

## Use of Mobile Devices Procedure

This procedure underpins the Use of Young Epilepsy Mobile Devices Policy and relates to all individuals on the Lingfield campus and all Young Epilepsy staff and volunteers.

### 1. INTRODUCTION

At Young Epilepsy the wellbeing and safety of our students is paramount. The aim of this procedure is to allow all users of mobile devices to benefit from their numerous advantages, whilst ensuring safe and appropriate practice through establishing clear user guidelines. Young Epilepsy recognises its responsibility to ensure that all reasonable precautions are taken to provide and maintain working conditions which are safe, healthy and compliant with all statutory requirements and Codes of Practice.

For many young people today the ownership of a mobile phone is considered a necessary and vital part of their social life. When used creatively and responsibly the smart phone has great potential to support a student's learning experiences.

However, while mobile phones have seen a huge increase in business and domestic use, they have also introduced risks of their own.

Risks include:

- ready accessibility to high-quality cameras — which in a safeguarding context in child and adult social care means they can potentially be used to take and share inappropriate images
- security vulnerabilities such as viruses
- distraction from work with the potential for staff spending time on their phones or on social media rather than working
- the inappropriate or illegal use of phones while driving
- breaching confidentiality and data protection laws (which have been strengthened by the introduction of the General Data Protection Regulations that are in force from May 2018).

Unfortunately, in recent years there have also been numerous cases of children and adults at risk, being abused and harmed because of the inappropriate or illegal use of mobile devices by those in positions of trust.

- The serious case review into the actions of a nursery worker in Plymouth in 2009 found that numerous infants had been sexually abused in toilets by the

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nursery worker who filmed herself doing so on a mobile device. The nursery worker then distributed the images to a group of paedophiles.

- In 2012, a care worker was texting on her mobile phone whilst supporting a man with autism. Due to being distracted, the care worker did not notice that the man had had a seizure causing him to fall in to water and drown.
- In 2017 and 2018, two teachers from Surrey were convicted of taking indecent images on their mobile devices of children and young people in toilets and bathrooms at the schools where they worked.

Therefore, it is crucial that Young Epilepsy understands the risks associated with mobile devices and balances the risks against the recognition that mobile devices are effective, and in some cases, necessary communication and interaction tools.

## 2. SCOPE

This procedure applies to all individuals who have access to mobile devices on the Lingfield campus. This includes staff, students, visitors, contractors, volunteers, Trustees and Governors.

This procedure must also be read in conjunction with Young Epilepsy's following documentation:

- Child and Adult Protection and Safeguarding Procedure
- Safe Working Practice Agreement
- Student Agreement
- Online Safety Procedure
- Use of personal phones and cameras IG Guide
- IT Procedure

**Mobile devices** refers to any portable computing device such as a smartphones, smart watches, smart glasses or tablet computer/ Ipad. For the purposes of this procedure, the term mobile devices also refers to non-smartphones.

When referring to the use of mobile devices, this includes messaging services, making calls, browsing the internet and apps and playing games.

### 3. CODE OF CONDUCT FOR STAFF, VOLUNTEERS, STUDENTS ON PLACEMENT, TRUSTEES AND GOVERNORS

In addition to the Safe Working Practice Agreement, the following must be adhered to by **all** staff (including agency staff), volunteers, students on placement, trustees and governors:

- Personal mobile devices **should not** be used (other than emergencies and this must be agreed by your line manager) **whilst working directly with students** and this includes during transitions across the campus.
- Use of personal mobile devices, for non- work related issues, are strictly limited to break times away from students.
- Generally, Young Epilepsy mobile phones will be provided in each service for staff to access, for work purposes, as required. However, occasionally Young Epilepsy staff may be asked to run business related apps on their personal devices, for example to support multi-factor authentication. Any business applications used on personal devices will have no interaction with any personal data or applications on the device. You should not access these apps whilst you are supervising students. Anyone unsure about this should speak to their line manager.
- Staff who are moving across campus with students for different sessions may carry their personal mobile device but **this must not be visible** and must never be used for any purpose, except in an emergency.
- You will be challenged if you are seen holding or using a personal mobile device when with a student and disciplinary action will be considered.
- **Never have any mobile device (personal or work) on your possession whilst completing or near students' having personal or intimate care.**
- If you work directly with students and need to be contacted whilst at work due to an emergency situation (e.g. child or family member illness), you must inform your line manager of the situation and provide the School/FE/House/Assessment Unit main telephone number to the person who may need to contact you, so a message can be passed to you.
- When in a service where students are present, or when working with students (on site or off site), switch your personal mobile device off or to silent and keep out of sight.

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- Staff are not permitted to use their own personal phones or devices for contacting students or parents and carers.
- Images or videos of students (inadvertently or explicitly), or images/videos containing information pertaining to students must not be taken on any personal mobile device.
- Staff are also forbidden to upload images of students to their social networking sites.
- Images or videos must only be taken on a Young Epilepsy device and the guidelines in the Safe Working Practice Agreement and in the Use of personal phones and cameras IG Guide must be strictly adhered to.
- If you have a mobile device provided by Young Epilepsy, this must only be used (to browse, text, make calls etc.) **when not directly supporting students**, to ensure you are not distracted from ensuring the students' safety and wellbeing. The only exception to this is in an emergency (e.g. a student having a medical emergency).
- The work mobile phone/camera is to be clearly labelled as such.
- You are responsible at all times for the security of your mobile device and must not leave it unattended. A PIN number should be used on the device for protection.
- Everyone is responsible for challenging the inappropriate use of mobile devices by any others on site. This involves asking the person to stop what they are doing and reporting your concerns to a manager. This is part of everyone's duty of care to safeguard students.
- In circumstances where there is a suspicion that the material on a mobile phone or technological device may be unsuitable and provide evidence relating to a criminal offence, the process outlined in the Safeguarding Policy will be followed, including taking advice from external agencies such as the LADO, MASH and police.
- **Disciplinary action may be taken if staff fail to adhere to this procedure.**

#### 4. CODE OF CONDUCT FOR STUDENTS

We recognise that mobile devices are part of everyday life for many people and that they can play an important role in helping students to feel safe, learn, interact

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and have fun. However, we also recognise that they can prove a distraction in school/college can create many risks for students and can provide a means of bullying or intimidating others.

Students who wish to bring their mobile devices to Young Epilepsy may do so if they wish, but there are some rules and reminders, which must be observed. Students failing to observe the rules may be asked to leave their devices at home.

Students who have capacity to manage a mobile device will be asked to complete a Student Agreement when they commence their placement at Young Epilepsy, which includes some information about the appropriate use of mobile devices. In addition to this:

- In education services, mobile devices should only be used during break times in sixth form at school or in college.
- In residential services, there may be individual house agreements about the use of mobile devices which the students devise and must adhere to.
- In the role of loco parentis, staff may take action to ensure the safety, welfare and wellbeing of any child, as would be reasonable of any parent e.g. putting a curfew on the use of mobile devices if this is at risk of affecting a student's health or attendance at school.
- Where mobile devices are used by students to bully, harass or intimidate others, then the Principal and/or the appropriate Manager will intervene and actions will be taken to an extent that is reasonable to stop this behaviour.
- Students who wish to take photos or videos of other students on their device, must seek consent from the student(s) before doing so.
- Any damage of a device will be the responsibility of the student and/or their parents/carers unless otherwise agreed by the relevant manager.

It is important that staff at Young Epilepsy, in both education and residential services, support students to understand this code of conduct and to use their mobile devices safely and appropriately

Staff, Volunteers, Students on placement, Trustees, Parents and students should be clear that misuse of mobile phones will not be tolerated.

The following are examples of misuse but are not exclusive. 'Misuse' will be at the discretion of the appropriate Executive:

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- The deliberate engineering of situations where people's reactions are filmed or photographed in order to humiliate, embarrass and intimidate by publishing to a wider audience such as on Facebook or YouTube
- Bullying by text, image and email messaging
- The use of a mobile phone for 'sexting' (the deliberate taking and sending of provocative images or text messages)
- Posting material on social network sites with no thought to the risks to their personal reputation and sometimes with the deliberate intention of causing harm to others
- Making disrespectful comments, misrepresenting events or making defamatory remarks about others

Please see the Online Safety Procedure for more information.

## **5. CODE OF CONDUCT FOR VISITORS AND CONTRACTORS**

All visitors, contractors and students' family members are expected to follow this procedure as outlined in section 3 as it relates to staff whilst on the premises.

On arrival at Young Epilepsy, such visitors, contractors and family members will be informed of our expectations around the use of mobile phones.

If a contractor has a legitimate reason to take photos or videos on a mobile device whilst at Young Epilepsy, there must be explicit consent in place for this from a senior manager of the relevant department and from those captured in the photos/videos.

## **6. YOUNG EPILEPSY MOBILE DEVICES**

Where Young Epilepsy has issued a mobile device, it is for business use only and at all times will remain the property of Young Epilepsy. The user(s) will be responsible for its safekeeping, proper use, condition and eventual return to Young Epilepsy. The user will also be responsible for any cost of repair or replacement other than fair wear and tear. If a replacement is required, Young Epilepsy will organise this.

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A mobile device is provided primarily to enable the user to do their job. Therefore, it is the user's responsibility to ensure that the mobile device is kept charged and switched on whilst on duty.

The SIM card from Young Epilepsy mobiles should not be placed into any other device, unless to another Young Epilepsy issued mobile device.

Young Epilepsy recognises that users may, on occasion, have to make personal calls or send personal text messages during working hours, or outside normal working hours. Where it is deemed that an unreasonable amount of personal calls/text messages have been made using the mobile phone, Young Epilepsy reserves the right to deduct those costs, either through deduction from pay, or otherwise. Young Epilepsy may, after formal investigation, take action under the Disciplinary Procedure if such use is excessive or unauthorised. Users will be expected to make payment for private calls made beyond reasonable usage.

If it is found, following investigation, that there has been excessive personal data use, then the user will be asked to reimburse the company for the cost of this and action may be taken under the Disciplinary Procedure.

The user agrees that upon termination of employment, should they not return the allocated mobile phone, or should the mobile phone be returned in an unsatisfactory condition, the cost of replacement, or a proportional amount of this as decided by Young Epilepsy, will be deducted from any final monies owing, or the user will otherwise reimburse Young Epilepsy.

## **7. USE OF MOBILE DEVICES WHILST DRIVING**

The user must ensure they have full control of any vehicle that they are driving at all times.

It is an offence to use handheld mobile phones whilst driving or whilst the engine is turned on. The user will be liable for prosecution if they are holding a mobile phone, or any other type of handheld device to send or receive any sort of data, be it voice, text or pictorial images. The user will be regarded to be driving if they are in charge of a vehicle with its engine running on a public road, even if the vehicle is stationary. It is therefore strictly forbidden for the user to use a handheld mobile phone whilst driving.

A mobile phone may only be used where there is an in-coming call or an out-going voice activated call through a hands free device that is activated without a need to hold the phone at any time, in which case the call should be kept to the shortest possible time and only to effect essential communications. When the phone needs to be operated to make or deal with a call through the hands free device for longer than receiving or giving a short communication, before doing so the user must stop and park the vehicle where it is safe and lawful to do so and with the engine switched off. Whilst driving they must not use the text message facility on the mobile phone, or if available through such a phone, an image facility or internet access.

Any conviction for driving offences, any driving endorsements and any fines incurred must be reported immediately to line management as this may affect the Charity's insurance.

## **8. INSURANCE**

All users of personal mobile devices are strongly advised to take out their own insurance for the protection of their device. **Young Epilepsy cannot take liability for the loss or damage of any personal mobile devices- this applies to both students and staff.**

## **9. SUPPORT**

Should you have any queries about the use of mobile devices whilst at work, please speak to your line manager.

## **10. REPORTING CONCERNS**

If you have any concerns about the safety and welfare of students due to someone's use of a mobile device, please report this as per the Young Epilepsy Child and Adult Protection and Safeguarding Procedure by immediately contacting a member of the Safeguarding Team or a Senior Manager.

## **11. IMPLEMENTATION**

All staff, volunteers, placement students, trustees and governors will be made aware of this procedure within their induction. This procedure will also be made available on Young Epilepsy's website.

Visitors and contractors must be informed of their responsibilities by the Young Epilepsy staff responsible for their visit.

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This policy is agreed by the Executive Team and will be implemented by all departments, staff, volunteers, trustees, governors, contractors and visitors.

**Signed:**   
Rosemarie Pardington  
Director of Integrated Care

**Date: 21 December 2021**

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