

# Mobile Phone Use Policy

## 1. Purpose

- 1.1 The purpose of this Policy is to provide employees of Tenterfield Shire Council ('TSC') with guidelines regarding the appropriate use of their TSC supplied mobile phone and private mobile phones used during the course of performing duties in TSC's business.

## 2. Commencement of Policy

- 2.1 This Policy will commence on and from [CommencementDate]. It replaces all other policies or arrangements governing the usage of mobile phones (whether written or not).

## 3. Application of this Policy

- 3.1 This Policy applies to all employees of TSC.
- 3.2 This policy does not form part of an employee's contract of employment.

## 4. Eligibility

- 4.1 An employee may be eligible to have a mobile phone if, in the view of TSC, it is deemed necessary for the appropriate performance of their position. For example, if the employee's duties require them to spend time out of the office and/or to be contactable outside the normal hours of work.
- 4.2 Alternatively, TSC may reimburse an employee for the cost of business-related phone calls made from their personal mobile phone in circumstances where the employee is not provided with a TSC mobile phone.

## 5. Use

- 5.1 The mobile phone is provided primarily to allow contact with the employee by other employees or customers or to enable the employee to contact TSC and its customers.
- 5.2 Employees must not use the mobile phone while operating a motor vehicle unless a 'Hands-free Car Kit' is installed in an employee's vehicle.
- 5.3 Employees who have been provided with a mobile phone with email and internet access must comply with TSC's policies dealing with email and internet access where relevant.

## 6. Private use

- 6.1 A TSC mobile phone is provided predominantly for work purposes. Therefore, private usage of the mobile phone should be kept to a minimum.
- 6.2 If TSC believes an employee is using a TSC mobile phone irresponsibly or unreasonably, then the employee may have the phone removed or be requested to reimburse TSC for excessive personal data usage.

- 6.3 In those circumstances, the employee's phone use will continue to be closely monitored until a more reasonable proportion of business versus private use is achieved.
- 6.4 An employee must not use the device in any way that may damage the legitimate interests of the TSC's business and employment relationships.

## **7. Use of mobile phones**

- 7.1 If customers expect to find an employee on their TSC's mobile phone rather than on a regular fixed telephone in the office, then the TSC's mobile should be kept on, even when in the office.
- 7.2 In circumstances where TSC business phone app is installed or a business line desk phone or softphone is available, calls directly through the mobile phone inbuilt phone app is discouraged.
- 7.3 Private mobile phones must be on silent at all times and may only be answered in cases of emergency or during designated work breaks.
- 7.4 Private Mobile Phones and TSC Mobile phones shall not be used within the TSC workplace (Office or Outdoor work areas including any Council vehicle or plant item, workshop, store, treatment facility, factory or similar) to access Social Media sites, websites or private messaging applications (Apps) during working hours. This includes all sites related to pornography, gambling, social or sexual meetings, online shopping or auction sites and all forms of gaming, including social, personal or community-based sites no matter how described that are not part of the employees normal work-related employment.

## **8. Voicemail**

- 8.1 An employee must activate the voicemail set up on their phone supplied by TSC so that calls divert to voicemail when unanswered or busy. Missed calls should be returned in a timely manner (ie within 2 hours) and employees should ensure they clear their voicemail regularly. Voicemail set up on TSC mobile phone should say 'Hello, this is (name), (title) of TSC. I am unable to take your call right now so please leave your name, number and a short message and I will return your call shortly'. This message should be modified if an employee is on leave.

## **9. Mobile phones in meetings**

- 9.1 It is common courtesy to switch mobile phones off before entering a meeting.
- 9.2 TSC understands that extenuating circumstances may exist that require employees to leave the mobile phone switched on during meetings. If this is the case then employees should politely inform the other attendees prior to the commencement of the meeting that they may be expecting a call and so their mobile phone will be left on during the meeting.

## **10. Diverting fixed telephone when out of office**

- 10.1 If an employee is out of the office, the employee should divert calls coming in via their fixed telephone to their TSC mobile phone.

## **11. Lost, stolen or damaged TSC phones**

- 11.1 TSC expects all employees who have been allocated mobile phones to take the utmost care and responsibility for them.
- 11.2 If a phone is lost, stolen or damaged, it should be reported to the General Manager as soon as that event occurs.
- 11.3 Depending on the circumstances in which the phone was lost, stolen or damaged, the employee may be held responsible for replacing the phone if the loss, damage or theft was caused or contributed to by the employee's lack of care.

## **12. Return of the mobile phone**

- 12.1 On termination of employment or otherwise at the request of TSC, an employee who has been issued with a TSC mobile phone must return the phone to the General Manager. Any battery chargers or other accessories supplied by TSC for use with the mobile phone must also be returned.

## **13. Work health and safety**

- 13.1 The use of mobile phones in certain parts of the workplace and in vehicles can create unsafe situations or potentially unsafe situations.
- 13.2 It is illegal in all Australian states and territories to use a hand-held mobile phone while operating a vehicle. This includes, but is not limited to, talking, texting or using any other function of a mobile phone whilst the vehicle is operating
- 13.3 Supervisors and managers may issue general notices or particular notices to staff regarding the use of mobile phones if they perceive a real or potential work health and safety risk.
- 13.4 Staff are required to comply with such orders, directions, and notices issued by supervisors or managers.

## **14. Use employee's mobile phone business purposes**

- 14.1 With the agreement of TSC, an employee may use his or her own mobile phone in connection with TSC's business according to the terms agreed with TSC.
- 14.2 When this occurs, TSC will pay the cost of those calls on the completion of an 'expenses claim form' by the employee. The form must be submitted with copies of mobile phone invoices for the relevant period, identifying those calls that are work-related.
- 14.3 When using his or her own mobile phone on TSC's business, an employee must not use the device in any way that may damage the legitimate interests of the TSC's business.

14.4 If an employee is permitted to use his or her own mobile phone in connection with TSC's business, then TSC may require the employee to produce any records arising out of or in connection with work-related use of that employee's own mobile phone, including for the purposes of justifying any claim for reimbursement.

## **15. Use and disclosure of records**

15.1 TSC may use and/or disclose any records arising out of or in connection with the use of a TSC mobile phone or work-related use of an employee's own mobile phone, including where that use or disclosure is:

- (a) for a purpose related to the employment of any employee or related to TSC's business activities; or
- (b) use or disclosure to a law enforcement agency in connection with an offence; or
- (c) use or disclosure in connection with legal proceedings; or
- (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any Person or substantial damage to property.

15.2 An employee is taken to have consented to the use and disclosure of any record arising out of or in connection with the use of a TSC mobile phone or work-related use of an employee's own mobile phone.

## **16. Enforcement**

16.1 Employees must comply with the requirements of this policy. Any breach of this policy may result in disciplinary action which may include termination of employment.

16.2 Other disciplinary action that may be taken includes, but is not limited to, issuing a warning, suspension from using a mobile phone for TSC's business whether permanently or on a temporary basis.

## **Variations**

*Tenterfield Shire Council reserves the right to vary, replace or terminate this policy from time to time.*

## **Policy version and revision information**

Policy Authorised by: Council                      Original issue: 2024

Policy Maintained by: General Manager      Current version: 1

Review date: 2024

**Workplace participant acknowledgement**

*I acknowledge that:*

- *Have received the TSC Policy: Mobile Phone Use Policy;*
- *that I will comply with the Policy; and*
- *that there may be disciplinary consequences if I fail to comply, which may result in the termination of my employment.*

Your name:

Signed:

Date:

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