing their image or by making references to that person.

* **Loss of productivity**

Mobile phones offer a variety of functions, which enable persons to not only make and receive calls, text messages but also to take send emails, take photographs, surf the internet, play music, access online apps and to play downloaded games. Such activities if not work-related are ultimately distractions from work and should only occur outside of scheduled working hours (e.g. during breaks).

### Control Measures

Except for drivers, all persons authorised to operate a mobile phone at work shall adopt the ‘Place of Safety Protocol’, which is as follows:

* Stand on the ground, turn around to scan your surroundings and (assuming it is safe to do so), face the most immediate recognised danger;
* Answer or make a phone call, whilst scanning your surroundings for any potential hazards to your personal safety and welfare;
* Do not walk or continue to work whilst on the phone;
* Once the call is completed, lock the phone and place in a safe place before continuing your work.

Furthermore, the organisation may choose to provide an ‘agreed mobile phone answering point’. The agreed mobile phone answering point will be selected by the Supervisor/Foreman and communicated at site induction or by toolbox talk. At this location, workers may make and accept infrequent calls of a limited time duration. Any changes to the assigned location would be promptly notified to site personnel.

## 4.0 Responsibilities for this Policy

### 4.1 Employers Responsibilities

It is the responsibility of all employees/sub-contractors to ensure the safety and well-being of all employees/sub-contractors and the public by ensuring that they follow this mobile phone use policy.

The overall responsibility for implementing the policy on behalf of this organisation (insert Company’s Name) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (insert Name & Position of Employment – e.g. Joe Bloggs, Chief Executive/Managing Director/Employer).

All site managers and those in supervisory positions are responsible for implementation of this policy.

### 4.2 Employees Responsibility

All employees must co-operate with supervisory staff and company management on health, safety and welfare matters, to ensure a full and proper implementation of this policy. If an individual has an issue with the terms and conditions of this policy, these should be addressed to their immediate line manager/supervisor.

### *4.2.1 Personal Mobile Phones*

Personal mobile phones may only be used for work purposes where this has been agreed between the individual and their line manager/supervisor. Where there is no requirement for to make calls or to be contacted during work, then the use of personal mobiles will be restricted to breaks and for personal emergencies. Individuals requiring short-term access to their mobile phone during a defined period (for personal, medical or other reasons) must seek written consent from their line manager/supervisor to operate a mobile phone in the workplace during work hours. Consent will be at the discretion of the line manager/supervisor.

Individuals must take personal responsibility for their mobile phone use and adhere to the following non-exhaustive list of rules:

* Employees should seek authorisation where they need to be contactable for personal reasons;
* Adopt the Place of Safety Protocol, as explained in Section 3.2.
* All mobile phone users are expected to use their devices at work in a manner that is lawful, ethical and efficient.
* Mobile phone devices equipped with cameras must not be used inappropriately or interfere with the privacy of others. Users must not take or distribute photographs, videos or recordings of any type using mobile phone devices, unless the content and use have been approved in advance by the user’s supervisor.
* The organisation will not accept any responsibility or liability for a mobile phone that is either lost, stolen or damaged at work or during work time.

### 4.2.2 Company Issued Mobile Phones

Where an employee is issued with a mobile by the employing organisation, that individual shall adhere to the requirements outlined in Section 4.2.1 plus the following supplementary measures:

* Mobile phones issued by the employer are to be used primarily for work-related purposes. Occasional and limited personal use may be permitted, provided that associated charges are minimal. The employer is entitled to seek reimbursement of costs associated with personal call charges where these are deemed to be excessive or outside of the scope of agreed costs or package entitlements.
* The employer reserves the right to withdraw a mobile phone device allocated to an individual where it believes the employee is not complying with this policy.
* Users must make every effort to ensure that their issued mobile phone is always maintained secure, for example, protected by a Personal Identification Number (PIN).
* Users must take all reasonable steps to prevent damage or loss to their mobile phone device. This includes not leaving it in view in an unattended vehicle and storing it securely when not in use. The user may be held responsible for any loss or damage to the mobile phone device, if it is found that reasonable precautions were not taken
* Any loss or damage of mobile phone and/or mobile data must be reported immediately to the employer.
* Employees issued with mobile phone are only permitted to download or utilise software that has an appropriate license and has been purchased and/or approved by the employer for use on an issued mobile phone device.
* In view of the need to observe confidentiality always, users must be vigilant when using their issued mobile phone device in public places in order to avoid unwittingly disclosing sensitive personal, company or client information.
* Where a mobile phone is provided (by the employer) to employees to fulfil the requirements of their role, the mobile phone and any equipment or accessories supplied, remain the property of the employer and must be returned to the employer on the last day of employment. Mobile phones issued to an employee must not be transferred to another person without the prior authorisation of the employer.
* The employer reserves the right to monitor, intercept and review activities using IT resources and communications systems, including but not limited to social media postings and activities, to the extent reasonably required to ensure that rules are being adhered to.
* Mobile phone devices equipped with cameras must not be used inappropriately. Users must not take or distribute photographs, videos or recordings of any type using work provided mobile phone devices, unless the content and use have been approved in advance by the user’s line manager/supervisor.

## 5.0 Mobile Phone Use

### 5.1 Mobile Phone Use on a Construction Site

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (insert Company’s Name) recognises that emergencies may occur occasionally, and persons may be required to be contacted quickly by family and friends.

To ensure the safety of employees and that of others, individuals must ensure their phone is switched to silent / vibrate during working hours; when contacted, proceed to the agreed mobile phone answering point before taking a call. The agreed mobile phone answering point will be selected by the Supervisor/Foreman/Manager and communicated at site induction, and by toolbox talk where any changes occur to location. At this location, workers may make and accept infrequent calls of a limited time duration. Mobile phones can be used during breaks and lunch time periods, provided it is safe and reasonable to do so, in accordance with the conditions outlined in this policy.

### 5.2 Mobile Phone Use When Driving

Careful driving is the responsibility of every individual in control of a vehicle or mobile plant equipment. Reading and composing text messages or dialling phone numbers forces drivers to divert their eyes and minds from the task of driving.

In the interest of public and personal safety, the use of mobile phone devices within a vehicle must be in accordance with the relevant legislation. The Road Traffic Act 2006, as amended, makes it an offence for a driver of a vehicle to hold a mobile phone in their hand or support it with another part of the body, for example between their head and shoulder, when driving. It is also illegal to text while driving. Drivers are advised to be aware of all potential distractions, and not only those prohibited by law.

You can only use your mobile when you’re driving a mechanically propelled vehicle for contacting the emergency services or for acting in response to a genuine emergency. Otherwise, employees are only allowed to answer or to make calls if they are stopped or using an appropriate hands-free kit, and it is safe and reasonable for them to do so.

### 5.3 Inappropriate Use of Mobile Phones

Social media (for example, Facebook, Instagram, LinkedIn, Twitter, Wikipedia and all other social networking sites) should never be used in a way that breaches any of the Company’s rules or other policies. For example, you are prohibited from using social media to:

* Breach any obligations you may have relating to confidentiality;
* Defame or disparage the employing organisation, its associates, suppliers, managers, other employees or clients;
* Harass or bully other employees in any way;
* Breach data protection and privacy obligations;
* Breach any other laws or ethical standards.

Additionally, the employing organisation’s internet and email should not be used in the following circumstances:

* + To represent yourself as someone else;
	+ To post or download messages that contain political view;
	+ To post or download messages that contain inappropriate, obscene, inflammatory, intimidatory, harassing, defamatory, disruptive or otherwise offensive language and anything that will reflect poorly on the employer’s name and professional reputation;
	+ To advertise or otherwise support unauthorised or illegal activities;
	+ To provide lists or information about the employing company employees to others and/or to send classified information without approval;
	+ When it interferes with job responsibilities. This includes spending unreasonable and unwarranted time on the internet or on email activities.

## 6.0 Breaches of this Policy

These safety measures have been put in place to ensure that the safest possible working environment is maintained. Non-compliance with measures outlined in this policy may result in disciplinary action on the part of the employer. Breaches relating to driving and confidentiality may be treated as cases of gross misconduct.