

USE OF MOBILE PHONES WHILST DRIVING POLICY



1. The Leonardo Trust wishes to bring to the attention of all employees the Road Vehicles (Construction and Use)(Amendment)(No 4) Regulations 2003.
2. The Regulations state that;
“No person shall drive a motor vehicle on a road if he is using a hand-held mobile telephone or hand-held device”; and
“No person shall cause or permit any other person to drive a motor vehicle on a road while that other person is using a hand-held mobile telephone or hand-held device.”
3. The definition of “driving” in the Regulations means “being in control of a vehicle” and therefore includes, for example, being stationary at traffic lights, or being parked with the engine running.
4. **The Leonardo Trust makes it clear that no Employees are to use a hand-held mobile telephone or hand-held device WHILST IN CONTROL of a motor vehicle for work purposes. Furthermore, if an Employee is to use a hands-free kit, then the Employee must ensure that the kit complies with the Regulations (ie, does not need to be held in order to dial out).**
5. The Leonardo Trust does not require or condone its Employees to use a mobile phone (whether hand-held or hands-free) whilst driving. If a hands-free kit must be used, then the Employee should still only acknowledge an incoming call to say that you will call back when it is safe to do so. Should you wish to return such a call, or originate an outgoing call, you should park in a safe place, and switch the engine off, before making the call. **Driving whilst continuing a call on a hands-free telephone may still be constituted as CARELESS DRIVING under existing Road Traffic legislation.**
6. The Leonardo Trust’s preferred policy is that, rather than to use* a hands-free kit to acknowledge incoming calls whilst driving, Employees divert all incoming phone calls to their voicemail (or, where possible, to another number) and that the Employee stops regularly to check their messages and return any calls.

*Definition of use includes looking at the screen