

# Age Concern Okehampton and Torridge

## Mobile Phone Policy

### Preamble

Operating mobile phones whilst driving may reduce concentration and effectiveness, and the distraction of using a phone may contribute to the likelihood of an accident. It is essential that people driving give it their full attention. Driving while using a hand held mobile phone is a specific offence, under the Road Vehicles (Construction and use) Regulations 1986, from 1 December 2003. In the future this will also be an endorsable offence, and drivers will get 3 points on their licence each time they are caught holding a phone, making calls or sending text messages while driving.

Anyone caught by the Police holding a mobile phone while driving will receive a fixed penalty ticket of £30, which can be increased up to a maximum of £1,000 if the matter goes to court, (up to £2,500 for drivers of vehicles manufactured or adapted to carry nine or more passengers). A driver is liable for prosecution if they are holding a mobile phone to send or receive any sort of data – be it voice, text, image, or Internet access. It should also be noted that any hand held electronic device being used to access voice, text, or pictorial images is also prohibited.

The Legislation is clear that anyone 'causing or permitting' a driver not to have control of their vehicle, in this case organisations that require or instruct their employees to use mobile phones while driving, is also liable to prosecution. However, as this policy paper forbids the use of mobile phones whilst driving, Age Concern Okehampton and Torridge is not 'causing or permitting' a driver not to have control of their vehicle whilst driving. Age Concern Okehampton and Torridge is not liable to prosecution simply by supplying a hand held mobile phone, or by phoning an employee while they are driving.

### General mobile phone safety

- If you are calling a mobile phone, always ask if it is safe for the other person to talk, and offer to call back if it is not.
- Always switch off your mobile phone if there is a known risk on an explosive atmosphere such as when refuelling vehicles with petrol / diesel.

## **Whilst driving a road vehicle**

It is an offence not to be in full control of a road vehicle you are driving. Under existing law a person may be regarded as 'driving' if the engine is running – even if it is stationary. Hand held phones should not therefore be used at traffic lights or during short hold ups.

Therefore drivers should:

- not use a hand held mobile phone when the vehicle is moving
- keep the use of fitted hands free speakerphones to a minimum
- stop the vehicle in a safe place before making a call
- ask an escort, or passenger, to deal with the calls
- ensure that incoming messages are recorded on voicemail and calls returned at a convenient time, whilst the vehicle is stationary. Drivers should stop regularly to check messages and return calls
- ask passengers to switch off their mobile phones if they are distracting
- ensure that Age Concern Okehampton and Torridge issued mobile phones are only switched on and used if they essential to the safe delivery of the work in hand, and as part of a safe system of work

## **Drivers must abide by these instructions whilst on the road**

### **Hands Free Phones**

A 'hands free phone is one that is attached to fixed speakers and does not require the operator to hold while in use. When using a 'hands free' phone, drivers should:

- limit outgoing calls to emergency use and only when it is safe to do so
- use voice activation when making outgoing calls
- tell all incoming callers that they are driving and to keep the call short

## **Age Concern Okehampton and Torrington's responsibilities**

Age Concern Okehampton and Torrington must manage the use of mobile phones by all drivers, whether paid employees or volunteers, to reduce risk. As a minimum Age Concern Okehampton and Torrington will:

- ensure that all drivers are briefed and regularly reminded of the Age Concern Okehampton and Torrington Mobile Phone Policy
- identify those who need to use a mobile phone whilst carrying out their duties
- confirm that the Age Concern Okehampton and Torrington Mobile Phone Policy is being carried out

### **To sum up this means:**

- Never use a hands held mobile phone when driving
- Age Concern Okehampton and Torrington should be the only people to contact you, so you can allow the mobile phone to ring and when convenient phone back

The mobile phone is there for emergency use only