



Driving at Work Policy

Driving at Work: Managing Work Related Road Safety

1. Introduction

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 complex and are, in the main, aimed at promoting road safety. This policy has been revised in order to provide a useful reference document for both managers and employees so that they can be clear about the obligations placed on them by the law and also to assist managers and employees in identifying and addressing risks to assist them in driving safely.

2. Legislation

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 work related driving activities including cars, minibuses, motorcycles and bicycles. In the event that the vehicle being used is the employee's private vehicle, the employee is responsible for maintenance, ensuring the vehicle is roadworthy, has an MOT if required and that his/her private motor insurance covers him/her for "business use"

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.

3. Aims of this Policy

This policy sets out responsibilities, which aim to

- Minimise the risk to drivers' health and safety.
- Minimise the risk to other road users
- Minimise the risk to any passengers
- Investigate reported accidents and incidents so that any necessary additional precautions can be implemented to avoid recurrence.

4. Employees Responsibilities

If using a vehicle to carry out responsibilities associated with his/her employment an employee must

ensure that he/she

- Adheres to the Highway Code and Health & Safety Legislation
- Conforms with his/her 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)
- The car used has vehicle excise duty paid, is roadworthy and has a current MOT (if more than 3 years old)
- Has a current full driving licence, appropriate to the vehicle being driven

- Carries out regular basic maintenance checks such as oil, water, washer fluid, wipers, lights,
- horn, tyre condition and pressures and properly functioning seat belts
- The vehicle is suitable for its purpose and expected mileage
- Advises his/her manager if he/she is charged with any motoring offence or he/she incurs any penalty points on his/her driving licence or if he/she becomes disqualified from driving. Failure to do so may result in disciplinary action.
- Reports any accidents arising in the course of employment to his/her line manager and the Health and Safety Manager. Failure to do so may result in disciplinary action.
- Always wears a seat belt.
- All equipment carried should be secured to prevent any movement likely to endanger driver and/or passenger/s
- Ensure adequate time to make journeys safely with appropriate rest breaks (the Highway Code advises a 15 minute break every 2 hours)
- Advises his/her line manager if he/she has a medical condition that effects his/her ability to drive or he/she believes he/she is unfit to drive for any reason and seeks appropriate medical advice.
- Never use a mobile phone when driving – hands free devices must not be used
- Advises their manager/colleagues where they are going and expected return time

5. Managers Responsibilities

Managers need to ensure that they cover all the following points:

- Carry out an annual check and take a photo copy of an employee's insurance to ensure that insurance covers the required level of business use
- Check annually whether any penalty points have been awarded that have not previously been reported (see below for action in these circumstances)
- Consider the implications for any driver with penalty points, or who has been convicted of any driving offence.
- Ensure that the hazards associated with driving in your teams are reviewed and if required assessed suitable for the task.
- Ensure all driving accidents and incidents are reported to the Health and Safety Manager
- Investigate any driving related incidents or accidents at work and take appropriate action (see below for action in these circumstances)
- Include in the appraisal review any issues arising from driving on SAFE business.
- Carry out a check of driving licence.
- Ensure the hazards associated with driving are regularly reviewed and that your risk assessment is suitable for occupational driving.
- Ensure that all adults who transport children hold current, clean DBS certificates.

6. Motoring Offences

If a driver receives 12 points or more, within a 3 year period, he/she 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 license revoked until they pass both the theory and practical driving test.

If a driver incurs a driving disqualification for more than a month, then on the return of their licence they will need to complete 2 years of endorsement free driving before they are able to drive as part of their role at SAFE.

In all cases where SAFE becomes aware that an employee has committed a motoring offence a letter on road safety and a copy of the SAFE's policy will be issued to the employee.

If an employee receives any penalty points while driving as part of their employment the manager will consider:

(i) Whether a breach of health and safety rules has occurred amounting to misconduct or gross misconduct and whether disciplinary action is necessary.

(ii) Whether this has any impact on the employee's ability to drive safely

(iii) Whether this has any impact on the employee's ability to transport others safely

(iv) Whether the reasons for receiving penalty points are as a result of any behaviour that is likely to

bring SAFE into disrepute

If an employee is banned from driving, as well as considering (i) - (iii) above an assessment will also need to be made about whether an employee can continue to carry out his/her job role.

In cases where disciplinary action follows HR (Peninsula) should be consulted to ensure all cases are dealt with consistently and in accordance with SAFE policies and procedures.

7.Safeguarding

Where a member of staff is transporting a student, the following must also be adhered to:

- Written permission (letter or email) must have been given by the parent.
- Where possible, the child should sit in the back of the vehicle (children who get car sick in the back can be an exception to this).
- There must be a record of the journey route, and the employee's line manager and child's parents must be aware of this.
- Staff transporting children should have a first aid kit, their work ID and a mobile phone in the car at all times.
- Staff must never leave a child unattended in their car.
- Staff must ensure that all children have appropriate restraints for their age.
- Where possible, staff should alternate driving duties, to prevent one person always being alone with the same child or group of children.

8. Monitoring of this Policy

Random checks will be carried out on an annual basis 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. Review of Policy

This policy was written on 14th March 2019 by Ruth McWeeney. The review date of this policy is March 2020. This policy will be reviewed annually.