

EMPLOYMENT POLICY

Mobile Phones

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1. Introduction

- 1.1. This policy provides managers and employees with the procedures and guidelines to follow in order to manage the use of mobile phones and other wireless devices within the organisation.
- 1.2. This policy applies to all employees of Lothian Motorcoaches and Eve Coaches.

2. Eligibility

- 2.1. Lothian will only provide a mobile phone/device if there is a business need specific to the individual's job role. Work mobile telephones are provided at the discretion of the business and must be returned on the last day of employment or as and when requested by the Head of IT or the employee's Head of Department.
- 2.2. Applications for a mobile phone should, in the first instance be made at least 3 weeks before being required, to the IT Department through the appropriate Line Manager. Upon receipt of a request, the Head of IT will

seek authorisation for purchase from the relevant business Director.

- 2.3. Applications that are not approved by the relevant business Director will not be processed.

3. Mobile Phone Usage

Work Mobile Telephones

- 3.1. Work mobile telephones should not be used for excessive personal use, and if deemed excessive a recharge may apply.
- 3.2. Work mobile phones must not be re-allocated to others and should be returned to the IT department to ensure any programs or data is removed before reissuing. The reissue of a work mobile phone is a matter for the IT department.
- 3.3. Employees issued with a work mobile telephone are expected to take reasonable care of the phone. It should not be left in a visible place, where it could be stolen, such as in an unattended car. Loss of a work mobile telephone should be reported to the employee's line manager, the IT

Department and the Data Protection Officer on 0131 475 0280, as soon as practicably possible after it has been lost so that the handset can be deactivated.

Personal Mobile Telephones

- 3.4. The use of Personal mobile telephones may be used during working hours, but such use must be kept to a minimum, be reasonable and in no way interfere with the employee's work. Any employee who is deemed to be excessively using their mobile telephone during the working day for non-work purposes may be subject to disciplinary action or instruction to cease the use of the device. There are restrictions in certain areas of the business as to where mobile phones may be used, ie employees working within front facing roles, for example customer services, must ensure their personal mobile telephones are not visible to the public. They should also not be used for the recording of images whilst on company property without express permission being granted, this would normally be at an event or similar activity.

- 3.5. The use of personal mobile phones to access work emails is strictly prohibited. However, exception may be given by both the Head of IT and the employee's Head of Department if access to work emails is necessary to an employee's role.

- 3.6. Employees are responsible for ensuring that their mobile phone usage does not contravene the Computer Usage and Information Security Policy. A copy of this policy can be found on the intranet, under the 'Document Centre'. In particular, individuals are reminded that data stored on mobile devices is bound by the same legislation, General Data Protection Regulation, Data Protection Act 2018, Freedom of Information Act 2000, Regulation of Investigatory Powers Act 2000 as per data stored on other company systems and computers.

4. Etiquette

- 4.1. All employees, whether using a work or personal mobile telephone are asked to be considerate in the use of their mobile telephone and consider turning them off or placing them on 'silent' mode when their use could be distracting, for example during meetings and training sessions. Mobile

phone usage may be restricted or banned during certain business activities.

- 4.2. When visiting other organisations or customers, employees should also observe any restrictions in place on the use of mobile telephones, including requests to turn them off or place on 'silent' mode and to not use them for the purpose of recording images.

5. Driving

- 5.1. It is illegal to use a handheld mobile telephone or similar device while driving.
- 5.2. Whilst using a hands-free free mobile telephone use is legal, it is distracting and can therefore be dangerous. The use of a hands-free mobile telephone or other interactive communication devices while driving can reduce concentration and increase the likelihood of an accident occurring.
- 5.3. For the purpose of this policy, "Interactive communication devices" includes sending or receiving oral or written messages or still or moving images, accessing the internet

e.g. the use of a Smartwatch or using a wireless Bluetooth earpiece/earbuds.

5.4. The use of Mobile telephones and other interactive communication devices (other than two-way radios) while driving is as follow:

- Coaches – The use of a hands-free device is allowed however it must only be the device fitted in the coach for business purposes. Please see section 6 for more details.
- Cars and Vans - The use of a hands-free device is allowed however it must only be the device fitted in the company leased cars or vans which is on the road for business purposes.

5.5. "Driving" for these purposes includes any time while the vehicle is on the road and its engine is running, even if the vehicle is stationary. This includes time spent stopped at traffic lights or during other hold-ups.

- 5.6. All PCV Drivers must not use their mobile telephones while in the cab even if the engine is switched off. Professional drivers have a responsibility to maintain a high standard of driving to ensure the safety of others.
- 5.7. If a PCV Driver is caught using a hand held mobile phone whilst driving, or while in the driver's cab even if the engine is switched off, they could face a suspension from driving commercial vehicles, which could be in addition to a fine and points they may receive.
- 5.8. The use of mobile phones on the garage floor areas including walkways is not permitted.
- 5.9. All employees should ensure that mobile telephones and other communication devices are switched to silent, voicemail, call diversion or a message service before beginning their journey on business. If an employee accidentally omits to switch his/her mobile telephone or other communication device on to voicemail, call diversion or a message service he/she should not, under any circumstances, answer the device while driving.
- 5.10. Managers should not ask an employee to make or receive a telephone call while driving. All managers must ensure

that the organisation's policy on mobile telephones and other interactive communication device use while driving is complied with within their area of responsibility. Please refer to section 5.4.

5.11. The exception to the ban on the use of mobile telephones or other interactive communication devices while employees are driving while on business is where it is necessary to contact the emergency services on 999 or 112 due to a genuine emergency and it is unsafe or impracticable for the employee to stop driving in order to make the telephone call.

5.12. Any employee who disregards these rules may be subject to disciplinary action.

6. Coaches

6.1. All employees may use the hands-free kit while driving, provided this does not distract them from safely carrying out their driving duties.

6.2. An employee can still be prosecuted for using a hands-free telephone where the driver is deemed to not be in

proper control of the vehicle. The penalties for this are the same as for using a mobile phone.

- 6.3. Whilst driving or within the cab area, no personal calls or any outgoing business calls should be made from the equipment provided unless in a business-critical situation i.e. stationary in a long traffic jam to call their Duty Supervisor to relay this information and to plan for any ongoing contingency arrangements. In these circumstances, calls should be made using the voice control facility on the hands free equipment.
- 6.4. Employees may receive calls via the hands-free equipment. If there are passengers on board, the employee should make this clear to the incoming caller.
- 6.5. All calls received should be kept to a minimum with only the required information being passed. Any non-critical information should not be discussed during this call and the employee should return any calls once they have completed their journey or stopped at a safe place.

7. Mobile Services

- 7.1. Use of, or subscription to, premium and/or interactive mobile services using a Company phone is strictly prohibited unless authorised by the line director and IT department. This includes (but is not limited to) the downloading or forwarding of ring tones, videos and live streaming.
- 7.2. Failure to comply with this may result in disciplinary action being taken against an employee.
- 7.3. Employees should be mindful of the information that is posted on their own social networking sites. Employees who are deemed to bring Lothian or its brand into disrepute via social media, social networking or other electronic means will be dealt with under the disciplinary policy. Please refer to the Social Media Policy for further information.

8. SIM Swapping

- 8.1. Lothian does not permit the transfer of a SIM card from a supplied handset to a personal device. This may incur substantial costs for incorrect tariff usage and Lothian will seek full recompense for any additional charges incurred

due to this action. This may also cause serious security breaches where 'data' based devices carry Lothian data and information.

9. Monitoring

- 9.1. Lothian monitors the use of Company mobile telephones. Monitoring is in the organisation's legitimate interests and is for the purpose of ensuring that employees are using mobile telephones in accordance with this policy.
- 9.2. The information gathered through monitoring will be retained only long enough for any breach of this policy to come to light and for any investigation to be conducted.
- 9.3. Information obtained through monitoring will not be disclosed to third parties (unless the organisation is under a duty to report matters to a regulatory authority or to a law enforcement agency).
- 9.4. Employees have a number of rights in relation to their data, including the right to make a subject access request and the right to have data rectified or erased in some circumstances. Further details of these rights and how to

exercise them is in the organisation's Privacy Notice. If employees believe that the organisation has not complied with their data protection rights, they can complain to the Data Protection Officer.

10. Breach of this Policy

10.1. Breach of this policy may be treated as misconduct. Whether it is minor or gross misconduct will depend on the circumstances, but a breach of the driving provisions will be treated as gross misconduct.

10.2. Employees who have been issued with a work mobile telephone and who subsequently breach the terms of this policy, may have their telephone withdrawn.

11. Linked Policies

- Disciplinary Policy

12. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	23/01/2020	S Murphy	Published
V1.0	14/05/2024	K Slater	No Changes made.
V2.0	04/07/2024	D Calciu	Scope of policy extended to Eve Coaches

This policy does not form part of employees' terms and conditions of employment and may be varied from time to time in accordance with business and legislative requirements.