

Personal Mobile Phone Usage Procedure (Visitors, Patients, Public and Staff)

INFORMATION GOVERNANCE PROCEDURE

CATEGORY:	Procedure
CLASSIFICATION:	Information Governance
PURPOSE:	To provide guidance on the use of mobile phones by visitors, patients, public and staff. This should be read in conjunction with: <ul style="list-style-type: none"> • Data Protection, Confidentiality and Disclosures Policy • Information Governance Policy
Version Number:	1.0
Sponsor:	David Burbridge, Director of Corporate Affairs
Approved By:	Policy Review Group
On:	20/01/2017
Review Date:	20/01/2020
Distribution: <ul style="list-style-type: none"> • Essential Reading for: • Information for: 	Members of staff dealing with visitors, patients and the public Staff and managers of staff using personal mobile phones NB For the ordering or using of a Trust mobile phone by anyone, please see the Trust Mobile Phone Procedure (Ordering and using a Trust Mobile Phone)

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1 Introduction / Purpose

The purpose of this procedure is to ensure that all staff are aware of the requirements around the use of mobile phones and that this is communicated to the public/patients.

Whilst the Trust recognises that mobile phones are widely used across the Trust as an effective form of communication by patients, visitors and staff where there is no electromagnetic interference, there are some additional legal issues that need to be considered before establishing standards for mobile phone usage:

- The Human Rights Act (1988)
- Patient privacy and dignity (The European Commission – Privacy of patient’s medical records)
- Patient Confidentiality (Data Protection Act 1988)
- Child Protection (Children Act 2004)
- Nuisance (Criminal Justice and Immigration Act 2008)

This procedure has been developed in line with Department of Health (2009) guidance, considering all legal and health and safety issues.

The Medicines and Healthcare Products Regulatory Agency (MHRA) has advised NHS Trusts that in certain circumstances the electromagnetic interference from mobile phones can interfere with some devices

2 Scope

Includes:

- It applies to all people using mobile phones on Trust premises.

Excludes:

- Digital or film cameras - staff should refer to the Photographic and Video Recording Consent and Confidentiality Policy for standards relating to the use of digital or film cameras on Trust premises.

3 Purpose

- To set standards for mobile phone use in line with the Department of Health policy.
- To ensure that mobile phones are used appropriately.
- To clarify where (and when) the use of mobile phones is permitted.
- To explain the Trust's position on the use of mobile phones by patients and visitors.

Staff are reminded that conduct that brings the Trust into disrepute or breaches confidentiality will be subject to the trust disciplinary policy.

4 Definitions

- Mobile phone: A mobile telephone which is usually capable of sending and receiving text messages (SMSs), images and video.
- Smart Phone: A mobile phone telephone as above which has computer like functions and can connect to the internet using a mobile phone signal. It has the ability to run software applications (known as apps) and send and receive emails.

5 Procedure Requirements

FOR ANY USE OF THE PHOTOGRAPH OR VIDEO FUNCTION OF ANY PHONE BY STAFF FOR CLINICAL PURPOSES PLEASE REFER TO THE PHOTOGRAPH AND VIDEO CONSENT POLICY.

5.1 Staff using their own personal mobile phones for personal matters at work

- Should only occur during breaks and should not interfere with work
- Should not breach patient/staff confidentiality
- Should not bring the Trust into disrepute
- Should consider the Social Media and Online Participation Policy and Procedure if posting to social media.

5.2 Staff using their own personal mobile phones for work calls and emails

- It is recognised that some staff members using personal mobiles to make work calls, staff are reminded that they should consider withholding their number, especially if calling a patient.
- No Trust information/patient data should be stored on a personal mobile phone.
- Should not breach patient /staff confidentiality
- Should not bring the Trust into disrepute

5.3 Staff using Trust mobile phones

Please see the Trust Mobile Phone Procedure

5.4 Members of the public or patients using their own mobile phones

The Trust has limited jurisdiction to prevent members of the public from using their mobile phones. Most medical equipment is not impacted by mobile phone signals so a blanket ban is not appropriate.

The circumstances under which the Trust would take action are:

- A member of the public's use identifies staff without their permission
- A member of the public's use identifies visitors/other members of the public without their permission.
- A member of the public's use identifies patients without their permission
- A member of the public's use is making a record of someone else's medical records.
- The recording process interferes with any equipment, the consultation process or the treatment or care being administered
- It is in a prohibited area (see section 5.5)
- It is causing a disturbance

5.4.1 Inappropriate Use

- i. The Trust has no authority to force access to or remove a personal mobile phone.
 - ii. If you encounter inappropriate use of a mobile phone (filming/recording) as described above, on your ward/in your area and you feel comfortable doing so, you can ask the individual to stop/remove the footage immediately.
 - iii. If this isn't possible or you aren't comfortable, escalate to senior staff.
 - iv. Report the situation as an incident on datix.
- If a member of staff is using a mobile phone inappropriately please refer to the Acceptable Use of IT, Disciplinary or Performance policy
 - Inappropriate use of phones, including sharing on social media of images or recordings, may result in a criminal offence.
 - Consider the age and mental capacity of the individual involved as to the best course of action.

- If any safeguarding issues are suspected regarding the protection of children/vulnerable individuals, contact the Safeguarding team.

5.4.2 Security of patient mobile phones

The Trust takes no responsibility for the security of personal possessions, and patients may be away from their beds for extensive periods for procedures and treatment.

Patients should be advised to ensure that items such as mobile phones or other high value devices are given to a friend or relative to hold in such instances. Please refer to the [Patient Property Policy](#).

5.5 Where mobile phones cannot be used

Any use of mobile phones or similar devices to make and/or receive calls is prohibited in all areas where critical care or life support equipment is used.

Managers are responsible for ensuring the '[No Mobile Phones](#)' poster is displayed in all areas where usage is prohibited. Signs should be clearly displayed at entry points.

In areas where mobile phone use is prohibited, mobile phones should not be used by patients, staff or visitors unless:

- A manager/ clinician is on-call and may need to be contacted urgently.
- A clinical situation occurs where there is no other means of communication.
- There is an urgent need for translation at the bedside a patient and there is no translator available to attend.
- The declaration of a major incident.

Staff who meets the temporary exemption criteria above are requested to stand a **minimum of 1.5 meters** away from any medical device and show consideration to patients and their NHS colleagues and be aware of their surroundings when conveying patient sensitive information.

Staff with a duty of care for patients are responsible for advising patients, visitors and their NHS colleagues to **switch off** mobiles phones where signage indicates they are within a prohibited area.

If any difficulties arise with this request staff should:

- give information about why mobile phone use is restricted
- contact security to offer additional support if required.

Staff need to be aware that patients and visitors may be visually impaired or non-English speakers and therefore unable to read the signage restricting the use of mobile phones. In these cases staff must alert them to discontinue use.

6 Use of and ordering of Trust mobile phones

Please refer to the Trust Mobile Phone Procedure (Ordering and Using a Trust Mobile Phone).

7 Role and Responsibilities

7.1 Managers

Managers are responsible for ensuring:

- [Appropriate signage](#) is displayed in relevant areas.
- That staff are aware of this procedure

7.2 All staff

- To familiarise themselves with the procedure
- To comply with the procedure relevant to their role and responsibilities.

7.3 Board and Committee Responsibilities

7.3.1 Information Governance Group

The Information Governance Group will monitor the implementation of the procedure via reports relating to confidentiality and Information Governance breaches involving the inappropriate use of mobile phones.

As appropriate a report will be prepared for the Information Governance Group with suggested action plan/communications plan.

8 Training

- New staff will be made aware of this procedure through Information Governance Training.
- Existing staff will be kept informed of the need to comply with the procedure through communication bulletins and annual mandatory governance training.

9 Monitoring Matrix

See **Appendix A**

Appendix A

MONITORING OF IMPLEMENTATION	MONITORING LEAD	REPORTED TO PERSON/GROUP	MONITORING PROCESS	MONITORING FREQUENCY
An annual report to the Information Governance Group	Information Governance	Information Governance Group	Report on Information Governance incidents relating to the use of mobile phones. Incidents will have been investigated through the usual business of Information Governance Group.	Annual