



## Driving Policy

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## Driving Policy

### Background

It is Autism Bedfordshire's Driving Policy to:

- Prevent accidents, injuries and other incidents across the whole range of driving activities.
- Ensure that all persons driving vehicles for, or on behalf of the Autism Bedfordshire comply with the relevant legislation and best practice requirements.
- Reduce the number of personal collisions and loss incidents as part of the Autism Bedfordshire Risk Management Strategy.

Demonstrating Commitment

Autism Bedfordshire is committed to meeting its legal obligations under the:

- Health and Safety at Work etc. Act 1974;
- Management of Health and Safety at Work Regulations 1999;
- Corporate Manslaughter and Corporate Homicide Act 2007;
- Health and Safety Offences Act 2008;
- Road Safety Act 2006;
- Highway Code, Road Traffic Act 1988;
- Road Vehicles (Construction and Use) Regulations;

- Carriage of Dangerous Goods Regulations.

We also expect all employees to observe the normal rules of the road as set out in the Highway Code. This includes not parking in a disabled people's parking space unless they have a blue disabled people's parking badge.

The policy will apply to anyone who drives on behalf of Autism Bedfordshire whether they are employed directly, indirectly or as a volunteer. This policy requires all those who drive during the course of their work to do so safely for the mutual benefit of all road users.

This policy doesn't cover commuting journeys, except where employees' at-work journeys start from their home to go to a work location, which isn't their normal place of work.

This Policy requires that suitable and sufficient risk assessments are carried out for all driving activities and that the requirements of this Policy are included within these assessments.

Autism Bedfordshire is committed to protecting the health, safety and welfare of our employees, service users, volunteers and contractors. To do this, we will take all reasonable steps to make sure: our drivers are:

- fully competent and capable of doing their job in a way that is safe for them and other people;
- properly trained and understand the importance of appropriate attitude and behaviour when driving;
- able to drive safely;
- aware of the importance of good posture and know how to set their car seat correctly;
- able to get safety critical information, such as recommended tyre pressures, adjustment mechanisms for head restraints, and what to do if their vehicle is unsafe or breaks down.
- any vehicles used for work:
  - are fit for purpose and the work activity;
  - are properly maintained;
  - have any safety equipment properly fitted and maintained;
  - have seatbelts and head restraints fitted and used correctly;
  - have ergonomic considerations taken into account.
- work-related journeys:
  - are properly planned and scheduled, taking account of adequate;
  - time, breaks, driver fatigue and weather conditions.
- General Arrangements

Staff transporting children on behalf of Autism Bedfordshire must be aware that the behaviour of children regardless of age and ability can be unpredictable, and transport of children needs to be carefully planned and risk assessed before it occurs.

Consideration must be given to the likelihood of predictable problems during any journey and the following must be taken into account:

- Passenger safety;
- Competence of the driver;

- Awareness of driver's hours;
- Traffic conditions;
- Contingency funds and arrangements in case of breakdown/emergency;
- Weather;
- Journey time and distance;
- Stopping off points for long journeys and toilet breaks - 15 minutes every 2 hours;
- Appropriate car seats seat belts or restraints must be used and fastened (see Section 2 for requirements);
- A working mobile telephone should be taken and carried by the person in charge and each member of staff likely to be on their own with the child;
- Before starting any journey, the owner of any vehicle must undertake sufficient checks to ensure that the vehicle is roadworthy.

### Risk assessment

Managers are responsible for making sure risk assessments are carried out for driving and reviewing them regularly. The assessment should cover the three fundamental areas of work-related road safety, namely the:

- driver;
- journeys made;
- vehicles used.

The risk assessment should, as a minimum, address the following issues:

- that allocated work duties allow employees sufficient time to drive safely within speed limits, and have adequate rest periods to reduce the risk of driver fatigue and tiredness;
- making sure employees aren't required to carry out other work tasks while driving that could put themselves and others at risk;
- making sure vehicles are loaded safely and securely;
- employees are made aware of their responsibilities.

### Pre-employment and new starter checks

The following checks must be carried out for all employees and volunteers who drive before they are employed:

- the employee should complete a pre-employment medical assessment form;
- the employee should complete the Driver Declaration Form;
- a driving assessment should be carried out where:
  - the individual's driving record indicates poor driving,
  - having six or more points on their licence,
  - and/or the candidate is under 21 years old.

The following checks must be carried out where employees are authorised to use their own vehicles for driving for work:

- check that the employee has current, relevant insurance for business use, full, valid driving licence, road tax and MOT certificate;
- the employee's vehicle insurance and registration certificates and MOT certificate are checked and the Annual Vehicle Documentation Inspection form completed.

## Periodic checks for current employees

All managers must check their employees' driving licences annually if they drive for work. Record the checks on the Annual Vehicle Documentation Inspection form.

Managers must also check annually their employees' vehicle insurance and registration certificates and MOT certificate. Record the checks on the Annual Vehicle Documentation Inspection form. This is to make sure that their vehicle is insured for business use.

Employees must also complete annually the Driver Declaration Form as part of the documentation checks, and when they change their own vehicle.

## Reporting vehicle accidents

Managers must make sure that employees know what to do if an accident occurs while driving for work, and they investigate thoroughly any incidents reported to them.

Employees using their own vehicles, who have a road traffic accident while carrying out their duties, including travelling to and from work locations, must complete an injury or dangerous occurrence report form. This doesn't include commuting to work.

## Endorsements and convictions

Employees must report to their manager all formal cautions and prosecutions resulting from their driving, whether on Autism Bedfordshire business or not. Managers must investigate the reasons for any endorsements and convictions to assess the risk to the employee and others, if they continue to drive for Autism Bedfordshire or on its business.

Although employees' driving documentation will be checked on a regular basis, it is the responsibility of all employees to inform their line manager as soon as possible of any driving offence or conviction. Where endorsements are issued against an employee for any offence other than parking offences and the first three points for speeding in private time and private vehicle a more detailed investigation will be necessary.

## Medical conditions and fitness to drive

Employees must notify their manager of any medical condition likely to affect their ability to drive safely. Managers must:

- obtain as much relevant information as possible from the employee, including why their driving may be affected;
- get advice from Human Resources if the proposed action is likely to have a significant effect on the individual's employment;
- take them off driving duties until further clarification can be obtained.

Employees must complete the Driver Declaration Form annually to ensure their fitness to drive.

All drivers should review their own day-to-day health in respect of their ability to drive safely, for example, if they are suffering from influenza or a migraine, or are taking medication that may impair their driving.

All drivers have a legal duty to satisfy the eyesight requirements in the Highway Code.

### Substance misuse

The problems of driving while under the influence of alcohol or drugs are well documented and known. Employees must not consume alcohol or illegal drugs before driving for work. Contravention will be regarded as gross misconduct.

Employees with alcohol and drug problems will be treated sympathetically if they come forward for treatment.

All drivers must not drive while under the influence of alcohol or using illegal drugs. Don't forget that excessive alcohol or illegal drugs used the night before could still be in your body meaning that you won't be fit to drive.

### Mobile telephones, communication radios, satellite navigations systems, personal digital assistants (PDA's) and other in-vehicle devices

It is an offence to use a hand-held mobile phone or other electronic communication device whilst driving or controlling a vehicle on the road. The offence applies to all motor vehicles including motor cycles but not to pedal cycles.

It is also an offence to "cause or permit" a driver to use a hand-held device while driving. A person may be regarded as 'driving' a vehicle while the engine is running and the vehicle is stationary. The offence applies to all motor vehicles including motor cycles but not to pedal cycles.

A mobile phone or other electronic device is in 'use' if it is being:

- Held at some point during the course of making or receiving a call or information;
- Used to perform any other interactive communication function.

There is only one exception to this rule: using a hand-held phone for a genuine emergency call to 999 or 112 if it would be unsafe for the driver to stop. The vehicle must be stationary in a safe position, with the engine turned off before calls or other communications are answered or initiated. All drivers are encouraged to use messaging facilities and make return calls when it is safe and legal to do so.

### The law requires drivers to be in proper control of their vehicle

Provided that a mobile phone, two way radio, navigation equipment, PDA, etc. can be operated without holding it, then hands-free equipment is not illegal. However, if there is an incident, the Police may deem that the use of a hands free device justifies a charge of careless or dangerous

driving. Thus a driver can be prosecuted for using a hands-free phone or other device if they are not in proper control of their vehicle when using it.

The use of such devices should be avoided and where deemed necessary, restricted to receiving communications only. Drivers must not respond to calls or messages whilst driving. Calls or other communications must only be returned when safe and legal to do so i.e. vehicle stationary and in safe position with engine turned off.

Hand held radios and mobile phones are not to be used on petrol station forecourts.

## Disruptive Passengers

Where there is a foreseeable likelihood of disruptive passengers, a code of conduct should be issued to passengers, parents or carers in advance of the journey. This should indicate expectations in relation to behaviour, e.g.

- Sensible entry to and exit from the vehicle
- The need to remain seated and with a seat belt in place for the duration of the journey
- Not causing obstruction to others on the vehicle
- Identifying that smoking, drinking alcohol or spitting is not permitted on vehicles
- Identifying that eating and consuming soft drinks may be permitted by permission of the driver
- Not causing damage to the vehicle
- Not tampering with emergency exits or opening windows on the vehicle
- The need to be polite and courteous to the driver and to treat other passengers with respect
- A statement that passengers who do not abide by the code of conduct may find their rights to travel are reviewed
- Signature from passenger/parent or carer

Specific behavioural management plans for individuals on any journey should be made available to the driver and/or escort/driver and Officer in charge in accordance with the educational visits or transport risk assessment. These plans should be followed at all times. Drivers and/or escort/driver and Officer in charge should receive training in accordance with passengers needs and risk assessment requirements.

If a passenger is showing signs of disruptive behaviour before the journey commences then the driver should not leave until all parties are satisfied that the journey can be completed safely. In the event that a passenger becomes disruptive during a journey, so that they are putting themselves or others at risk, the driver should stop the vehicle at the nearest place of safety and the driver/escort/driver and Officer in charge should call for appropriate assistance. This may include calling the emergency services, police or relevant duty managers if necessary. All reasonable steps must be taken to avoid leaving any passenger unaccompanied and without transport and in no circumstances should a passenger be left in a situation where they would be at risk. Under NO circumstances should the child be left unsupported.

## Child Car Seats

### Children up to 3 years old

In the Front Seat

The child **MUST** use the correct child restraint.

In the Rear Seat

The child **MUST** use the correct child restraint. In a taxi, if a child restraint is not available then the child may travel unrestrained in the rear. This is the only exemption, and has been introduced for practical rather than safety reasons.

It is the driver's legal responsibility to ensure that the child is correctly restrained.

### Children over 3 and up to either 1.35 metres in height, OR 12 years old

In the Front Seat

The child **MUST** use the correct child restraint.

In the Rear Seat

The child **MUST** use the correct restraint, where seat belts are fitted. There are three exemptions, where a child in this Type does not have to use a child restraint. In each case the child **MUST** use the adult belt instead. They are:

1. in a taxi;
2. if the child is travelling on a short distance for reason of unexpected necessity;
3. if there are two occupied child restraints in the rear which prevent the fitment of a third. In addition, a child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not available. It is the driver's legal responsibility to ensure that the child is correctly restrained.

### Children over 1.35 metres in height, or who are 12 or 13 years old

In the Front Seat

The adult seat belt **MUST** be worn if available.

In the Rear Seat

The adult seat belt **MUST** be worn if available.

It is the driver's legal responsibility to ensure that the child is correctly restrained.

### Other Issues

Rear-ward Facing Child Seats

It is illegal to use a rear-ward facing child restraint in a vehicle seat which is protected by a front airbag.

## Suitability of Child Car Seats

All Child Seats are required to be manufactured to the current European Standard.

They should also be: -

- Suitable for the child who is expected to use the child seat,
- Regularly inspected by a competent person (see 3.6.3.)
- Fitted and adjusted correctly. It remains the responsibility of the driver to check this on each occasion.



## Seat Belts and Child/Door Locks

All drivers and passengers using privately owned vehicles to undertake Autism Bedfordshire business must at all times comply with seat belt laws. Seat belt restraints must be suitable for their purpose and correctly adjusted prior to the vehicle moving. Remember - It is illegal to use a rear-ward facing child restraint in a vehicle seat which is protected by a front airbag.

Regulations in the Road Traffic Act 1998 oblige all drivers and passengers in motor vehicles to wear seat belts.

Exemption from wearing a seat belt can only be granted by a medical professional. In such cases, Autism Bedfordshire must be provided with a 'Certificate of Exemption from Compulsory Seat Belt Wearing'.

Escort/driver and Officer in charge s must oversee the following in the use of seat belts:

- The seat belt should sit as close to the body as possible, without any slack or twisting in the straps;
- The shoulder belt should lie across the chest and over the shoulder, away from the neck;
- The lap belt should be as low as possible from hip bone to hip bone - not across the Stomach;
- Child/Door Locks MUST be checked before every journey.

## Seat belts for people who are pregnant

Seat belts must be worn by any person who is pregnant, unless a medical professional certifies that the person is exempt on medical grounds, which must be provided in writing to Autism Bedfordshire.

The recommendation for a person who is pregnant is as follows:

- The diagonal strap should be positioned between the chest, moving it around the side of the bump;
- The lap strap should be as low as possible across the hips and under the bump – if it goes over the naval, it is too high.

## Head rests

Escort/driver and Officer in charge s and drivers must ensure that head rests are adjusted to help prevent a whiplash injury in the event of an accident. The top of the head rest should be level with the top of the ears and as close as possible to the head.

Picking up, escorting and dropping off from a pre-arranged location

Staff members working as escort/driver and Officer in charge are responsible for service users' safety between the pick-ups and drop off location(s) including when boarding, travelling and disembarking. Where possible, the escort/driver and Officer in charge should be the same person picking up and dropping off a service user, for continuity.

## Setting off and during the journey

Before setting off, the escort/driver and Officer in charge /driver and Officer in charge are responsible for:

- ensuring all seat belts are in working order and ensuring booster seats are used where required, as previously instructed by the team leader or relevant Development Officer;
- securing any wheelchairs and harnesses;
- ensuring all bags and other bulky items are safely stowed (e.g. placed under the seats).
- ensuring medication is kept safely and securely;
- informing the driver when service users are safely and securely seated (with all relevant seat belts fastened) and all doors are closed;
- sitting in the back of the vehicle with the service users and not in the front with the driver;
- ensuring the service users do not eat or drink during the journey.

During the journey, the escort/driver and Officer in charge (s) is/are responsible for:

- ensuring service users do not distract the driver;
- ensuring seat belts remain fastened and wheelchairs and harnesses remain secure;
- ensuring bags and other bulky items remain safely stowed;
- ensuring service users are comfortable and well;
- alerting the driver to stop the vehicle in the event of an emergency.

Escort/driver and Officer in charge must not leave service users unsupervised in the vehicle and must remain alert at all times. While escorting, save for making essential calls, escort/driver and Officer in charge s must not use mobile phones for any purposes, must not use any MP3 or similar devices, and must not eat or sleep,

On arrival at location of Autism Bedfordshire activity

On arrival, the escort/driver and Officer in charge is responsible for:

- ensuring the vehicle is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces);
- ensuring service users are escorted from the vehicle to a safe location;
- reporting any incidents to the appropriate person which occurred during the journey (E.g. the team leader, parent or responsible carer);

Dropping off at home or other pre-agreed location (e.g. overnight respite home)

When dropping off at home or other pre-agreed location, the escort/driver and Officer in charge is responsible for:

- ensuring the vehicle has arrived at the correct location and is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces);
- walking with the service user to the front door or other entrance;
- ensuring the person receiving the service user is the person expected to do so;
- relaying information about any incidents or accidents, as instructed by the team leader;
- ensuring any equipment or items, including medication, are handed back and any forms are signed;

The escort/driver and Officer in charge should seek instruction from the team leader or, in their absence, the Development Officer or Children's Services Manager, in the following instances:

- there is no answer from the pre-arranged drop-off location;
- the escort/driver and Officer in charge is asked to take the service user to another location;

- the escort/driver and Officer in charge is asked to leave the service user with a minor (e.g. a sibling) or someone who was not expected;
- the service user seems reluctant to want to be dropped off;
- they have any safeguarding concerns.

On no account should escort/driver and Officer in charge leave service users with a minor, a neighbour or any other person who has not been established, by agreement with the parent, responsible carer or other professional, such as a duty social worker, as the person to leave the service user with. In such cases, the service user should be escorted to the transport and further instruction sought from the team leader, Development Officer or Children's Services Manager.

## Appendix1

### Autism Bedfordshire: Car Driver Agreement

Thank you for agreeing to drive on behalf of Autism Bedfordshire.

Surname.....

First names.....

I confirm I have read and understood the Autism Bedfordshire Drivers Policy

I confirm I am fit to drive

I confirm my car is in a roadworthy condition and fit for use.

I confirm that my vehicle is fitted with working child locks

I confirm that I have business insurance and that it is fully comprehensive

Please bring the following original documents to your next scheme session:

- **Driving Licence - Card AND Paper counterpart**
- **Insurance Certificate – Detailing your business insurance**
- **MOT Certificate**

Whilst driving for Autism Bedfordshire:

- You must adhere to the Autism Bedfordshire Drivers policy.
- You must not be overtired, under the influence of alcohol or taking medicines that will affect your ability to drive.
- You must drive within the speed limits and pay due care and attention.
- Children will sit in the back behind the passenger seat to avoid distracting the driver. If applicable they must use a booster seat.
- Child Locks are on and
- An additional staff will accompany the child.

You may claim 45p per mile and will be given a travel claim form each month to complete.

The payment will be paid with your wages or volunteer expenses by electronic transfer.

#### **The following MUST be checked by a manager before driving on behalf of Autism Bedfordshire**

Vehicle Condition		Passenger Safety	
Tyre Condition		Door/Child Locks	
Mirrors		Seat Belts	
Lights		Booster Seat	
Horn		Child locks	
Indicators		Paperwork	
Hazard Warning Lights		Driving License	
Windscreen Wipers		Mot	
Oil		Tax disk	
Fuel		Insurance Certificate	

## Appendix 2 Autism Bedfordshire: Driver Declaration Form

This **must** be completed and signed by all employees who drive on Autism Bedfordshire business

### Personal details

Title	
Initials	
Surname	
Office address	
Date passed UK driving test	

### Own vehicle details if used on Autism Bedfordshire business

Status - owned / leased	
Type	
Make	
Model	
Registration Number	
Engine Capacity	

### The use of your vehicle for Autism Bedfordshire business is permitted under the following conditions:

Conditions	Checked and evidence recorded (date and sign)
You have a current, full valid Driving Licence (paper and photo card checked)	
Using your own vehicle has been approved in advance by your manager.	
You have a current valid motor vehicle insurance policy as is required by law, including Business Use cover - this must provide cover for all your legal liabilities to third parties and passengers arising out of using your vehicle on Autism Bedfordshire business.	
It's advisable to confirm to your Insurers, in writing, the exact purpose for which you may use your vehicle on business, quoting the estimated annual mileage and giving details of any passengers who might be carried.	
You or your insurers will bear all losses or damage to the vehicle arising from business use. It must be understood that, under no circumstances, will Autism Bedfordshire accept liability for any of the risks covered by your private motor vehicle insurance, nor any consequential losses, for example, any excess charges and/or loss of No Claims Bonus discount in the event of an accident. This means you will need <b>Comprehensive</b> motor vehicle insurance.	
You have a valid MOT Certificate as required by law for cars over three years old.	
The car is taxed and in a roadworthy condition to drive. This means it's serviced in accordance with the manufacturer's recommendations.	
You will inform the Autism Bedfordshire office and give them a copy of the Vehicle Registration Document if you change your vehicle at any time.	
You <b>must</b> notify your manager immediately if your circumstances change, and any restrictions are imposed upon your ability to drive, either permanently or temporarily. This includes any medical condition likely to affect your ability to drive safely.	
You can you read a vehicle number plate at 20 metres in good daylight?	
You have fully working and activated child locks and ensure that they are on and ready to be checked by your line manager.	

**Driver history and experience**

Have you:

- been convicted of any motoring offence during the last five years or is any prosecution / points pending? **Yes No**
- ever been disqualified from driving or had a driving licence suspended or revoked? **Yes No**
- ever had a motor vehicle insurance policy cancelled or refused, or ever had special terms imposed? **Yes No**
- been involved in any accident / loss, whether to blame or not, with any motor vehicle either owned or driven by you in the last five years? **Yes No**

Please give details if the answer to any of these questions is YES

.....  
 .....  
 .....  
 .....

Do you wear your glasses or contact lenses at all times while driving? **Yes No**

**Employee declaration**

- I confirm that, as far as I am aware, the statements made by me are true and complete.
- I have read, understood and accept the terms relating to the use of my vehicle on Autism Bedfordshire business, and agree to abide by them.
- I confirm that I have produced the original documentation below as I drive on Autism Bedfordshire business: Driving licence - paper version and photo card and Business Covered Insurance.
- I confirm that I have produced the original documentation below as I drive my own vehicle on Autism Bedfordshire business: Insurance schedule Vehicle Registration Document and MOT Certificate
- Autism Bedfordshire is registered under the Data Protection Act 1998 for the purpose of processing personal data. The details provided on this form will only be used for the stated purpose and not shared with other organisations without your knowledge.
- The personal information that you provide on this form will be handled by Autism Bedfordshire in accordance with the Data Protection Act 1998. We don't pass on your details to any third party without your knowledge unless the Autism Bedfordshire is legally obliged to do so.

Employee name: \_\_\_\_\_ Service: \_\_\_\_\_

Employee signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Manager's authorisation:**

I confirm the employee drives on Autism Bedfordshire business. I also confirm the employee will be using their own vehicle for business purposes - *delete this sentence if it doesn't apply*. I certify that I have checked, where applicable, the required documentation above.

Manager (name): \_\_\_\_\_ Date: \_\_\_\_\_

Manager's signature: \_\_\_\_\_

**Please keep the signed form in your employee's personal file**

## Appendix 3

### Drivers' Daily Checklist

Name of driver:

\_\_\_\_\_

Registration:

\_\_\_\_\_

Make:

\_\_\_\_\_

Model:

\_\_\_\_\_

Date of check:

\_\_\_\_\_

Please check the following before starting your journey.

Item	Check (✓)
Tyre Pressure	
Tyre Wear	
Oil	
Water (coolant)	
Seatbelts	
Windscreen Wipers	
Brake lights	
Indicators	
Child locks	
Copy of MOT	
Insurance Certificate (business use)	

Signed: \_\_\_\_\_ Print Name: \_\_\_\_\_

Date: \_\_\_\_\_