

Use of Mobile Phones Whilst Driving on University Business

Background

A new law came into effect on the 1st December 2003 making it illegal to use a hand held mobile phone whilst driving. The following information is issued to clarify the responsibilities of staff concerning the use of mobile phones whilst driving in connection with University Business. This policy covers the use of both private and University mobile telephones and private and University vehicles (e.g. cars, motorcycles, lorries and vans).

It should be noted that vehicle hire companies prohibit the use of mobile phones by the driver even if hands-free.

Definitions

- 'University Business' includes all periods of driving for the purpose of supporting the University's activities, or as a consequence of these.
- - A 'hand-held mobile phone' is one in which the device is held in the hand to operate it. It ceases to be hand-held when securely mounted in the vehicle, even though it may require a button to be pressed to operate it.

Principles

To comply with the law, members of the University are instructed that hand held mobile phones* must not be used whilst driving any vehicle on University business. The law specifies that this is only permissible in emergency situations.

Wherever possible, employees of the University should avoid telephoning colleagues when they are travelling on University business. Where it is necessary for colleagues to be contactable whilst driving, then employees must either:

- pull over safely and turn off their engine before using their telephone. Where traffic conditions do not allow for this, the call should be left to divert to voicemail and answered at a safe time when not driving.
- use an appropriate hands-free kit. Suitable kits that meet the appropriate standard can be obtained via Andrew Holdgate, Telephone Services Manager (13348). The cost of this may be charged to School or Departmental budgets subject to the approval of the Head of School or Department. The installation should require no more than a single button operation or be voice-activated or self-activated. Where a hands free installation is provided the driver continues to be responsible for driving with due care and attention and consequently must only answer an incoming call if traffic conditions allow. If traffic conditions do not allow this then the call should be left to divert to voicemail and answered at a safe time when not driving. Calls must only be made if traffic conditions allow. All calls made and received must be necessary and kept brief.

Despite the use of 'push to talk devices' (e.g. two-way radios, walkie talkies) not being

covered by the legislation, their use must never hinder an employee's ability to drive with due care and attention and maintain appropriate Health and Safety.

Summary

The University of Nottingham does not permit any of its' employees to use a hand held mobile phone when driving in connection with University business. The University considers any breach of this policy to be a serious matter. Using a hand held telephone when driving is a criminal offence and all penalty fines will be the obligation of the employee.

* Or other forms of interactive communication (sending and receiving spoken or written messages, sending or receiving still or moving images and providing access to the Internet).