
SECTION 16

PLANNING AND MANAGEMENT OF INFORMATION TECHNOLOGY

16.04 MANAGEMENT AND USE OF CELLULAR DEVICES

AUTHORITY: *FINANCIAL ADMINISTRATION ACT*

ADMINISTRATION: TREASURY BOARD SECRETARIAT
IT SHARED SERVICES

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16.04 MANAGEMENT AND USE OF CELLULAR DEVICES

(1) PURPOSE

The purpose of this policy is to define the management and use of Cellular Devices, including but not limited to cellular telephones, smartphones, tablets, and mobile radios, and the security of those assets and the information they hold. It is intended that the policy will assist management to:

- minimize investments in equipment, maximize the use of existing equipment; identify surplus equipment for redistribution,
 - ensure efficient, effective control over equipment inventory against loss, theft, and misuse;
 - identify roles and responsibilities;
 - ensure records management and legal implications are considered;
 - ensure cybersecurity of devices and their connections to other infrastructure and the organizational information they access;
 - ensure the most economical purchasing practices are followed; and
- devices are used in a manner which are consistent, flexible, fair to both the employee and employer and in compliance with Government policy and practices.

(2) APPLICATION

The application of this policy is referenced to the schedules of the *Financial Administration Act* (FAA) and applies as follows:

- Schedule “A” - Departments except the Legislative Assembly
- Schedule “B” - Crown Corporations
- Schedule “C” - Education Authorities
- Schedule “D” - Commissions

except to the extent that their enabling legislation may incorporate alternate requirements such as Ministerial or Board Authority. In the event that a policy developed by Ministerial or Board Authorities differs from Treasury Board policy and that entity is accessing Government IT services, Treasury Board Policy will prevail.

While this policy **does not apply** to the Legislative Assembly or to Reporting Entities subject to alternate legislation, the **spirit and intent** of the policy should serve as a **guideline** for these entities in developing their own policies. Reporting Entities that develop policies differing from Treasury Board policy require approval of Treasury Board.

(3) DEFINITIONS

- (a) **“Applications”** sometimes referred to simply as ‘apps’, are a type of software that can be downloaded to a wireless device to extend its functionality. Some Applications are free, while others must be purchased outright or subscribed to with monthly payments. Applications must be approved before they are downloaded and installed on Government owned devices.
- (b) **“Authorized Individuals”** are individuals working for the Government, including employees of the Government, as well as casuals, contractors, students and other persons who have been authorized by the Deputy Head or a designate appointed by the Deputy Head with access to Government Cellular Devices.
- (c) **“Cell Phone”**, or more formally referred to as “cellular phone”, provides voice communications and can also provide text messaging via Short Message Service (SMS). Certain models may also provide other functionality such as Internet access.
- (d) **“Cellular Device”** means any device used to remotely access wireless voice or data services via a cellular service provider. Cellular devices include, but are not limited to Cell Phones, smartphones, tablets, and mobile radios.
- (e) **“Deputy Head”** means the Deputy Minister of a department or the Chief Executive Officer of a Crown corporation, agency or commission;
- (f) **“Mobile Device Management”** means policy, processes or technology determined for appropriate use by Information Technology Shared Services to manage, secure or monitor devices.
- (g) **“Motorized Vehicle”** refers to any type of motorized transportation owned, leased or used for Government work including but not limited to cars, trucks, boats, snowplows, snowmobiles, or all-terrain vehicles.
- (h) **“Personal Use”** means any use of Government equipment for any purpose other than Government business;
- (i) **“Tablet”** means a mobile computer with display, circuitry and battery in a single unit. Tablets are equipped with sensors, including cameras, microphones and touchscreen, with finger or stylus gestures replacing computer mouse and keyboard. Tablets are typically larger than smartphones at seven inches or larger measuring diagonally.
- (j) **“Telecommunications Liaison Officer (TLO)”** is an employee designated by the Deputy Minister to liaise with staff of that department and the Telecommunications Section of Treasury Board Secretariat in all matters related to telecommunications including, but not limited to, the purchase of desk phones, cellular phones, smartphones, mobile radios, and related accessories and services.

- (i) **“Tethering”** means the use of a Cell Phone or smartphone to provide internet access to another device, such as a laptop computer or tablet.

(4) AUTHORITY, RESPONSIBILITY AND ACCOUNTABILITY

- (a) Department of Finance, Information Technology Shared Services (ITSS) will:

- (i) negotiate prices for equipment, maintenance, and services including airtime and long-distance calling through the established competitive process for all Government departments and agencies, including the health and education sectors, and carry out such negotiations as required to ensure that services available to workers meet their needs effectively and at the lowest possible cost;
- (ii) implement the use of Mobile Device Management and maintain the inventory of such devices;
- (iii) provide support and training to departments in the purchase and monitoring of wireless communication devices;
- (iv) communicate any relevant updates to the TLOs in the departments;
- (v) monitor and report on excessive data usage;
- (vi) monitor usage of Cellular Devices through periodic audits and inspections;
and
- (vii) determine and implement security standards, policies and measures for device usage.

- (b) Departments, Crown corporations, agencies will:

- (i) follow this policy regarding the Management and Use of Cellular Devices.
- (ii) establish reasonable criteria based on job duties and place of work for the issue of cellular communication devices. All Cellular Devices and accompanying voice and data plans will be selected by management based on the business needs of the position.

- (iii) Establish Telecommunications Signing Levels:

Option 1. Senior Management (deputy heads) will assign responsibility for the approval of purchase of electronic devices such as cellular telephones within their departments.

- Option 2. The approval of purchase of electronic devices such as cellular telephones and related services shall reside with department TLOs appointed by department senior management.
 - Option 3. Responsibility for the approval of purchase of electronic devices such as cellular telephones will be in accordance with established financial signing levels within individual departments.
- (iv) establish controls to ensure accountability in the issue and use of cellular communication devices and investigate inappropriate usage with guidance from ITSS and Human Resources;
 - (v) undertake an analysis of communications costs at least annually to ensure that existing equipment is still required and is assigned to the appropriate personnel; that data usage is in line with the needs of the user; and those costs incurred are accurate and in compliance with the policy;
 - (vi) report any missing, stolen or lost equipment to the ITSS section of Department of Finance;
 - (vii) report to TLOs any equipment which is no longer being used so that the services to that equipment can be discontinued and confirm with the departmental Records Coordinator that records management requirements are met;
 - (viii) keep records of equipment assignments; and,
 - (ix) ensure that the Cellular Device Request and Agreement Form maintained by ITSS is signed by the Supervisor and Employee.
- (c) The employee is responsible to:
- (i) sign and follow the Cellular Device Request and Agreement Form maintained by ITSS prior to or upon receipt of the device; and
 - (ii) follow this policy regarding the Management and Use of Cellular Devices and all records management requirements.

(5) DETERMINING NEED

Prior to requesting purchase of a Cellular Device such as a phone, tablet, or mobile radio, authorized departmental personnel should evaluate the duties of the employee to determine that the employee and Government's needs will be best met through provision of such a device. Cellular Devices should be used for efficiency, security and job performance and should meet, but not exceed the requirements of the position as determined by department management. Factors to be considered include:

- (i) the job duties require the employee to be on call;
- (ii) the job duties require them to be away frequently from their normal place of work, and they need to be contacted at these times;
- (iii) all remote employees requiring phone access should be issued a Government phone for legal and records purposes as also stated in the Remote Work Agreements;
- (iv) the job duties provide a support service, such as help desk or network support;
- (v) the job duties deal with matters relating to health and safety issues;
- (vi) cost, including data usage, and required accessories;
- (vii) access to or maintenance of records related to voice calls; and
- (viii) ITSS offered alternatives that may be more suitable and cost effective such as land lines or video conference;

(6) GENERAL USAGE FOR CELLULAR DEVICES

(a) Authorized Usage

Authorized Usage means permitted use of Government Cellular Devices by Authorized Individuals:

- to perform activities as a part of their official duties;
- for career development and other professional activities; and
- for limited personal use that is conducted on personal time; that is not for financial gain; that does not incur any additional costs for the department; does not conflict with Government policies and priorities; and that does not interfere with the conduct of business.

All use of Government Cellular Devices must be in compliance with the Acceptable Use Forms, Agreement(s), and policies maintained by ITSS and all other related Treasury Board policies and departmental codes of conduct and policies. Use of Government Cellular Devices must not give rise to a real, potential, or apparent conflict of interest or in any way undermine the integrity of the department.

- (i) Government Cellular Devices are only to be used by the individual to whom they are assigned.
- (ii) upon termination or transfer of employment from the department, the employee will return their assigned Cellular Device and all its peripherals to their supervisor or the TLO, on or before the last official working day.

- (iii) SIM cards that are assigned to Government Cellular Devices are not to be removed and place in personal devices.

(b) **Unauthorized Usage**

Unauthorized Usage is not permitted. Unauthorized Use means is any activity which violates Treasury Board or departmental policy instruments or other published requirement, including, but not limited to, activity or behavior that:

- may give rise to a criminal offence;
- violates any federal and provincial statute;
- impacts negatively on the performance of Government mobile wireless devices;
- impedes departmental operations or the delivery of services;
- could be deemed to reasonably result in a civil lawsuit.

(c) **Maintenance**

- (i) Cellular Devices are to be maintained in good condition.

(d) **Use in Motorized Vehicles**

Pursuant to section 291.1 of the *Highway Traffic Act*, it is illegal to text, dial, chat, email or search using a hand-held communication device while driving on Prince Edward Island. This includes use of:

- (i) Cell Phones
- (ii) 10-4 phones
- (iii) GPS systems
- (iv) laptops

Drivers can use hands-free technology activated by a single touch to a button but only as permitted by law.

(e) **Security**

- (i) Devices are to be centrally managed by ITSS using Mobile Device Management.
- (ii) Store any Cellular Device in a secure and safe location when taken away from the office. Cellular devices are not to be left in vehicles.
- (iii) Report missing or damaged Cellular Devices immediately to a supervisor and the ITSS Service Centre.
- (iv) Take care in public locations to ensure that others may not view sensitive information.

- (v) Use of a password protected screen saver is required to reactivate a session after five minutes of inactivity.
- (vi) Seek ITSS approval to take devices out of Canada and do not check a Cellular Device in baggage when travelling; carry it with you. Be sure your battery is charged as you may be asked to demonstrate the device to airport officials.
- (vii) Applications for Cellular Devices may request special permissions that are inappropriate and may be a security risk. Consult ITSS Security Services Office for an evaluation of the application.

(f) Cellular Services

The Government Cellular Devices contract has been constructed to provide the Government preferred rates through the pooling or sharing of cellular minutes amongst all Government Cellular Devices.

(g) Personal Use

It is recognized that it is almost inevitable that individuals provided with a Government Cellular Device will use the device on occasion for personal usage and Government is prepared to provide some latitude in this area on an administrative basis. The plan selected must be reasonably justified by the individual's business-related use of the device and the total (business and personal) usage must be under the airtime minutes and data package allocated to the user. Any additional charges (e.g., long distance, roaming charges or data charges) related to personal use must be reimbursed by the user to Government.

(h) Use Outside of Canada

- (i) For any travel outside of Canada with a Cellular Device, the employee must notify ITSS in advance to allow for a security review and to ensure you can access your email and calendar.
- (ii) Cellular device users who travel outside of Canada for vacation must have the approval of their Deputy Head prior to contacting ITSS.
- (iii) Cellular device users who are required to travel outside of Canada for business or who are deemed essential when on vacation are expected to have the most appropriate international package added to their Device. When the user is on travel out of Canada for business or is deemed essential when on personal leave, the cost of the package will be paid by the user's department.
- (iv) If the devices are taken, any additional charges incurred such as long-distance, roaming or international package for limited personal use will be billed directly to the user.

(i) **Tethering**

Although smartphones have the capability of being tethered to a computer to provide internet access, such usage should only be done for business purposes and only to Government issued or approved devices. Tethering for personal use is not permitted and any unauthorized use will be the responsibility of the user to pay all associated charges and subject to investigation.

(j) **Long-Term Leave, Deferred Leave, Maternity Leave, or other Leaves of Absence**

Employees on long-term leave, deferred leave, maternity leave, or other leaves of absence are deemed to be not working and therefore, do not require access to the Government network. The employee must return the Cellular Device to their Supervisor.

(k) **Personal data on Cellular Devices: Storage, Support, Recovery**

ITSS provides support for the use of the Cellular Device for business purposes. ITSS will not provide support for Applications that are used for personal activities or the recovery of personal data. All applications used on a Cellular Device are to be approved for use on Government devices.

All records created on, or duplicated from, a Cellular Device issued by the Government, including back-up copies, are deemed to be the sole property of Government and are not the property of the user.

Users should be aware that information about the use of the Cellular Device or data stored on the device uncovered during maintenance and system administration, personal or otherwise, may be disclosed to appropriate authorities.

Users should not store any personal information on the Cellular Device or network and such storage is at the user's own risk.

(l) **Texting**

(i) The Government acknowledges that texting has become a more common means of business communications. Text messages should be treated like any other records created, acquired or used in the Government. Consequently, they must be managed throughout their life cycle.

(ii) Employees are responsible for the information they create, receive, or transmit in text messages. As much as possible, text messaging should only be used for transitory information which has short-term value and managed in accordance with approved records management practices.

- (iii) When information is of business value, the information should be documented in another format (e.g., an email message or a word document) and stored and retained in your departmental record keeping system.
- (iv) Texting is never a secure method of communication. Personal information should not be sent by text. A signed waiver should be obtained from external contacts before transmitting any sensitive information via text message. The use of a waiver needs to be approved by the Deputy Head will not eliminate the risk of texting.

(m) **Freedom of Information and Protection of Privacy Act (FOIPP)**

Users are advised that records related to calls and texts made with Government owned Cellular Devices are the property of Government. As such, information related to telephone numbers, length of call, time and date of call or text, as well as any downloadable data recorded on the Cellular Device, such as digital images (pictures), text messages or phone book entries, are subject to, and may be disclosed under the provisions of FOIPP.

(n) **Records Management**

The use of Cellular Devices offers Government employees greater flexibility when undertaking their duties but also comes with an increased risk to the security of government records. Government records in all formats, (e.g., emails, texts, images, videos, documents) which are created, acquired, or stored on Cellular Devices may not be backed up or stored on Government protected networks. It is the user's responsibility to ensure that any Government records created, acquired, or stored on Cellular Devices are maintained in accordance with the *Archives Records Act* and Section 5 -Records and Information Management of the Manual. It is also necessary to adhere to any department policies and processes for the management of electronic records and media as well as any approved records retention and disposition schedules.

(7) **PURCHASE AND DISPOSAL OF EQUIPMENT**

Cellular Device purchases and changes to existing equipment and/or service **must** be coordinated through ITSS and be in compliance with the *Procurement of Goods Act* and *Financial Administration Act*.

All costs related to the purchase, use, and maintenance are the responsibility of the issuing department.

To minimize environmental impact, devices that are no longer operational should be returned to ITSS for proper disposal after confirming with the departmental Records Coordinator that any records management requirements have been met.

Monitoring the costs of equipment and service in a department is the responsibility of that department. However, ITSS Telecommunications staff will assist and/or train departmental TLOs or administrative staff in online analysis of cellular telephone usage and suitable airtime packages.

(8) USE OF PERSONAL CELLULAR PHONE FOR GOVERNMENT BUSINESS

It is strongly encouraged that employees who require the use of a Cellular Device for their job duties, should be provided one through their department, Crown corporation or agency in accordance with this policy. However, in limited cases where employees who require the use of cellular phone only occasionally, and who are in possession of personal cellular phone may, with permission of departmental management, use their personal cellular phone for business purposes and be reimbursed for work-related expenses.

Employees and the Departmental TLOs must complete the ITSS Reimbursement for Use of Personal Equipment form to submit to their department for reimbursement.

It is the responsibility of the employee to ensure that records management practices, safety, and security policies in effect for government equipment are adhered to on all personal equipment used for government business.

(9) INTERPRETATION

In cases where an interpretation is required, such should be referred to the Secretary to Treasury Board, or his/her delegated officer, who will make the interpretation or refer the matter to Treasury Board, if a Board decision is deemed necessary.