

Policy on the Use of Handheld Mobile Phones While Driving

At Duncan's, safety comes first — and that includes strict adherence to national laws regarding mobile phone use while driving. Using a handheld mobile phone behind the wheel is illegal, dangerous, and subject to serious penalties.

Legal Background

Since 1 December 2003, it has been a legal offence to use a handheld mobile device while driving.

On 1 March 2017, legislation under Section 26 of the Road Safety Act 2006 increased the severity of penalties.

Current Penalties

- On-the-spot fine: £200
- Licence penalty: 6 points
- If prosecuted in court:
 - Possible disqualification from driving
 - Maximum fine of:
 - £1,000 for car drivers
 - £2,500 for minibus, coach, or goods vehicle drivers

These penalties apply even if the vehicle is stationary in traffic.

What Is Prohibited?

It is illegal to use any handheld mobile device while driving — including making calls, texting, browsing, or using apps.

A handheld device is defined as any device that must be held at any time during its use. This also includes devices similar to mobile phones that send and receive data, such as tablets or satellite communicators.

What About Hands-Free?

Hands-free use is not banned — but it can still be distracting. Department for Transport guidance strongly advises:

- Let calls go to voicemail
- Do not engage with your mobile phone at all while driving

Even with hands-free kits, if your driving is affected, you may still be prosecuted under Regulation 104 of the Road Vehicles (Construction and Use) Regulations 1986 for failing to have proper control of the vehicle. Penalties are the same as those for handheld phone use.

Employer Responsibility

At Duncan's, we are committed to driver safety. Therefore:

- Employees must not use handheld phones while driving any company vehicle.
- Managers must not instruct or encourage drivers to make or take calls while driving.
- Failure to comply may lead to disciplinary action and/or legal consequences for both employee and employer.

Further Information

More details can be found at the Department for Transport's official site:

 www.thinkroadsafety.gov.uk