



Driving for Work Policy

Formally adopted by the Trust	
On:-	18.01.22
Trustees:-	Property and Finance Committee
Last updated:-	November 2021
Review Date:-	January 2023

1. Introduction

There is a legal duty under the Health & Safety at Work Act 1974 to ensure as far as reasonably practicable, the health and safety of all employees while at work. Clarion Academy Trust (CAT) and its employees also have a duty to ensure that others are not put at risk by their work related activities.

Work related driving may be an essential part of our business delivery, therefore the care of our employees is of paramount importance. Employees should ensure that they comply with all driving and vehicle laws in order to keep themselves and others safe.

2. Purpose

CAT recognises its duty of care under the Health and Safety at Work etc. Act 1974, The Workplace (Health, Safety and Welfare) Regulations 1992 and the Management of Health and Safety at Work Regulations (1999) to ensure, so far as is reasonably practicable, the health and safety of their patients, staff, residents and visitors.

The purpose of this Policy is to provide appropriate guidelines to ensure that CAT complies with its statutory duties to manage the risks associated with Driving for Work. The principles of this policy shall apply to all work situations where driving is involved.

Whilst driving for work purposes, staff must comply with road traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits.

The following actions will be viewed as serious breaches of conduct and formal disciplinary action, up to and including dismissal may be a consequence:

- drinking or being under the influence of drugs or alcohol whilst driving
- driving while disqualified or not correctly licensed
- reckless or dangerous driving causing death or injury
- failing to stop after a crash
- acquiring demerit points leading to suspension of licence
- any actions that warrant the suspension of a licence.

Also, non-disclosure of criminal convictions, which may include one of the above, will be considered a breach of terms and conditions and may ultimately result in dismissal.

3. Scope

This policy applies to all employees of CAT and any staff or volunteers who are seconded to the Trust and are driving for the purposes of work.

4. Definitions

Driving for Work is defined as travelling from your site base for the purpose of work on behalf of CAT. This includes staff travel between Trust sites and other premises, but does not include travelling from your home to your site base. It may include journeys which start from home where it is not practical to attend your work base first, such as travelling out of town. This definition includes all driving for work, regardless of whether or not mileage payments are claimed for the journey.

5. Roles and responsibilities for driving at work

5.1 Managers (Head teachers, line managers, supervisors, etc.) must ensure that they:

- Consider the driving at work activities as part of the risk assessment process so that steps can be taken to reduce risks to as low a level as possible. Fundamentally this will ensure that:
 - o employees who drive are insured, medically fit, and competent to drive safely (i.e. hold a current driving licence for the category of vehicle being driven <https://www.gov.uk/old-driving-licence-categories>)
 - o the vehicle(s) being used is fit for purpose and in a safe condition and
 - o a culture of safe driving is promoted

- Contact their HR Advisor for advice if the ability of an employee to drive is of concern (for example, an employee's fitness to drive is impaired).
- Have arrangements in place to ensure the safe design and use of the site (e.g. managing workplace transport safety).
- Ensure staff receive appropriate help and advice in relation to vehicle safety.
- undertake annual checks of original vehicle and driver documents and provide copies to Human Resources.
- Regularly reinforce the importance of safe driving and record this.
- Ensure that employees involved in accidents in the course of their work receive the appropriate support and participate in any appropriate accident investigation and recommendations and notify the Estates Manager of any work related driving accidents for monitoring purposes.
- Make it clear that the employee must maintain their vehicle in a roadworthy condition if they are to use their own vehicle for work.
- Remind employees of their responsibilities in respect of workplace car lease agreements if appropriate.
- Remind employees that they are to be informed of any change in circumstances that may impact on the employee's ability to drive. Anything brought to the attention of the line manager must be acted upon.
- Ensure that employees have suitable breaks when driving in order to prevent fatigue.

5.2 All Staff shall:

- Inform their line manager immediately if, for any reason, their licence is no longer valid.
- Ensure their insurance policy includes business cover for the amount and type of business mileage they undertake; employees who do not have business insurance are able to drive to and from work, nothing in between.
- Ensure that their vehicle has a current road fund licence and has a valid MOT if applicable.
- Report any road safety problems including crashes, incidents, fixed penalty notices, summons and convictions for any offence to their line manager.
- Present their original driving licence for annual inspection to their line manager as part of the audit process.
- Co-operate with any reporting and investigation procedures in the event of an accident or incident.
- Never drive defective vehicles.
- Adhere to all policies relating to the use of lease and/or pool cars.
- Be aware of what action needs to be taken in an emergency situation.
- Ensure they are physically fit to drive.
- Never drive while under the influence of alcohol or drugs. Remember that some prescription drugs can adversely affect the ability to drive, it is the drivers responsibility to check with a doctor or pharmacist.
- Use of a mobile phone while driving is not permitted by this policy. The Trust discourages the use of hands free devices to make or receive calls when driving. Although the use of hands free devices is not prohibited by law, as good practice CAT requires the driver to stop the vehicle in a safe place before making or receiving a call. Further information regarding mobile phones is provided in the section below.
- Drive within speed limits and to the speed dictated by conditions, which may mean driving at less than the limit.
- Ensure that suitable breaks are included to prevent fatigue.

6. Statutory Requirements and Guidance Documents

The main Acts and Regulations which have a bearing on driving and road safety are:

- Health & Safety at Work Act etc. 1974
- Management of Health & Safety At Work Regulations 1999
- Corporate Manslaughter and Corporate Homicide Act 2007
- Road Safety Act 2006
- Road Traffic Act 1991

Each of these contains provisions which stipulate that non-compliance is a criminal offence and set out the penalties for such offences. The penalties on conviction include fines, imprisonment or both. Those with managerial responsibility within the Trust, as well as the corporate body, may be prosecuted.

7. Vehicle Checks

Appropriate routine vehicle safety checks should be undertaken on any vehicle used for work purposes, regardless of whether it is a private vehicle, a leased vehicle or a company owned vehicle.

Please see **Appendix B** for checks and procedures.

8. Use of Mobile Telephones whilst Driving

It is illegal to use a mobile telephone in the car at any time when the ignition is on, unless fitted with a hands free facility. This includes when stationary at traffic lights or when parked on or adjacent to roads when the engine is running. Therefore Trust employees are not permitted to use a mobile phone whilst in the driving seat of a vehicle with the ignition is on, unless their life was in danger and they needed to contact the emergency services on 999 and to stop would exacerbate the situation.

Employees should be aware that even though the use of fixed hands free kits is not illegal, there is still a possibility of prosecution if a law enforcement officer believes that they were not in full control of the vehicle.

For this reason, the Trust discourages the use of hands free devices to make or receive calls when driving. as good practice CAT requires the driver to stop the vehicle in a safe place before making or receiving a call.

Whilst driving, making calls with a car fitted hands free kit should be restricted to emergency situations only, similarly, if it is essential to answer an incoming call, employees should inform the caller that they are driving and call back when it is more appropriate to do so.

It is preferable for the driver to set up in advance, an auto answering function of the mobile phone such as a messaging service.

Any use of a hand held mobile device is strictly prohibited whilst the car engine is switched on. The use of any hand held mobile device for reading or responding to emails or other electronic communication is strictly prohibited whilst the car ignition is switched on.

9. Driver Health & Safety

Under no circumstance should employees drive for work when their ability to drive safely is affected.

No employee should drive at work when they are under the influence of alcohol or drugs.

This includes prescribed and over the counter medication, some prescription drugs and over the counter medication can adversely affect the ability to drive, it is the drivers responsibility to check with a doctor or pharmacist.

Where there are any concerns, an employee may be referred to Occupational Health.

Employees are reminded of the requirement to inform the DVLA of any condition or illness that could impact upon their ability to maintain a driving licence (either directly or via their own GP).

Employees should consider whether a road journey is really necessary or whether alternative methods of transport can be utilised.

Employees should ensure that necessary journeys are scheduled to a realistic timetable and planned to take into account of the essential need for rest periods, delays due to road works and any weather limitations/restrictions.

See **Appendix A** for further information.

10. In the event of an incident

Immediately stop your vehicle at the scene or as close to it as safely possible, making sure you are not obstructing traffic.

- Apply the handbrake and switch off the engine.
- Switch on the vehicle's hazard warning lights.
- Ensure your own safety first, put on your hi-vis vest before exiting the vehicle.
- Ensure any passengers put their hi-vis vest on before getting out.
- If the vehicle is on fire – get out immediately if it is safe to do so.
- Help any injured people and call for assistance if needed.
- Try to get the following information:
 - details of the other vehicle(s) and registration number(s)
 - name(s) and address(es) of the other vehicle owner(s) and driver(s)
 - name(s) and address(es) of any witness(es)
 - name(s) of insurer(s)

- Give your name and address and company details. If you damage another vehicle that is unattended, leave a note on the vehicle with your contact details.

Contact the Police:

- if there are injuries
- if there is a disagreement over the cause of the crash
- if you damage property other than your own
- if damage to the vehicle looks to be substantial. Only move the vehicle if:
 - Instructed to do so by a member of the emergency services
 - It would be more dangerous to others keep it at its current location
 - You know that the Police have not been called to the scene
- Any damage is only slight and leaving the vehicle where it was would cause serious inconvenience to other road users
- It is safe to do so and you have already provided your name and address as well as the name and address of the vehicle's owner, registration and insurance details.

IMPORTANT If the vehicle cannot be driven, arrangements must be made for its removal. All valuables should be secured Follow-up with line manager if there is an injury or major damage, report the crash to your manager as soon as you can.

See **Appendix C** for further information.

11. Fines

Employees will be wholly responsible for any speeding, parking or other infringement fines and for any associated legal costs.

12. Smoking in Vehicles

In all parts of the UK, it is the law that smoking in public enclosed spaces is not permitted. Workplaces (including cars used on academy business) are included in "enclosed public spaces". Therefore drivers and passengers of any vehicle (academy owned or not) must not smoke inside the vehicle whilst on academy related business.

It is our Trust policy that those driving on academy business, or who are a passenger in such a vehicle, do not smoke in the vehicle (whether in the UK or abroad) or when stood next to an academy owned/leased vehicle whilst it is parked.

13. Passengers

The number of passengers must not exceed the number which the vehicle is designed to carry.

The safety of all passengers transported by staff on CAT related business/trips are the responsibility of the driver. In line with Guidance on Safer Working Practice, wherever possible and practicable it is advisable that transport is undertaken other than in private vehicles and with at least one adult additional to the driver acting as an escort. Consideration should be given to the maturity and behavioural issues of children transported and it is recommended that seating plans are devised in advance that will minimise potential driver distraction during journeys.

14. Use of Seat Belts, Head Rests and Child Seats

Drivers and passengers of all vehicles must wear seatbelts at all times whilst the engine is switched on even if the vehicle is stationary. Passengers who are not exempt and refuse to comply with the driver's instructions regarding the wearing of seatbelts should not be transported, this includes young people.

In addition ensure where headrests are provided that they are correctly adjusted to afford the maximum protection against whiplash by ensuring when the head is rested on it that –

- The centre part of the head restraint should be at least the height of the eyes or the top of the ears
- The restraint should be as close to the back of the head as is comfortable.

The driver must ensure that all children under 14 years of age wear seat belts or sit in an approved child restraint. This should be a baby seat, child seat, booster seat or booster cushion appropriate to the child's weight and size, fitted to the manufacturer's instructions. (Refer to the table below for further guidance)

Drivers who are carrying children in vehicles should ensure that: -

- Children do not sit behind the rear seats in an estate car or hatchback, or on side facing rear seats in an SUV type vehicle unless a special child seat has been fitted
- The child safety door locks, where fitted, are used when children are in a car
- Children are kept under control at all times
- A rear facing baby seat is NEVER fitted to a seat protected by an airbag
- Children are kept supervised and occupied by another passenger, particularly on long journeys
- If a situation arises, they stop in a safe place to attend to it
- Route selection when travelling with young children includes scheduled stops where toilet and meal facilities exist
- They never transport more children than the vehicle has the required restraint systems for, and never use seatbelts for more than one child or for a child and adult with the child sitting on the adult's lap
- They always ensure that the child restraint is suitable and fitted to the manufacturer's specifications by a competent person
- Children are **NEVER** left unattended in the vehicle for any period of time

Whilst it is highly unlikely infants or children under the age of 3 will be transported on Trust business, this table summarises the main legal requirements for wearing of seatbelts for adults and children and the associated responsibility for ensuring compliance with legislation:

Occupant	Front seat	Rear seat	Who is responsible?
Driver *(pregnant drivers see below)	Seat belt MUST be worn if available.	N/a	Driver
Child up to 3 years	Correct child restraint MUST be used	Correct child restraint MUST be used. If one is not available (e.g. in a taxi) may travel unrestrained.	Driver
Child from 3rd birthday up to 135cms in height (or 12th birthday whichever they reach first)	Correct child restraint MUST be used	Where seat belts fitted, correct child restraint MUST be used. Must use adult belt if the correct child restraint is not available: for example - in a Licenced taxi, for a short distance for reason of unexpected necessity (e.g. emergency), or if two occupied child restraints prevent fitment of a third.	Driver
Child over 1.35 meters (approx 4ft 5ins in height) or 12 / 13 years of age	Seat belt MUST be worn if available.	Seat belt MUST be worn if available.	Driver
Adult passengers (i.e. 14 years and over)	Seat belt MUST be worn if available.	Seat belt MUST be worn if available.	Passenger

14. Pregnant Drivers and Passengers

Like any driver or passenger, pregnant women must wear a seat belt, unless their doctor certifies that they are medically exempt, if this is the case the Trust will require appropriate medical evidence of this exemption. Whilst it is appreciated that wearing a seatbelts may not be comfortable, it does provide safety for both expectant mother and the unborn baby. Compared to the average motorist, pregnant women face additional safety concerns when riding in motor vehicles.

Pregnant drivers / passengers are offered the following guidance to help minimise any additional risks they may face

- Adjust the seat, as far back as it is safe and practical to do so to maximise room.
- Ensure that you have two good handholds when entering or exiting the vehicle.
- Get assistance if entry or exit from the vehicle is difficult.
- When possible, ride as a passenger rather than drive to avoid potential contact with the steering wheel.
- A lap-and-diagonal standard seat belt is preferable to a lap-only belt.
- On a standard safety belt, always position the lap strap across the hips, to ensure it fits comfortably under the bump.

- The diagonal strap should be placed between the breasts over the sternum around the side of the bump.
- Ensure the belt 'clicks' in to the buckle securely, as you may not be able to observe this.
- Never use the lap portion of the belt with the diagonal strap behind you, even if the diagonal strap is causing breast discomfort (especially in later months).
- If fitted the air bag should not be disconnected and remain operational.
- Try to always drive a vehicle that allows the most clearance between the steering wheel and your abdomen.
- If adjustable steering wheel fitted maximize abdomen-to-wheel clearance.
- If wearing a coat remove it or adjust the coat to make sure it does not interfere with low placement of the lap belt.
- If driving for long periods take regular breaks to avoid driver fatigue and uncomfortable seatbelt or seating positions.
- Ensure that the vehicle that you intend to use has no defects that might cause a breakdown, and always ensure you have a mobile telephone with you to call the emergency services.

15. Monitoring

Compliance with this policy will be monitored by the Estates Manager as a part of the annual audit and the results will be communicated as a part of the Annual Health & Safety Report.

Ongoing monitoring will also be undertaken to identify any potential changes in legislation and/or relevant Codes of Practice, following which the policy will be updated and submitted to the relevant committee for approval.

16. Review

This Policy will be reviewed from two years from the date of implementation, except where legislation changes apply, or if there has been a significant event.

Appendix A

Driver Safety

Every driver is responsible for ensuring they are physically fit enough to drive before they get behind the wheel. This is not just legally competent (free of intoxicating drugs and alcohol) but also:

- Medically fit – free from an illness/medical condition that may cause a problem. Where medication has been prescribed for any ailment, ensure this does not cause drowsiness.
- Mentally fit and alert – free from undue stress or anxiety that may prove a distraction.
- Good eyesight – using corrective appliances where needed.
- Well rested.

Remember that the residual effects of alcohol from a night out the previous evening may still affect the speed of your reaction, your judgment or co-ordination, even if you are legally within the drink-driving limit. Your mood, physical well-being and the amount you have eaten can all affect your ability to handle alcohol. Remember that keeping to the legal limits for drink driving is no guarantee of fitness to drive or safety when driving.

Journey Planning

A significant number of accidents occur when a driver becomes drowsy. There are many things which many cause drowsiness:

- Lack of sleep before a journey
- Long, monotonous journey
- Consuming alcohol before a journey/after effects of the 'night before'
- Journey home after night shifts or after long hours at work
- After taking medication
- At certain times of the day i.e. very early mornings. Avoid driving during the hours you would normally be asleep.

Apart from losing complete control of the vehicle should the driver actually fall asleep, the level of risk is heightened when the driver is tired, e.g. reaction times are slower; crucial decision making may be impaired; alertness/concentration affected.

Before you start:

1. Time

Calculate how long a journey will take then include additional time for rest breaks and unexpected delays e.g. traffic jams. Line managers must not set unrealistic expectations in terms of journey times that may discourage drivers from taking sufficient rest breaks or feel under pressure to drive in excess of the speed limits or weather conditions.

2. Rest

Ensure you have had a normal amount of sleep prior to commencing the journey. Plan rest breaks, ideally ever two hours or sooner if feeling tired.

3. Plan

Plan out the route and write out simple instructions that are easy to follow. Consider noting an alternative route in the event of a major delay.

4. Check the vehicle

Carry our safety checks on the vehicle, ensuring that everything is functioning: wipers, washer, lights and that there is sufficient fuel and water for the journey.

5. Share your schedule

Ensure that someone has a copy of your journey plan and knows what time you are due to arrive.

Annual Driver's Licence Checklist

Annual licence checks will be undertaken as part of the annual audit. Drivers may be asked to obtain a check code from the UK online system. Paper licenses are no longer an acceptable form of proof of eligibility to drive.

- Check name and address on licence (if photo card, on paper counterpart too)
- Check the licence is current (e.g. date on photo card, if applicable)
- Check that vehicle category codes provide eligibility for vehicle being driven
- Check licence is full and has no restrictions (e.g. age)
- Check for endorsements. If there are any, which cause concern, contact the Human Resources Department or Estates Manager.

If the employee has to tow a trailer:

- Does the licence cover this (note post-1997 restrictions)
- Is the vehicle suitable for towing (MAM and licence limitations)
- Is the trailer suitable for the vehicle towing it (MAM and licence limitations)
- Has the employee passed the trailer test (note post-1997 restrictions)?
- Has the employee received any additional training for towing trailers?

If the employee is to drive a minibus:

- Does the licence cover this (note 1997 restrictions)
- Number of passenger seats
- Is driver over 25?
- Has the driver passed the minibus test, or had additional training?
- Has the driver completed a minibus driver assessment within the last 3 years?
- Is the minibus going to be towing a trailer?
- Is the vehicle suitable for the trailer it is towing (MAM and licence limitations)?
- Is the trailer suitable for the vehicle towing it (MAM and licence limitations)?
- Does the driver's licence allow towing by minibuses?

Appendix B

Driver and Vehicle Safety Checks Safe Driving Advice

There are many factors, which contribute to road accidents, most of them can be controlled to some extent. They include:

- Vehicle condition and road worthiness
- Driver condition and fitness
- Weather conditions

Vehicle Condition:

The School to which the vehicle is allocated will be responsible for ensuring the vehicle is road worthy. This should be done by:

- Keeping the vehicle clean and well maintained at all times
- Keeping the vehicle legal – condition, taxation, insurance, MOT
- Checking the vehicle regularly – before significant journeys and as part of the general upkeep
- Ensure there is range of 'rescue' equipment appropriate to the journey in the vehicle

The Head of school may delegate an individual or department to carry out these tasks. And they should include but not be limited to:

A **weekly inspection** to check that:

- Tyre pressures are correct (refer to the manufacturer's handbook).
- Tyre tread is within legal limits (1.6mm across the central three-quarters of the tyre tread width and around the entire outer circumference).
- Tyres should be free from cracks, worn patches and bulges, particularly on the sides.
- Lights, windscreen washers, wipers and indicators are in working order, inc warning lights
- Oil, coolant, battery levels and water levels are satisfactory.
- Any service/maintenance requirements have been complied with.
- Seatbelts fitted correctly and function properly

These checks should be recorded. A sample form is included in this document.

Vehicle Inspection

Once on the road, the driver is responsible for the vehicle. For the driver's own safety, as well as to meet legal requirements, the following checks must be made prior to starting a journey:

A **pre use inspection** should be carried out to check that:

- There are no obvious faults.
- There has been no damage to the vehicle.
- Mirrors are in the correct position, including internal.
- The fuel level is sufficient for the journey.
- Windows are clean and undamaged.
- Brakes are working

Vehicle checklist

Vehicle registration: _____

Odometer reading: _____

Vehicle make: _____

Driver: _____

Date: _____

Vehicle Condition

ITEM	✓ = Satisfactory/Available X = Defective/Missing N/A = Not applicable	Comment
Condition of vehicle bodywork, windscreen, windows, lights		
Condition of windscreen wiper blades		
Cleanliness of windscreen, windows, mirrors, lights, number plate		
Condition of tyres, tyre pressure, tyre wear		
Availability of spare wheel and jack		
Fluids		
Engine oil level		
Coolant level		
Windscreen wash level		
Brake/clutch fluid		
Power steering fluid		
Condition of battery		
Oil or other fluid leaks		
Vehicle interior and equipment		
Condition and function of seat belts		
Head restraint adjustment		
Mirror adjustment		
First aid kit		
Fire extinguisher		
Torch		
Warning Triangle		

Function checks prior to starting a journey

ITEM	✓ = Satisfactory/Available X = Defective/Missing N/A = Not applicable	Comment
Vehicle handbook		
Warning Light		
All lights		
Horn		
Washers & wipers		
Parking brake		
Fuel		

The above items have been checked and any defects or omissions reported

Driver: _____ **Date:** _____

Appendix C

Accident Procedure

In the event of a collision, all employees must:

- Stop
- Keep Calm
- Be courteous and present a positive image
- Not accept liability

Employees must prioritise:

- Their own safety
- The safety of any passengers and that of anyone else involved
- The safety of other road users.

In the event of incident, follow the procedure below.

- If anyone is injured, call the Police and Ambulance service.
- If an animal is injured and the owner is not present, call the Police.
- If 3rd parties are present, exchange details.
- If 3rd parties are not present, report accident to Police as soon as possible.
- Take contact details from any witnesses
- Report the incident to your line manager immediately.

To be completed and to be given to the third party involved.

Driver details (you)

Drivers name			
Telephone number			
Home address			
Vehicle registration			
Vehicle make			
Vehicle Owner			
Owners address			
Owners insurer			
Incident details			
Date		Time	
Incident location			
Description of damage to other vehicles/property			
Signature - (yours)			

Incident recording form

If you have an incident:

1. STOP.
2. Remain calm
3. Call the emergency services if anyone is injured or if vehicles or property are seriously damaged. If the police attend, record the reporting officers' name, number and station.
4. Use this incident form to record information about the incident, to exchange details with third parties and to take the names and addresses of witnesses and Police officers.
5. Third parties are obliged to give you their name, the vehicle registration number and insurance details under section 170 of the Road Traffic Act 1988.
6. If a camera is available, photograph the scene from various angles. #take photographs of the vehicles involved and of the damage to your own and third party vehicles/property.
7. Contact your line manager as soon as it is practical to do so.

To be retained by the Trust driver

Incident Details			
Date		Time	
Location			
Speed Limit			
Road Conditions			
Police Details			
Police attended Y/N		Time	
Officers Name			
Telephone Number			
Reporting Officers Station			
Other Vehicle/property damage			
Vehicle Type		Make/Model	
Driver Name			
Registration Number			
Address			
Telephone Number			
Third party Insurer			
Policy Number			
Description of damage to other vehicles/property			

Incident sketch

Make a sketch of the incident scene below. Show the directions of the vehicles involved and note their approximate speeds. Indicate road markings, skid marks, hazards and the witnesses' locations.