

**MOBILE PHONE POLICY**  
**FOR**  
**SERVICE USERS AND VISITORS**

## DOCUMENT CONTROL SUMMARY

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<b>CONTENTS</b>	<b>PAGE</b>
<b>Introduction</b>	<b>4</b>
<b>Purpose of Policy</b>	<b>4</b>
<b>Policy Statement</b>	<b>5</b>
<b>Duties</b>	<b>5</b>
<b>Policy Standards</b>	<b>5</b>
<b>Forensic &amp; PICU Services</b>	<b>7</b>
<b>Charging Mobile Phones</b>	<b>8</b>
<b>Process for reviewing, approving &amp; archiving</b>	<b>8</b>
<b>Dissemination, Implementation &amp; access</b>	<b>8</b>
<b>References</b>	<b>8</b>
<b>Appendix 1 - Receipt of mobile phone</b>	<b>9</b>
<b>Appendix 2 - Local Protocols</b>	<b>10</b>

## **1 Introduction**

- 1.1 Communication with family and friends is an essential element of support and comfort for service users either in hospital or whilst receiving care as an out-patient. Modern technology has made communication relatively easy particularly with the widespread use of mobile phones, text messaging and e-mail. Mobile phones also commonly have extended functions, such as camera and video recording capability and music players. There is the potential to use this equipment by taking photographs or making videos which interfere with patient confidentiality, dignity and privacy.

In addition, ring tones or music played via mobile phones can be disturbing to others, and their constant use can be equally disruptive.

- 1.2 There are a number of risks associated with the use of mobile phone technology, which have been the cause of reported incidents or have the potential to cause problems for patients and visitors. These include:

- Theft and exploitation
- Bullying and harassment of staff and other service users
- Drug dealing
- Intrusive/unwanted/nuisance/obscene phone calls
- Debt associated with running up big phone bills
- Use as a weapon
- Problems of illicit photography, videoing and recording
- Health and safety risks associated with equipment not electrically PAT tested to Trust standards.
- Mains charging leads used as ligatures.

## **2 Purpose of Policy**

- 2.1 The purpose of this policy is to set out some key principles for service users, visitors and Trust staff about the use of mobile phones.

- 2.2 It is important to find a balance between the needs of service users and visitors to maintain communications and contact with family and friends versus the need to protect people against the misuse of advanced technology. It is important to ensure a balance between competing needs such as:

- promoting positive contact with carers, friends & relatives
- providing a therapeutic environment
- protecting the rights of individuals
- protecting people from abuse
- promoting recovery
- protecting confidentiality
- promoting acceptable standards of behaviour

### 3 Policy Statement

- 3.1 The policy applies to both inpatient units and outpatient services and to visitors of those areas.
- 3.2 The policy aims to embrace the guiding principles contained within the Trust's Vision and Values whilst incorporating guidance from the Department of Health (2009) 'Using mobile phones in NHS hospitals'.
- 3.3 The Trust aims to preserve and protect the privacy, dignity and confidentiality of all service users within the wide range of services. Photographing or recording service users should only be with the permission of the service user, or in the case of a child, their parent or guardian.

### 4. Duties

- 4.1 The Trust has a legal obligation to respect the service users private life and to maintain the safety, privacy, dignity and confidentiality of service users and all information related to them. The Human Rights Act 1998 (HRA) enshrines the right to respect for private and family life set out in Article 8 of the European Convention on Human Rights. The HRA makes it unlawful for public authorities (including NHS trusts and NHS Foundation Trusts) to act in a way which is incompatible with the convention.

### 5. Policy Standards

- 5.1 The Trust makes every effort to support service users in making and maintaining contact with family and friends by telephone and to enable such calls to be made with appropriate privacy.
- 5.2 Service users and visitors however, will be advised of the risks of bringing mobile phones to in-patient settings, day care areas or out patient clinics, particularly of theft/loss. They will also be advised of the restrictions placed on the use of mobile phones as set out within this policy.
- 5.3 On admission all service users should be asked if they have a mobile phone and charger in their possession and advised of the risks of retaining a mobile whilst in hospital. For some service users it might be appropriate for their carer or next of kin to have possession of their phone during the period they are in hospital. **All service users must have phone chargers removed** and either given to the carer/next of kin or kept in storage (see section 7 below).
- 5.4 Posters will be available on sites for all service users and particularly those who retain their mobile, specifically attention will be drawn to following:
  - Keeping the phone on silent setting
  - Avoid using it during therapeutic activities
  - Take steps to keep the phone safe and secure at all times.
  - Avoid lending the phone to other service users
  - Avoid using in communal areas, such as lounges and dormitories
  - Never use the recording or photography facility
  - Never download inappropriate/illegal images

- 5.5 Signage in clinical areas will indicate where mobile phones cannot be used such as lounges, dining areas, dormitories etc.
- 5.6 On admission the service user phone must be listed in the property sheet. If the phone is handed in for safe keeping at this stage, the phone must be labelled clearly with the name of the owner and a 'Receipt of Mobile Phone' form (appendix 1) completed, a copy of which is given to the service users.
- 5.7 If there is concern about a service user retaining their telephone, a risk assessment should be undertaken which may result in the phone being removed. Where this action is taken a clear explanation will be given to the service user and their carer (where appropriate).
- 5.8 If the decision is made to remove a service user's phone, ideally it should be given to the carer or relative for safekeeping, alternatively it must be placed in storage until the service user is granted leave or is discharge from the ward. A 'Receipt of Mobile Phone' must be completed (Appendix 1).
- 5.9 Service users should be advised that there are coin operated telephones available on wards for their personal use. In addition, ward staff should exercise judgement in allowing service users to use ward office phones when needing to communicate with relatives and other services such as community staff, probation officers etc.
- 5.10 Service user who wish to retain their phone during the period of admission must agree that they will not take images or recordings of anything or anyone and that the phone will only be used for the purpose of conversation and texts. If a service user refuses to agree to this restriction the team will need to decide if the service user is allowed to retain their phone.
- 5.11 Service user's who are found to be using or have used their mobile's recording or photographic facility to record or take pictures of service user or of situations on Trust premises will be asked to delete these images. If they refuse to do so Trust staff will retrieve the phone and delete the images if necessary.
- 5.12 Should staff discovery illegal images have been downloaded the police will be informed and will take appropriate action.
- 5.13 Following any such events the phone will be removed and placed in storage until a discussion at the next clinical review takes place. The reasons for removal and subsequent clinical decisions will be discussed with the service user and should be clearly documented in the service users clinical notes.
- 5.14 Visitors will be asked to switch off mobiles when entering the ward and keep them out of sight when on the ward. Visitors will be asked to leave the ward area should they need to use their phone in order to maintain a therapeutic environment.
- 5.15 If visitors are found to be using their recording or photographic facility they will be advised that they are in breach of patient confidentiality and human rights and asked to delete the recording or photograph. They must do so in the presence of staff. If they refuse, the situation must be escalated to a senior manager who will decide if the situation requires reporting to the police.

- 5.16 In the event of a visitor refusing to respect these restrictions they will be asked to leave the clinical area and the multi-disciplinary team may decide to refuse entry to future visits.
- 5.17 Service users and visitors attending outpatient clinics should switch off their personal mobile phones and leave the clinic area should they need to use the phone.
- 5.18 The Trust will not accept responsibility or liability for loss or damage to mobile phones belonging to service users or visitors and will not accept responsibility or liability for mobile phone bills.
- 5.19 To assist staff in working with service users who are detained under the Mental Health Act 1983 it is important to bear in mind that detained service users have the same rights as informal service users to have contact with family and friends through readily accessible telephone facilities.
- 5.20 Paragraph 16 of the Mental Health Act Code of Practice recognises that all hospitals have implied powers over the rights of detained individuals to access and use telephones. It would therefore be permissible to restrict the use of mobile phones in clinical areas provided there are reasonable clinical grounds for doing so and this decision is taken as part of the individual's plan of care.
- 5.21 It is recognised that there may be risks in respect of detained patients making frequent and numerous phone calls to the police, local politicians, newspapers etc or receiving inappropriate phone calls which may place themselves and/or others at risk.
- 5.22 Detained service users who are assessed by the clinical team not to have the capacity to manage the identified risks of using a mobile phone should have the use of their mobile phone denied for the duration of the risk. This should be discussed with the individual, their carer or family member and reviewed at least weekly with the clinical team and the service user.
- 5.23 Consideration to remove a mobile phone should be given in respect to detained service users who may make calls to high cost lines, resulting in them receiving high phone bills which they may be unable to pay.

## **6. Forensic & PICU Services**

- 6.1 Locally agreed procedures within Forensic and Psychiatric Intensive Care Services regarding the use of mobile phones by service users and visitors are operational within these areas. They describe a more restrictive approach in order to meet the specific needs of the client group (see appendix 2(d)).

## **7. Charging Mobile Phones**

All electrical equipment is required to be PAT tested to provide safety requirements. Each ward has available chargers which are compatible with mobile phones and are regularly PAT tested by the Trust. Service users

therefore should not bring their own chargers into hospital, but should they do so they must be informed that Trust chargers are available for their use. Personal chargers should be put in safe keeping or given to a carer or next of kin for removal and safekeeping, (see 5.3 above). This will ensure the Trust is meeting safety assurance.

## **8. Process for reviewing, approving and archiving this policy**

- 8.1 This policy will be reviewed in three years or whenever national policy or guideline changes are required to be considered (whichever occurs first). Reviews will take place within local services which feed into the Healthcare Governance Committee for re-approval. Archiving of this document and associated documentation should be conducted in accordance with the Trust's document: "Records Management: NHS Code of Practice, Records Retention and Disposals Schedules".

## **9. Dissemination, Implementation and access to this policy**

- 9.1 This policy should be implemented and disseminated throughout the organisation immediately following ratification and will be published on the Trust's intranet site. Changes in policy and procedure will be introduced locally via Matrons and PIN's. Access to this document is open to all.

## **10. References**

- 10.1 Department of Health (2009) Using Mobile Phones in NHS Hospitals
- 10.2 Department of Health (1983) Mental Health code of Practice
- 10.3 The Human Rights Act (1998) Office of Public Sector Information (OPSI)



Appendix 1



**Receipt of Mobile Phone**

Ward/Clinic Name

Service Users Name

Mobile Phone /Recording Equipment Description (Please include make and model if available)

Monies left on phone if appropriate

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**Date Phone/recording equipment placed in safe keeping**

Service User Signature (Please Sign, Print & Date)

Staff Signature (Please Sign, Print & Date)

**Date Phone/recording equipment returned to Service User**

Service User/Visitor Signature (Please Sign, Print & Date)

Staff Signature (Please Sign, Print & Date)

**Copy of this form to be given to the service user**

**Please ensure the phone is clearly labelled with the service users name and is stored securely either in a Safe or Locked Cabinet**

## **Appendix 2**

### **Local protocols within services**

- (a) Newham Centre for Mental Health**
- (b) Tower Hamlets Centre for Mental Health**
- (c) City & Hackney Centre for Mental Health – Bevan Ward**
- (d) Forensic Service**

# *Attention all Service Users!!!*

## *Service User Mobile Phone Policy*

1. Please make sure that if you want to make or receive a mobile phone call you kindly do this in your bedrooms.
2. Keeping a Mobile phone on the ward is at your own risk. The Trust is unable to accept liability for any loss, damage or theft of mobile phones.
3. Ward Staff have the right to confiscate mobile phones and other mobile recording devices when there is a reasonable cause to believe such devices are being used to record fellow Service Users or Staff. These devices can be collected by an appointed carer or friend or kept in the general office until such time as deemed appropriate to return.
4. Unsolicited recordings or images will be deleted from devices by the ward team in order to protect anonymity and/or confidentiality.

Appendix 2 (b)

**Tower Hamlets Centre for Mental Health**

**TAKEN FROM THE: RESTRICTED ITEMS PROTOCOL**

**Definition and Aim**

The 'Restricted Items Protocol' is aimed at preventing access to objects, materials and substances within the Adult Mental Health Service that may be detrimental to the welfare, health and safety of staff, patients and visitors.

Any item that may be used or abused to the detriment of others, whether physically or emotionally, may become a 'restricted' item.

This definition implies some flexibility in the policy, such that the ward / unit may be responsive to changing circumstances and to fluctuations in the level of risk posed by certain patients at certain times.

***Mobile Phones/Camera Phones and chargers are items which you may bring into the unit but which you will need to let a member of staff know about so that they can be safely stored. Access to these items will be determined via risk assessment.***

The Multi-Disciplinary Team will be happy to discuss with you any issues regarding the above.

**THANK YOU FOR YOUR CO-OPERATION**

## Appendix 2 (c)

### City & Hackney Centre for Mental Health

#### Extract from Bevan Ward protocol for the safe handling of patients property and finances

##### **MOBILE PHONES**

*'Mobile phones are not permitted on the ward for security reasons. On admission, patients will be asked to give their phones to relatives to take home for safekeeping, or to put them in the patients lockers provided. If during their admission, a patient requires use of their mobile phone (to retrieve numbers or check for messages), they need to ask staff to give them access and they can do so under supervision. As we appreciate the inconvenience that this may cause, a patient pay phone is located on the ward and staff are more than happy to facilitate calls on the office phone to relevant persons involved in the patients care. Visitors are not allowed, at any time to bring in mobile phones for patients as this is a serious breach of security. We also ask that relatives do not use their mobile phones whilst they are on the ward, and should they need to then they should leave the ward and come back when they have finished'.*

## Appendix 2 (d)

### John Howard Centre – Local protocol

#### 1 INTRODUCTION

1.1 This protocol serves to ensure that mobile phone use by in-patients of the John Howard Centre takes place in a controlled and safe manner, and should be read in conjunction with other relevant policies within the Forensic directorate and the Trust:

- Banned and restricted items policy
- Search policy
- Policy on use of video cameras within the secure area
- Policy on the management of cameras and photographic equipment within the secure area

1.2 Mobile phones are considered to be risk items within the environment of the John Howard Centre and as such patient access to mobile phones is restricted. As part of the rehabilitation and recovery process mobile phones will be accessible to patients who have unescorted community leave. The rationale for Service Users' access to mobile phones whilst on community leave is for:

- Service Users to be able to contact ward staff on any issues of concern
- Ward staff to be able to contact service users while on leave should there be need to.
- Increased sense of privacy when telephoning ward staff

#### 2 USE OF MOBILE PHONES

2.1 Service users wishing to use a mobile phone should be able to purchase it and pay for running costs.

2.2 Mobile phone use requests will only be considered once service users are at the stage of unescorted community leave.

2.3 The decision as to whether or not a service user may use a mobile phone will be made by the MDT on an individual basis.

2.4 Mobile phones may only be used on unescorted community leave. Mobile phones must not be used within the wards or on leave within the hospital grounds. Under no circumstance will service users utilise John Howard Centre escort mobile phones whilst escorted or unescorted.

2.5 In order to be able to check for any changes made to the mobile phone, the ward staff should keep a record of the following details of the mobile phone and the Security Nurse to ensure that a record of these details are available before issuing out a mobile phone:

- Make and model
- Mobile phone number
- IMEI number (located on the back of the phone after removing the battery)
- The number on the sim card

- 2.6 Mobile phones and chargers will be stored in locked cupboards on the wards and only made available during unescorted community leave.
- 2.7 The escorting staff member will issue the mobile phone when the service user reaches the reception airlock.
- 2.8 On return from leave, the escorting staff member will collect the mobile phone in reception airlock.
- 2.9 Mobile phones will be re-charged only by the ward staff in non-patient areas. Service users will not be permitted to take the phones to their rooms for this purpose.
- 2.10 When a service user receives and returns the mobile phone it will be the responsibility of the security nurse to ensure the service user signs and dates the security book.
- 2.11 The details of the mobile phone as outlined in 2.5 above should be checked by the Security Nurse when the mobile phone is returned.
- 2.12 Credits on mobile phones are to be noted by security nurse on issue and return, and signed by the service user.
- 2.13 Where a service user fails to return a phone after leave, a search should be carried out in accordance with the John Howard Centre search policy in the reception area and information passed on to the respective MDT for review.
- 2.14 Any suspected inappropriate use of a mobile phone or failure to comply with these guidelines may result in use being suspended. The mobile phone may be submitted to the security department or the police for examination in the event of phone misuse allegations being made.
- 2.15 The trust/service/ward takes no responsibility for damage to or loss of mobile phones kept on hospital premises or used by service users in the community.

### **3 PHONE SPECIFICATIONS**

- 3.1 The guidance outlined below recognises technological developments in mobile phones, which have left very few models on the market that offer only basic phone functions. Although it may not be possible to prevent the purchase of phones with multi-functions, this guidance seeks to manage the associated risks.
- 3.2 Mobile phones permitted for use must be 'Pay as you Go', not contracted. The trust/service/ward takes no responsibility for payment of running costs.
- 3.3 Use of mobile phones with Internet and visual image storing (still or video camera) facilities should not be permitted and service users who have been cleared to buy a mobile phone should be advised of this prior to purchase.
- 3.4 Due to rapid development in mobile phone technology, this protocol will require regular review to ensure any new risks are considered and managed.