

Driving at Work Policy

Frequency of Review	Every 2 years
Author	OCC adopted COO
Approved by	Trust Directors
Reviewed	October 2022
Date of Next Review	October 2024 (unless there is a material change)

1. PURPOSE

Driving at work remains one of the most common causes of serious injury and death at work. The legislation and obligations associated with driving are aimed at promoting road safety. This policy identifies the obligations placed on managers and employees in order to identify and minimise associated risks.

2. OBJECTIVES

- To make drivers aware of the main risks they face or create when driving for work.
- To make sure that employees who drive vehicles in the course of their work demonstrate safe, efficient driving skills and other good road safety habits at all times.
- To maintain all company vehicles in a safe, clean, and roadworthy condition to ensure the maximum safety of the drivers, occupants, and other road users, and reduce the impacts of company vehicles on the environment – this also applies to personal vehicles used for work purposes.

3. SCOPE - WHAT AND WHO DOES THIS POLICY COVER?

Health and safety legislation requires employers to ensure, as far as reasonably practicable, the health, safety, and welfare of all employees, and to safeguard others who may be put at risk from their work activities. This includes all driving while at work.

This policy applies to everyone working for the Propeller Academy Trust (PAT) including workers classed as agency staff and consultants, who drive their own private vehicles (and Trust or member school owned fleet vehicles. Vehicles can include cars, motorcycles, minibuses, bicycles, etc.

Health and Safety legislation does not apply to commuting to and from home unless the employee is travelling to a location which is not their usual place of work, including to training courses.

4. CODE OF CONDUCT

While driving company or own vehicles for work purposes, employees must comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits. The following actions in council vehicles or whilst driving for council business will be viewed as serious breaches of conduct and lead to disciplinary action and dismissal may be a consequence:

- Drinking or being under the influence of drugs while driving.
- Driving while disqualified or not correctly licensed.
- Driving without being fully insured.
- Reckless or dangerous driving causing death or injury.
- Failing to stop after a collision.

- Acquiring penalty points leading to suspension of licence.
- Any actions that warrant the suspension of a licence

5. EMPLOYEES' RESPONSIBILITIES

An employee must, if using a vehicle for work or to travel to locations other than their normal place of work for work purposes, including training courses, ensure that they:

- Adhere to the rules of the road including the Highway Code and Health & Safety Legislation, including:
 - Comply with speed limits, including driving to the conditions
 - Drivers and passengers must wear seatbelts and ensure any safety harnesses and child seats are suitable and properly fitted.
 - Everyone must comply with the law on using a phone or a sat nav when driving and never use a phone, sat nav, tablet or any device when driving for any reason. Do not text, make calls, take photos, or browse the web. The law still applies when stopped at traffic lights, queuing in traffic or holding a device that's offline. You can use devices with hands-free access, as long as you do not hold them at any time during usage e.g., built-in sat nav, voice command etc.
 - Check they have a current full **driving licence**, appropriate to the vehicle category being driven.
 - When needed will access the online driving licence checking system to print a summary of their licence or get an access code for their manager to view their licence details online (this only applies to staff with a photo card licence and replaces the counterpart paper licence). Alternatively, a summary of their licence can be requested by post from DVLA.
 - If using their own private vehicle, confirm with their **insurance** company that the vehicle is insured for business use (note: vehicles used for business use must be insured for that purpose, not just commuting to and from work; this includes travel to locations other than their normal place of work for work purposes, including training courses). Provide a copy of insurance certificate as evidence when requested by the PAT or a member school.
- Check the car used has a **road fund licence**, is roadworthy and has a **current MOT** (if more than 3 years old).
- An employee's driving licence, MOT and car insurance details must be entered onto Access (payroll system) and be valid/in date in order to submit a mileage claim.
- It is always the driver's responsibility to carry out regular checks to ensure the vehicle is safe to drive incl. - oil, water, washer fluid, wipers, lights, tyre condition and pressures and properly functioning seat belts. Check your vehicle is safe to drive -GOV.UK (www.gov.uk)
- Check the vehicle is properly maintained and suitable and fit for its purpose and expected mileage.
- Advise the COO if they are charged with any motoring offence or they incur any penalty points on their driving licence or if they become disqualified from driving. Any individual with 6 (or more) points on their licence must contact the COO as this may lead to disqualification from driving company vehicles. Failure to do so may result in disciplinary action.
- Report any accidents or collisions arising in the course of employment to their line manager and also through the on-line Accident and Incident reporting system, Smartlog. All accidents or collisions involving Trust or member school

Vehicles or that occur on Trust or member school premises must be reported to the COO. Failure to do so may result in disciplinary action.

- Ensure that appropriate safety measures have been implemented following a risk assessment and if transporting children or young people in vehicles that all appropriate equipment and arrangements have been put in place including restraints, escorts, locking of doors, and considerations relating to challenging behaviour whilst driving.
- Ensures that all equipment carried should be secured to prevent any movement likely to endanger driver and/or passenger/s.
- Ensures that adequate time is available to make journeys safely with appropriate rest breaks being taken. (The Highway Code advises a 15-minute break every 2 hours).
- Advise their line manager if they have a disability or medical condition that could affect their ability to drive or if they believe they are unfit to drive for any reason.
- Never drive under the effect of drugs or alcohol or if otherwise not in a fit state – e.g., after receiving a shock or while very upset or taking prescribed drugs that effect their ability to drive.
- Do not smoke or use e-cigarettes in PAT or member school owned or leased vehicles.

6. MANAGERS' RESPONSIBILITIES

Managers are responsible for the following:

- Ensuring that any requirements for driving for work are set out and checked as part of the recruitment process, including making specific mention of this in reference requests and during the induction process.
- Preventing staff from driving if they are known to be mentally or physically unfit to drive.
- Carrying out regular checks at least annually and record that:
 1. the employee's insurance covers the required level of business use in accordance with the contents of Appendix A.
 2. there is a valid MOT certificate if more than 3 years old.
 3. the employee holds a valid driving licence, including whether any penalty points have been awarded that have not previously been reported (see below for action in these circumstances). Managers will need to request a driving licence summary from the employee detailing any motoring convictions and penalty points. Alternatively, an employee can provide their manager with a unique access code so that the manager can access their driving licence details online (this code is valid for 21 days). [Check someone's driving licence information - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- Considering the implications for any driver with penalty points, or who has been convicted of any driving offence. See section 7 below. Managers must inform the COO of any employee who has penalty points and drives a Trust or member school fleet vehicle. If a driver incurs a driving disqualification of more than a month, then on the return of their licence the Trust may (depending on the nature of the offence) require them to complete two year's endorsement free driving before the Trust's insurers will review the position with regard to driving a Trust Fleet vehicle. Managers should contact the COO for further guidance.
- Examining the driving licence of staff hiring a vehicle on Trust business and send a copy to the COO if there are any endorsements (points) on the licence. Managers will need to request a driving licence summary from the employee planning to hire a vehicle detailing any motoring convictions and penalty points. Alternatively, an

employee can provide their manager with a unique access code so that the manager can access their driving licence details online (this code is valid for 21 days).

- Undertaking a risk assessment of all hazards associated with driving in their team, school or setting's activities and reviewing these regularly and at least annually. The need for appropriate escorts and the safeguarding concerns of transporting lone pupils/students or vulnerable people should also be addressed when private vehicles are being used for such purposes.
- Ensuring that all driving accidents and incidents are reported on the online incident reporting system. Smartlog, and, if involving a Trust vehicle, also reported to the COO who will inform the Insurance Provider.
- Investigating any driving related incidents or accidents at work and take appropriate action (see below for action in these circumstances).
- Drawing to the employee's attention any issues arising from driving on Trust business and take appropriate action if required.

7. MOTORING OFFENCES

If a driver receives 12 points or more, within a 3-year period, they will receive an automatic ban. For first time offenders this ban will be for a minimum of 6 months, but for drivers who have received a 'totting up' disqualification in the past 3 years, the ban will be for a minimum of 1 year. Courts have the discretion not to disqualify, or to reduce the period of disqualification, when they consider that mitigating circumstances exist. Drivers can also face disqualification if they have less than 12 points in some circumstances, for example because of drink driving or dangerous driving.

New drivers who reach 6 or more penalty points within the first 2 years of passing their driving test will automatically have their driving licence revoked until they pass both the theory and practical driving test again.

If an employee receives any penalty points the manager will consider:

1. Whether a breach of health and safety rules has occurred amounting to misconduct or gross misconduct and whether disciplinary action is necessary.
2. Whether this has any impact on the employee's ability to drive safely.
3. Whether this has any impact on the employee's ability to transport others safely.
4. Whether the reasons for receiving penalty points are as a result of any behaviour that is likely to bring the Trust into disrepute.
5. Whether this has any implications for the Trust's insurance policy (6 points or more must be reported to the COO).

If an employee is banned from driving, as well as considering (1) - (3) above an assessment will also need to be made about whether an employee can continue to carry out their job role.

In cases where disciplinary action follows, the HR Officer should be consulted to ensure all cases are dealt with consistently and in accordance with Trust policies and procedures.

8. MONITORING OF THIS POLICY

Random checks will be carried out to ensure that this policy is being operated in

accordance with legislation and best practice. This will require staff to provide a copy of all relevant driving documents when requested.

9. FURTHER ADVICE

Further advice on transport/driving issues is available from the Trust' COO.

10. RELATED POLICIES AND GUIDANCE

- Disciplinary Procedure
- Drugs and Alcohol
- Transporting Children in vehicles
- Minibus Guidelines

VARIATION OF PROCEDURES

This procedure is not contractual, and it may be varied by the Trust from time to time. Examples of variation include the need to comply with new legislation or best practice guidance. Should the Trust decide not to apply the procedure, either in its entirety or in part, that will not amount to a breach of contract.

Changes to the procedure will be made in line with the relevant consultation process and through raising employee awareness.

VERSION CONTROL

Date approved and published: October 2022 (Version 1.0)

Date to review policy: October 2024 (unless subject to legislative change)

Appendix A - Driver's licence checklist

For all posts which include any driving as part of the job role. This check needs to be done before appointment. In order for managers to carry out the following checks the employee must access the online driving licence checking system and either print a summary to show the manager or generate a unique access code, which is valid for 21 days. The manager can then access the employee's driving licence details via the online system.

Employee name:	
Job Title:	
Date:	

Is name & address on licence correct? (Photocard or paper licence if no photocard is held)	Yes / No
Do vehicle category codes provide eligibility for vehicle that will be driven?	Yes / No
Has the driver ever been banned or been refused motor insurance?	Yes / No
If yes, give details and contact the COO who will liaise with the insurers.	
Is it a full licence, without any restrictions? (e.g., age/provisional)	Yes / No
Are there any endorsements?	Yes / No
If yes: What are the endorsements?	
Does this present an unacceptable risk?	Yes / No
Can recruitment proceed?	Yes / No
If yes, do any adjustments/monitoring arrangements need to be put in place?	Yes / No
If Yes, please specify:	

Non-British Driving Licences

Is the driver on a visitor's visa or are they resident in Great Britain?	Visitor / Resident
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If an EC/EEA licence this provides minimal restrictions on driving in GB for cars & light vehicles, it can be exchanged for a GB licence. Some restrictions are in place for heavy vehicles and vocational licences.

If a designated country licence is held this provides a 12-month limitation on existing licence for cars and light vehicles, it must be exchanged for a GB licence within 12 months, vocational drivers are required to pass a GB test for medium sized or large vehicles or passenger vehicles (with some exceptions).

For licences outside EC/EEA and designated countries a 12-month limitation on existing licence and light vehicles is in place, a GB driving test must be taken within 12 months but can drive on a GB provisional licence without the usual restrictions, vocational drivers are required to pass a GB test for medium sized or large vehicles or passenger vehicles (with some exceptions)

Can recruitment proceed?	Yes / No
If yes, do any adjustments / monitoring arrangements need to be put in place?	Yes / No
If yes, please specify	