



Policies
Procedures &
Guidelines

Mobile Device Policy

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Document Controls

Version Control

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Supersedes	Mobile Phone Policy
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Supporting Procedure	
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Lead Executive	Tracey Easton
Author/Lead Manager	Urszula Niewiadomska

Implementation

Target audience	All staff
Implementation plan in place?	Yes
Tools for dissemination	Email, Intranet, Trust Brief, IG Training
Date of dissemination	TBD

Monitoring

Monitoring method	Audits, spot checks
Frequency	Ongoing
Responsibility	Mobile support team/individuals/ managers
Reporting	Informatics team

Equalities Impact Assessment Screening Grid

Note: See equalities impact assessment guidance notes on organisation website at www.lewishamorganisation.nhs.uk/eia before completion.

Equality Group	Assessment of Impact
Race	None
Disability	Devices will comply with individual requirements under Health and Safety
Gender	None
Age	None
Sexual Orientation	None
Religion or belief	None
Deprivation	None
Dignity and Human Rights	None

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Mobile Device Policy

This policy is applicable to Lewisham PCT (here on referred to as organisation). Lewisham PCT encompasses and includes NHS Lewisham and Lewisham Community Health Services the staff who work for these organisations whether in a permanent, part time, secondment, contract or voluntary basis.

1. Policy Statement

- 1.1. The organisation recognises that some areas of employment require the post holders to carry a mobile device [i.e. smartphone; blackberry; PDA; data card, mobile computing device etc] in the performance of their duties. This policy is designed to support staff and provide them with the guidance around how to apply for, use and return these devices to the organisation.
- 1.2. This policy has been produced to allow the organisation to derive the benefits of increased efficiency through the use of mobile systems whilst ensuring the protection of its assets, integrity of the data, employee rights, Health and Safety as well as Information Governance and legal requirements.
- 1.3. It is the responsibility of all users to read and understand this policy and to sign the attached agreement (see **14Appendix 1 – Mobile Device Agreement**) prior to receiving a mobile device.

2. Scope

- 2.1. This policy applies to all users of mobile devices (whether personal or corporate) when used in connection with the organisation's business.
- 2.2. All users must agree to adhere to this policy before a corporate mobile device is provided or before using a personal mobile device in conjunction with the organisation's business.

3. Corporate mobile device suppliers

- 3.1. Vodafone Retail Ltd is the current supplier of mobile phones for use by the organisation.
- 3.2. Devices have to be obtained from the organisations Informatics team.
- 3.3. For the current primary contact regarding obtaining devices please see **Appendix 2 – Mobile Device Request Form**.

4. Purchase and costs

- 4.1. The purchase of mobile devices will be carried out in compliance with the organisation's purchasing policy.
- 4.2. Purchase of mobile devices can only be done through the Informatics team.
- 4.3. Mobile devices purchased by the organisation are to be used for legitimate business purposes only.
- 4.4. Budget holders and managers have the authority to approve the procurement and use of mobile devices, they must sign the bottom of Mobile Device Request Form and provide the cost code to demonstrate approval. The Director of Finance has the right to veto any such request.
- 4.5. A Mobile Device Request Form (see Appendix 2) must be completed in all cases and should be forwarded to the employees Line Manager, in the first instance, to sign and then the informatics team to action.
- 4.6. It is the responsibility of each Budget Holder to ensure that adequate provision is made in the annual estimates to cover the cost of all line and call charges relating to mobile devices issued within their departments. The current costs can be obtained from the informatics team contact.
- 4.7. All costs for the purchase of mobile devices will be charged to the appropriate departmental budget code. (the purchase and use of blackberry devices is no longer promoted by the organisation).
- 4.8. All costs for the use of mobile devices is a revenue charge and will be charged to the appropriate departmental budget.
- 4.9. Personal calls will be charged to the individual user (see below).

- 4.10. In case a replacement mobile device is needed, the Mobile Device Request Form needs to be fully filled in and approved by the Line Manager. The replacements, upgrade as well as any accessories are chargeable except if equipment is available within the organisation's stock.
- 4.11. Manufacturers faults are replaced free of charge for a period of one year.
- 4.12. Replacement or repair of damaged devices due to misuse are chargeable to the Budget Holder.

5. Termination of the employment, maternity or extended leave.

- 5.1. On termination of employment, the mobile device(s) assigned must be returned to the Informatics team to ensure that all data is wiped according to Information Governance requirements of the NHS and to ensure that the hardware works correctly prior to reallocation.
- 5.2. Any accessories supplied by the organisation for use with the mobile device must also be returned to the informatics team.
- 5.3. The Manager can authorize the transfer of the equipment to a new user; the device will then be re-issued for a new starter by the informatics team.
- 5.4. Users going on maternity leave or extended leave should return their mobile devices to the Informatics team for storage or to be reallocated to new staff.
- 5.5. With the line manager's approval, leavers may retain their mobile number but must accept responsibility for all future charges associated with this number. The organisation will provide them with a PAC code to facilitate this before leaving the organisation. The device must be returned to the informatics team.

6. Roles and Responsibilities

- 6.1. **The Informatics team** deals with procurement, provides training on mobile devices as well as assistance and user guides when problems occur.
- 6.2. In the event of fault, the Informatics team needs to be contacted for assistance and will try and rectify any problems.
- 6.3. If the problem cannot be resolved remotely, the mobile device needs to be examined by the member of Informatics team and will need to be returned to the department when it works correctly.
- 6.4. The Informatics department **can't** guarantee that data held on a mobile device is recoverable in the event of the device having a fault.
- 6.5. **The Line Manager** is responsible for the mobile devices used by their staff. This includes:
 - 6.5.1. Approving and agreeing the Mobile Device Form for new devices and budget.
 - 6.5.2. Informing the Informatics team of the transfer or changes and cost centres.
 - 6.5.3. Reimbursement forms.
 - 6.5.4. Security of devices.
 - 6.5.5. Ensuring that data is not held solely on the mobile device but is backed up onto the corporate systems.
 - 6.5.6. The collection of devices from leavers (in cases when devices are not returned to the Informatics team as part of the leaving process).
 - 6.5.7. Ensuring the mobile device is returned to the Informatics team when the employee is on long-term sick, maternity leave or leaves employment.
 - 6.5.8. Failure to comply with these responsibilities will be investigated and might lead to disciplinary action being taken.
- 6.6. **The User** of the mobile devices is responsible for:
 - 6.6.1. Signing the Mobile Device Agreement (Appendix 1) and ensuring compliance at all times.
 - 6.6.2. The proper use, care, maintenance and safekeeping of their allocated device(s).
 - 6.6.3. Ensuring that they return the mobile device(s) to their manager or to the Informatics team when they leave the organisation.
 - 6.6.4. Ensuring that they follow the correct process in the event that the mobile device(s) is/are lost or stolen; contacting Vodafone Ltd directly, making their Line Manager and Informatics team aware, informing the police etc.
 - 6.6.5. Ensuring the appropriate use of mobile devices whilst conducting their work throughout the organisation.

- 6.6.6. Ensuring that passwords are not stored with the device.
- 6.6.7. Not interfering or compromising the encryption or passwords on the device.
- 6.6.8. Ensuring that no data is kept on only the mobile device but is backed up into corporate systems.
- 6.6.9. Failure to comply with the procedure will be investigated and might lead to disciplinary action being taken

7. Loss or Theft of a Device

- 7.1. **In the event that a corporate device is either lost or stolen the user must contact Vodafone immediately on 03333 044444 (24 hour line).** The user must ensure they take the name of the person they have spoken to, a reference number and the time the incident was reported.
- 7.2. If a device is stolen the user must report any theft to the police and obtain a crime reference number
- 7.3. The user must also contact the Informatics team at the earliest opportunity after speaking to Vodafone and reporting all the details of the incident.
- 7.4. Failure to comply with the procedure will be investigated and might lead to disciplinary action being taken

8. Monitoring, private use and roaming.

- 8.1. Staff are allocated mobile devices for use in legitimate business purposes associated with the organisation.
- 8.2. Personal use is neither discouraged nor encouraged. Staff will have pay for the use of mobile devices for personal activities.
- 8.3. Costs associated with the use of a corporate device for personal reasons will be recovered by the organisation at all times.
- 8.4. Corporate devices must not be used for personal financial gain.
- 8.5. Corporate devices must not be accessed by persons not directly employed by the organisation.
- 8.6. Use of corporate devices by family members is not allowed.
- 8.7. Vodafone to Vodafone Ltd calls are free at this time and governed by the NHS Corporate agreement with Vodafone Ltd.
- 8.8. The Informatics department will be responsible for monitoring usage and will pass an electronic copy of the bill to the Line Manager on a monthly basis.
- 8.9. Personal usage of the device will be highlighted by each individual and returned to the informatics department for processing.
- 8.10. The informatics department routinely monitors the use of corporate devices and may request clarification on a number of items at any time. These items may include
 - Information held on the device
 - Calls made and received.
 - Out of hours usage
 - Private calls
 - Long distance calls
 - High cost calls
 - Numbers called on a regular basis
 - Texts sent and received etc
- 8.11. Where it is identified a device has been used excessively or inappropriately (see 8.13) or for personal gain, it is the responsibility of the line manager to investigate in conjunction with the Associate Director of Informatics or nominated informatics representative.
- 8.12. Where there is evidence that the NHS may have been defrauded, the Counter Fraud team will be informed and this could result in the individual being investigated under the Disciplinary Policy or prosecuted.
- 8.13. Inappropriate use of any mobile device will be covered by the organisation's disciplinary rules, and include but is not limited to, – e.g. if a phone is used to harass or bully other individuals,

inappropriate photographs or photographs taken without permission, numerous and unsuitable text messages, used to call premium rate phone numbers, deliberate removal of security or encryption systems, used in disruptive or inappropriate manner breach of UK legislation etc.

- 8.14. Roaming is disabled by default mobile devices can't be used outside the UK and should not be removed from the UK at any time. The Line Manager's or Director's written approval is required for activation and for taking any corporate devices outside of the UK.
- 8.15. The Informatics team activates and halts the service based on information supplied by the Line Manager. The electronic bill is sent to the Line Manager for reimbursement to the organisation as appropriate.

9. Use of personal mobile devices

- 9.1. Staff who use their personal mobile devices for business related purposes and wish to recharge the organisation should first seek the agreement of their Line Manager before using the device and only use it after they have obtained written approval from the Information Governance Manager, SIRO or Caldicott Guardian.
- 9.2. The general recommendation is that if there is a need to make a substantial amount of business related usage from personal devices staff should be issued with a corporate mobile device.
- 9.3. Reimbursement of line rental for occasional users of personal mobile devices is not applicable. Where calls are likely to be substantial then a corporate mobile device must be issued.
- 9.4. Reimbursement of calls made on personal phones will be paid via the staff reimbursement of expenses form and on production of evidence of the calls from the mobile phone bill.
- 9.5. Inappropriate use of personal mobile devices affecting the organisations staff, providers and clients will be treated under the disciplinary policy. See section 8.13
- 9.6. Reimbursement of calls from pre-paid mobile phones will only be paid on production of a list of all business calls made and their costs. Reimbursement will not exceed £20 per month. Managers must be satisfied that the calls made were legitimate business calls.
- 9.7. Staff are allowed to use NHSmail on personal mobile devices under the following restrictions:
 - 9.7.1. The Informatics Team must be made aware of this.
 - 9.7.2. The user needs to set up the personal device by themselves
 - 9.7.3. The user must cover all associated costs including software, data transfer etc.
 - 9.7.4. Personal devices are not supported by the organisation's Informatics Team, the RiO team nor the LSL ICT Service Desk.
 - 9.7.5. The use of NHSmail needs to be in accordance with the NHSmail Acceptable Use Policy at all times.
- 9.8. Private /personal calls during work time should be made with discretion and ensure that there is no impact to the performance of ones duties.

10. Legal Obligations

- 10.1. The organisation prohibits any member of staff to make or receive mobile phone calls or use in any way their mobile device when driving, this applies to both personal devices and mobiles supplied by the organisation when using personal vehicles or corporate vehicles.**
- 10.2. The organisation recognises that using a hands free adaptation is not unlawful in the UK but the policy of this organisation is not to allow the use of mobile phones by drivers of vehicles that are moving.**
- 10.3. Any employee found to be using a hand held phone or similar device whilst driving will be in breach of the organisation's policy and will be subject to investigation under the disciplinary policy and procedures of the organisation.**
- 10.4. An individual causing an accident whilst driving and using a mobile device will be reported to the appropriate authorities.**
- 10.5. Staff should be aware that since 1 December 2003 it has been illegal to use a hand held mobile phone whilst driving. Drivers must pull over to a safe location and turn the engine off before making or receiving calls, text messaging or accessing the internet.

- 10.6. Since 27 February 2007 the Road Safety Act introduced tougher penalties and if a driver commits an offence under these regulations they will be liable for:
- 10.6.1. A fixed penalty notice of £60
 - 10.6.2. 3 points on their license.
 - 10.6.3. In the most serious cases where death occurs, penalties vary between £5000 and a suspension of the driving license and 14 years imprisonment.
 - 10.6.4. For further information refer to <http://www.parliament.uk/commons/lib/research/briefings/snbt-00366.pdf>
- 10.7. This will also apply to drivers who are deemed to not have proper control of their vehicle i.e. if they are distracted whilst using a hands free mobile phone.
- 10.8. The Road Safety Act includes an offence of “causing or permitting” a driver to use a hand-held phone while driving. This applies to employers who will be guilty of an offence if they require or permit their staff who drive for work, to use a hand-held mobile phone while driving.
- 10.9. Staff are required to ensure that when they are driving they either:
- 10.9.1. Switch off their mobile devices
 - 10.9.2. Leave the phone switched on and let the call go to voicemail
 - 10.9.3. Ask a passenger to deal with the call
 - 10.9.4. Find a safe place to stop before turning off the engine and picking up the message(s) or returning call(s).

11. Health and Safety

- 11.1. The health and safety of our staff is and always will be of prime importance to us. Up to date information on such concerns can be obtained from the Health and Safety Executive website – <http://www.hse.gov.uk>
- 11.2. The Mobile Device policy will support other related safety policies put in place to minimise the risk to staff particularly staff working alone in the community. This policy should compliment the Personal Safety – Zero Tolerance policy and other Health and Safety policies whereby all roles should be subject to a risk assessment detailing ways to minimise risks in potential vulnerable situations.

12. Other acts of parliament and legal responsibilities

- 12.1. Staff should be aware of other UK law governing the use of mobile devices i.e. Telecommunications Act 1984, section 43, Electronic Communications Act 2000
- http://www.uk-legislation.hmso.gov.uk/acts/acts2000/ukpga_20000007_en_1
- <http://www.statutelaw.gov.uk/content.aspx?&parentActiveTextDocId=2232318&ActiveTextDocId=22323>
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13. Compliance

- 13.1. Users who are shown to be negligent in their handling of a mobile device will be liable for the full cost of repairs or replacements of the unit, if it is damaged.
- 13.2. If a member of staff fails to report a theft or missing device immediately when found missing, they may be held liable for any losses incurred by the organisation.
- 13.3. Breach of the above policy is and can be considered as a breach of contract and/or organisation policy and will be subject to the organisation’s disciplinary procedures.
- 13.4. It is imperative that sim cards are NOT swapped between devices as the mobile number associated with that device is matched to the IMEI number of the handset/computer. If this is required it will be done by the informatics team.
- 13.5. Upgrades are made against the sim card details (and the date it was activated) and not the handset.
- 13.6. New hand sets will be charged to the budget holders cost code

14. Appendix 1 – Mobile Device Agreement

I agree to adhere to the Mobile Device Policy and the following terms and conditions in relation with the loan of a mobile device used in connection with organisation business:

1. I understand that the mobile device allocated to me is only for legitimate business purposes. the device is solely for use in connection with business and must not to be used by others (e.g. members of my family).
2. I agree to pay for any personal usage that has occurred and to reimburse the organisation the full cost of personal calls made from my expenses or salary as appropriate.
3. I understand that my manager and informatics team will monitor my mobile device usage, in particular information held on the device; all calls made and received; out of hours usage; texts sent and received etc.
4. I will ensure that the mobile device allocated to me is switched off out of hours, when not on duty and during other non working periods for example when off sick or on annual leave.
5. I agree to store the device securely to minimise the risk of it being stolen
6. I understand that I am responsible for the proper use, care, maintenance and safekeeping of my allocated device.
7. I agree to report immediately the loss or theft to the relevant service provider and ask for it to be barred from use and inform my manager, budget holder and the informatics team as soon as possible.
8. I understand that I may be held liable for any losses incurred by the organisation should I not report the loss or theft promptly.
9. I understand that I am responsible for ensuring that due care is taken of the mobile device allocated to me.
10. I understand that if it is demonstrated that I have been negligent in handling my allocated device, I will be liable for the cost of repairs or replacement of the unit.
11. I agree that I will not make or receive calls on my allocated organisation device when I am driving. I understand that the organisation does not authorise the use of hands free kits.
12. I understand that failure to adhere to the terms and conditions set out above and the details contained within the Mobile Device Policy will be considered a breach of contract and the organisation's policies which will be referred for consideration under the organisation's Disciplinary procedure.
13. I have read, understood and agree to the above terms and conditions.

Manager Name	
Name	
Job Description	
NHS e-mail contact	
Signature	
Date	

15. Appendix 2 – Mobile Device Request Form

**If a phone or mobile device has been lost or stolen it must be cancelled immediately with the service provider.
Call: Vodafone on 03333 043333 or T-mobile on 0845 412 2602
Then notify Urszula Niewiadomska (Urszula.Niewiadomska@nhs.net).**

mobile device such as a mobile, smartphone, Blackberry, PDA or Data Card.

APPLICANT DETAILS

Name:	
Job title	
Work Base:	
Managers Name	
Tel Number	
Email:	
Date:	

Is a new mobile number required? Yes /No {Please delete as appropriate}

If no, what is the current mobile number?

PLEASE STATE REASON FOR REQUEST:

Applicant's Signature :

Manager's signature:

Cost Code:

Please return the completed form to: Urszula Niewiadomska – Informatics Analyst, Cantilever House
Urszula.Niewiadomska@nhs.net Tel: 020 7206 3298; Fax: 020 7206 3380

OFFICE USE ONLY:

Authorising Officer:Signature:.....

Date:.....

Sim card number:.....

IMEI number:

Handset:

Charger: Y / N USB Cable Y / N Memory Card: Y / N Headset: Y / N

RETURNED BY

Name:

Signature:

Date:

Checked in :

Name:

Signature:

Date: