

Policy and Procedure on

Individuals use of mobiles, telephones and IT

(Cambian Dilston College)

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| Policy Author / Reviewer | Paul Follan, Head of IT |
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| Staff Groups Affected | All Staff |

Contents

| | |
|--|---|
| 1. Monitoring and Review..... | 1 |
| 2. Terminology | 2 |
| 3. Legislation | 2 |
| 4. Purpose | 3 |
| 5. Policy..... | 5 |
| 6. Procedure..... | 5 |
| 7. Accountability | 5 |
| 8. Standard Forms, Relevant Documents, Letters & References | 6 |
| Please refer to these supporting documents, where relevant, to record a young person's use of personal equipment | 6 |
| Related Cambian Policies | 6 |
| Guidance and Further Reading..... | 6 |

1. Monitoring and Review

- 1.1.** The Proprietor will undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than three years from the date of approval

shown above, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

- 1.2.** The local content of this document will be subject to continuous monitoring, refinement and audit by the Head of Service.

Signed:



Jeremy Wiles
Group Executive Director – Children Services
 September 2021

2. Terminology

- 2.1.** Our aim is to use consistent terminology throughout this policy and all supporting documentation as follows:

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| 'Establishment' or 'Location' | this is a generic term which means the Children's Home/school/college. Cambian Dilston College is a college |
| Individual | means any child or young person under the age of 18 or young adult between the ages of 18 and 25. At Cambian Dilston College we have students attending and/or residing between the ages of 16 and 25 |
| Service Head | This is the senior persons with overall responsibility for the college. At Cambian Dilston College this is the Principal who is Zahida Hammond and the Registered Manager who is Kirsty Davison. |
| Key Worker | Members of staff that have special responsibility for Individuals residing at or attending the Establishment. |
| Parent, Carer, Guardian | means parent or person with Parental Responsibility |
| Regulatory Authority | Regulatory Authority is the generic term used in this policy to describe the independent regulatory body responsible for inspecting and regulating services. At Cambian Dilston College this is [Ofsted/CQC etc] |
| Social Worker | This means the worker allocated to the child/family. If there is no allocated worker, the Duty Social Worker or Team Manager is responsible. |
| Placing Authority | Placing Authority means the local authority/agency responsible for placing the child or commissioning the service |
| Staff | Means full or part-time employees of Cambian, agency workers, bank workers, contract workers and volunteers. |

3. Legislation

- 3.1.** Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3) (as amended)

- 3.2. Mental Health Act 1983 - Code of Practice
- 3.3. National Minimum Standards for Independent Health Care Services in Wales
- 3.4. Children's Homes Regulations April 2015
- 3.5. Essential Standards of Quality and Safety

4. Purpose

4.1. This policy and related procedures are to ensure staff within Cambian comply with Legislation and Regulations regarding the use of phones and information technology.

4.2. The key principles of this policy and procedures are:

- That all individuals in Cambian locations (including detained or informal patients, should have unhindered access to a telephone unless the care planning process informs a risk assessment specifying otherwise.
- It is recognised that we work with some very young children in our services therefore access to a mobile telephone should reflect their age and developmental stage. Consultation should be sought from relevant professionals and parents (where applicable), If there is a safeguarding risk which supersedes the request for a mobile telephone this should be documented as part of the individual's risk assessment and reviewed on a regular basis.
- That, in the case of an individual, any restriction(s) placed upon an individual's access to a telephone, including a personal mobile phone or information technology, shall be the least restrictive in accordance with Article 8 (Right to Respect for Family and Private Life) of the European Convention on Human Rights (ECHR) and the Mental Health Act Code of Practice Section 8.
- Article 8 of the ECHR provides for 'the right to respect for family and private life.' Consequently, any restriction placed upon access to and use of a telephone might engage Article 8 in a claim for breach of human rights. In order to defend such a claim, it would have to be shown that the action was 'in accordance with the law' and necessary in the interests of (1) national security or (2) public safety or the economic well-being of the country or (3) the prevention of disorder or crime or (4) the protection of health or morals or (5) the protection of the rights and freedoms of others. In addition to the above, any action taken would need to be proportionate and necessary.
- Section 119 of the Criminal Justice and Immigration Act 2008 creates a new offence of causing nuisance or disturbance. Persons who are not seeking medical advice, treatment or care, or have finished receiving or having been

refused such care, could commit the offence if, for example, they use a mobile phone in such a way as to cause a nuisance or disturbance to a staff member.

- The principles of confidentiality include the need to protect individual identifiable information and will allow restrictions to be placed upon the use of mobile phones with cameras in hospital settings.
- IT access will be restricted in in some locations to ensure only safe and developmentally appropriate material is available.
- Individuals should complete an Internet access and use agreement form Policy 40.06 (Internet access and use agreement) that outlines:
 - Business internet Filtering and monitoring systems will be used in order to minimise the risk of exposure to inappropriate material.
 - Individuals should not use, move or remove IT equipment without the express permission of staff.
 - Removal of system covers e.g. computer cases is expressly forbidden.
 - Network access must be made via the user's authorised account and password, which must not be given to any other person.
 - The location will regularly monitor individuals' computer usage.
 - IT system security must be respected; it is a criminal offence to use a computer for a purpose not permitted by the system owner.
 - Individuals should be provided with e-safety training/education.
 - Uploading and downloading of non-approved software will not be permitted.
 - Individuals will not intentionally visit Internet sites that contain obscene, violent, illegal, hateful or otherwise objectionable materials.
 - Cambian reserves the right to check a service user's personal technology – if applicable (including; Desktop computer, Laptop, Tablet, Smartphone and portable media devices (to include USB Media Device, portable

HDD, CD, DVD) for inappropriate or malicious content. This information is to be expressly made known to both Individual and relevant persons/professionals.

- Corporate WIFI will be restricted in some locations for individuals and will only be authorised by IT service desk, any access to Corporate WIFI should be appropriately risk assessed and reviewed on a regular basis.

5. Staff expectations

- 5.1.** In order to provide appropriate protection to the young people in our services it is essential for staff members to adhere to the following:
- Staff members should not carry personal mobile telephones on them when they are on duty. Mobile telephones should not be left on office desk. They should be kept in a safe location and kept on silent mode.
 - Staff members should never allow a child to use their personal phone or access data
 - Bluetooth should not be switched on during this time
 - Staff smart watches with built-in technology that provides internet access, text messaging, phone calls and/or have built-in cameras are not to be worn by staff, young people are not to be given access to staff smart watches.
 - No photographs or young people should be taken on staff mobile telephones
 - No sharing of staff personal mobile phone WIFI (Hotspot) to any individual
 - Staff to ensure previous calls are erased for data protection and safeguarding purposes
 - Safeguarding and monitoring of the use of IT systems
 - Completion of risk assessments and monitoring of corporate WIFI
 - Misuse of computer, mobile phones and other IT Technology may result in restriction of services and confiscation.
 - Any infringement, misuse or inappropriate content to be reported immediately to the IT service desk and line manager.

6. Policy

- 6.1.** This policy and related procedures apply to all young people across all Cambian locations.
- 6.2.** This policy is to actively support individuals to maintain regular contact with their homes/friends and have access to phones and information technology.
- 6.3.** The principle of confidentiality includes the need to protect individual identifiable information and will allow certain restrictions to be placed upon the use of electronic devices particularly where they are equipped with cameras or other means of recording/transmitting data.
- 6.4.** Individuals shall have access to internet facilities in a format suitable to their needs and level of risk.
- 6.5.** To ensure the appropriate use of personal mobile telephones by individuals and avoid disruption whilst giving Heads of Service the authority to withdraw the rights of individuals to use personal mobile telephones and other electronic devices on site where this is deemed appropriate and reasonable.

7. Procedure

- 7.1.** Each service will follow the procedure related to this policy and that the correct agreement and consent forms are completed.

8. Accountability

- 8.1. Heads of Service have responsibility to ensure all staff are made aware of the policy and procedure through induction.
- 8.2. All staff are responsible for familiarising themselves, adhering to and applying this policy.

9. Standard Forms, Relevant Documents, Letters & References

Please refer to these supporting documents, where relevant, to record a young person's use of personal equipment

- Individual phone - Record
- Laptop Usage Agreement
- Laptop Usage Agreement CAMHS HOSPITAL
- Mobile phone usage agreement EASY READ
- Mobile Phone User Agreement
- Mobile Phone User Agreement EDUCATION
- Internet Access and Use Individual Parental Consent

Related Cambian Policies

- 9.1. Child Protection- Safeguarding
- 9.2. Safeguarding – Prevent
- 9.3. Safeguarding – E-Safety
- 9.4. Mental Capacity and Consent
- 9.5. Anti-bullying

Guidance and Further Reading

- 9.6. <https://www.nspcc.org.uk/search/?query=e-safety>