

	<b><u>BICESTER LEARNING ACADEMY TRUST</u></b>  <b><u>DRIVING AT WORK POLICY</u></b>			<b><u>Written By:</u></b>  R Dodsworth – Senior Operations Manager (BLA)
	<b><u>Applicable to:</u></b>  ALL STAFF	<b><u>Accountable Officers:</u></b>  Headteachers:- B J Baxter (TCS)  I Elkington (GFPS)	<b><u>Date Adopted:</u></b>  Autumn Term 2016	<b><u>Date To Be Reviewed:</u></b>  (Reviewed mid - term Summer Term 2017)  Autumn Term 2020  <b>(Every 4 years)</b>

Bicester Learning Academy (BLA) is a Multi Academy Trust. It is a company limited by guarantee, registered in England and Wales with registered company number 09053713 and its registered address at Churchill Road, Bicester, Oxon, OX26 4RS.

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### 1.0. Policy Statement

Driving at work remains one of the most common causes of serious injury and death at work.

This policy has been produced in line with the Bicester Learning Academy Health and Safety Policy to ensure that all health and safety issues relating to the Driving of BLA leased vehicles and/or private vehicles is managed and controlled.

The Governing Body through the Bicester Learning Academy (BLA) is committed to protecting the health, safety, welfare and well-being of its employees and others who may be affected by the BLA's undertakings. It is essential therefore that everyone who works for or undertakes work on behalf of the BLA adheres to the requirements of this policy.

The objectives of the BLA's Driving at Work policy are to ensure that:

- a) There is a clear framework for ensuring that all employees who may be required to drive for work are qualified, insured and fit to drive safely;
- b) Vehicles used for work-related journeys are suitable and roadworthy, and journeys are planned and conducted in a safe manner;
- c) A positive attitude towards safe driving is developed, with drivers assessing travel related risks and taking appropriate steps to manage these accordingly;
- d) Accountability and responsibility across the BLA for managing driving within the BLA is clearly defined;

### 2.0. General Responsibilities

All employees who drive on behalf of the BLA are responsible for:

- 2.1. Notifying the 'responsible person'<sup>1</sup> of any fitness to drive problems or concerns that may affect their driving ability when applicable;
- 2.2. Notifying the DVLA of any health issues affecting their ability to drive. It is a criminal offence not to report to the DVLA any medical condition that affects driving ability;
- 2.3. Reporting any convictions for driving offences (including penalty points or disqualification) to the Senior Operations Manager as soon as these are incurred.
- 2.4. Ensuring that eyesight is checked regularly by an optician (recommended at least every two years or sooner if required).

Ensuring that personal vehicles are roadworthy, safe to drive and not a danger to passengers, pedestrians and other road users. Employees who use their own car to do any journey in connection with their work (other than commuting between home and their place of work) **must** be covered for **Business Use** on their insurance policy.

<sup>1</sup> The responsible person is the Senior Operations Manager.

Work Related Journeys can include:

- Transporting goods or materials on behalf of the Bicester Learning Academy.
- Transporting people on behalf of the BLA, this includes providing a lift to a colleague on a work-related journey.
- Driving from your place of work to another place where you will continue to be at work.
- Driving directly from your residence to a place of work other than your normal place of work, e.g. driving to a meeting or training venue.
- Transporting good or materials to or from your home if you normally work at or from your home.

Journeys that are not work-related can include:

- Driving between your place of residence and your normal place of work.
- Providing a lift to a colleague to or from your normal place of work.
- Transporting goods or materials to or from your home if it is to work at home for your own convenience.

### **3.0. Eligibility to Drive**

- 3.1. Eligibility to drive is to be verified by the responsible person on an annual basis for all drivers known to the BLA.
- 3.2. No employee or external agency is allowed to drive a BLA vehicle without prior approval from the responsible person. A list of mini-bus drivers is maintained for the BLIP minibus and The Cooper minibus.
- 3.3. On 8th June, 2015, the paper counterpart to the photo card driving licence was abolished. The counterpart contained information such as any penalty points you have. Similarly, old style paper licences, issued until 1998, are still valid but will not be updated with penalty points. Individuals can view their up to date driving licence using the DVLA's view driving licence service. The view driving licence service is available from [www.gov.uk](http://www.gov.uk)

Employers will need to check at times driver's license details. This can only be completed with the permission of the driver. Drivers will be able to share their details with their employers, by generating a 'check code'. The check code will be valid for 21 days and allows someone to see:

- (i) What vehicles you can drive;
- (ii) Any penalty points or disqualifications;
- (iii) The last 8 characters of your driving licence number.

To allow a check code to be created, the driver will need their;

- (i) Driving licence number;
- (ii) National Insurance number;
- (iii) Postcode on the driving licence.

### **4.0. Legally Driving a Minibus**

4.1. To be able to drive a particular type of vehicle you need entitlement for that category on your driving licence. To drive a minibus you need a D1. The date you passed your test will determine under what circumstances you legally drive a minibus. The reverse of your driving licence shows your personal entitlements.

4.2. **Drivers who passed their test before 1<sup>st</sup> January, 1997.**

Drivers who passed their car test (referred to as a category B entitlement) before 1<sup>st</sup> January, 1997 were automatically given D1 entitlement to drive a minibus with 9 to 16 seats (17 seats to include the driver) assuming they are driving it not for hire or reward.

4.3. **Drivers who passed their test after 1<sup>st</sup> January, 1997.**

If you passed your test on, or after, 1<sup>st</sup> January, 1997 you were not granted D1 entitlement. However, the category B entitlement you would have from passing your driving test allows you to drive a 9 to 16 seat minibus (17 seats including driver) under a Section 19 permit provided the following conditions are met:

- a) You have held a category B licence for at least 2 years and are over 21 years old;
- b) You receive no payment or consideration for driving the vehicle other than out-of-pocket expenses;
- c) The minibus has a gross weight not exceeding 3500kg (or 4250kg with reduced mobility).

If you have passed your test on or after 1<sup>st</sup> January 1997 and you wish to drive a minibus with a gross weight in excess of 3500kg\*, or 4250kg with reduced mobility, you will have to take and pass a D1 driving test. \* the bus operator will require a Section 19 permit. A Section 19 permit is required where the organisation make a charge to their passengers for journeys.

**5.0. The Drivers Responsibilities**

5.1. An employer cannot indemnify a volunteer mini-bus driver where a court has imposed sanctions by way of a fine or penalty points on him/her as a result of committing a road traffic offence. This should be remembered before undertaking driving duties. Attention must be paid to all vehicle licence and insurance requirements that are subject to medical restrictions. It is an **individual's responsibility** to ensure that they are fit and healthy to drive and to be responsible for any medical condition that affects the validity of their licence or insurance. If the driver is not fit to undertake driving duties or is not fit as a result of taking medication then they are to inform the school accordingly, by contacting the responsible person.

The DVLA sets minimum standards for drivers, including conditions that must be reported to the DVLA. These include neurological disorders, cardiovascular disorders, diabetes, psychiatric disorders, visual disorders, renal disorders, respiratory and sleep disorders and other miscellaneous conditions. Full details are available at: [www.dvla.gov.uk](http://www.dvla.gov.uk). It is a criminal offence for a driver not to report to the DVSA any medical condition that affects their ability to drive safely.

- 5.2. It is vitally important that drivers understand that if the general legal requirements are not met, then it will be the **driver**, not the employer, who will be penalised for any road traffic offences e.g. fines or endorsements on a licence. Also a teacher who volunteers to act as a driver of a school minibus is personally responsible for the vehicles roadworthiness. If any defects re found by the police or the Vehicle and Operator Services Agency (VOSA), it is the driver who will be prosecuted.
- 5.3. Smoking and the drinking of alcohol is prohibited on a school minibus.
- 5.4. Drivers are not permitted to use mobile phones whilst driving. The driver if required to use the mobile phone must stop the vehicle before making a call or use a hands-free phone or ask a colleague to make a call on their behalf. All drivers are to have access to a mobile phone and this is to be carried with them on all minibus trips.
- 5.5. It is the driver's responsibility to ensure that there is nothing on their part, i.e. penalty points, age restrictions, roadworthiness or any other circumstances, which invalidates their insurance cover as this too may result in a road traffic offence and may possibly constitute a criminal offence and result in sanctions being imposed.
- 5.6. It is important that any insurance provides adequate cover against risk. The Bicester Learning Academy has Motor Insurance cover through Zurich Insurance PLC. Copies of the Motor Insurance are maintained by the Director of Business and Finance and Senior Operations Manager. Drivers who are involved in an accident are to ring 01489 882110. This is a Zurich claims line and they will advise on managing the accident. The e-mail for all motor vehicle claims is:  
[zmmotorclaimsoffice@uk.zurich.com](mailto:zmmotorclaimsoffice@uk.zurich.com)
- 5.7. The BLA is responsible for ensuring that the minibus complies with the following legal requirements in consultation with the responsible person. This includes the following:
- It is correctly licensed;
  - It displays a valid tax disc for the category of vehicle; (Please note that from 1<sup>st</sup> October, 2014, you will still need to tax your vehicle but the paper tax disc will no longer be displayed on a vehicle. Please see [www.gov.uk](http://www.gov.uk) for further information);
  - It is adequately insured;
  - It is adequately maintained;
  - It has a valid Ministry of Transport (MOT) certificate, if the vehicle is more than 3 years old;
  - It displays a retro-reflective school bus sign.
- 5.8. The Estate team is responsible for conducting weekly checks of the BLA minibuses but Staff who drive the school mini-buses are responsible for ensuring that the vehicle is roadworthy by carrying out pre-use checks<sup>i</sup> and logging details Safety checks can be undertaken by another nominated "responsible person", but it must be remembered that ultimately it is the driver's responsibility. A checklist is to be kept in

the vehicle and driver should not drive the mini-bus unless he or she is certain the mandatory checks have been carried out and the vehicle is safe.

All drivers are responsible for the following checks before embarking on their trips:

- Do a visual inspection of the minibuses which includes tyre pressure checks and that the windscreen and glass is clean and can be seen through;
- Check brakes to see that they are functioning correctly;
- Ensure that mirrors and seat are in the correct driving position;
- Check that all lights are functioning correctly;
- Ensure that all seat belts are being worn. This includes all passengers, who must wear a seat belt;
- Ensure that the windscreen washer system works and that wipers are functioning correctly;
- Ensure that the vehicle is correctly loaded and that no more than sixteen passengers are being carried;
- Emergency exits must not be blocked;
- Ensure that all doors are correctly closed;
- Check that you have enough fuel for your journey;
- As soon as possible after moving off, the driver should carry out a running brake test and at the same time, check the operation of the seat belts;
- At intervals throughout the journey, all instruments and warning lights should be checked and necessary action taken if a fault is indicated;
- Ensure that food and drink are not consumed on the vehicle;
- Make sure that no rubbish is left on the vehicle and ensure that no malicious damage has occurred to the interior of the vehicle.

At the end of the journey the driver must lock and make the vehicle secure. Keys should only be taken from the Estate Office just prior to making use of the minibuses. The keys should be returned to the office immediately after use.

The above checks are summarised in Appendix B.

- 5.9. Drivers are by law required to wear a seat belt. Drivers are also responsible for ensuring that any passengers in the front seats and exposed seats (e.g. forward facing and not immediately behind another seat) use seat belts or an appropriate child restraint. Seat belt offences can result in fines. Drivers must also ensure they comply with any advice and guidance issued by their school or employer.
- 5.10. The BLA has an emergency procedure that will be available inside each mini-bus. Staff driving the mini-bus must familiarise themselves with the procedure. See Appendix C.

#### **5.11. Mini-Bus Driver Awareness Scheme (MIDAS)**

- 5.12. If Staff intend to drive a school mini-bus, then it is recommended that Staff attend driving courses such as MIDAS or through an approved driving company, provided that this has received approval from the BLA.
- 5.13. Staff taking advanced driver training or courses should be entitled to be paid time off work for the training and subsequent tests or any exams associated with the training course. The costs of the training and any out-of-pocket expenses are to be reimbursed.

## **6.0. Pupil Behaviour**

- 6.1. The BLA recommends where possible that an additional adult who meets the requirements to drive a minibus should accompany every staff member on a minibus journey. This will enable her/him to supervise passengers, since a driver's attention may easily be distracted. The second driver, acting as supervisor, will help to ensure that passengers are well behaved, and prevent tiredness on long journeys by sharing driver duties and assist in the event of any emergency.
- 6.2. Staff are to remind students on a regular basis of the standards of behaviour expected of them as passengers.
- 6.3. When travelling with a mixed-sex group, there should be male and female members of staff present. Both members of staff should be able to drive and share supervision duties accordingly.
- 6.4. Passenger Responsibilities
  - Should wear seat belts and always remain in their seats until instructed otherwise;
  - Should never distract the driver by shouting, etc;
  - Students should not eat or drink on the vehicle;
  - Must make sure that escape routes are not blocked by bags, etc;
  - Pupils/students are ambassadors of the academy and must never bring its name into disrepute by gesturing, etc;
  - Passengers found to have vandalised the minibuses may face a ban from using it again and be required to pay for damages

## **7.0. How to book a Minibus and Protocols.**

- 7.1. All minibuses in term time and non-term time (except the summer holiday) are to be booked in advance through the Estate Team. Minibuses will be allocated on a first come, first served basis.
- 7.2. If you wish to book a minibus in the summer holidays, please contact the Senior Operations Manager or Estate Supervisor. Minibuses will be allocated on a first come, first served basis.
- 7.3. Should the minibuses already be booked, you will be advised to contact BLA Finance team, who will organise an external taxi/minibuses service.
- 7.4. Keys for minibuses are to be collected and returned from the Estate Office.

## **8.0. Record of Journey's (Vehicle Log Sheets)**

- 8.1. Drivers are to complete the minibus logbook by noting the milometer reading (before and after each journey in the log book). Log books must be kept up to date and will be checked by the Finance team and a member of the Estate team each month. The drivers name must also be recorded in the log-book against any journeys made.
- 8.2. The Estate team must ensure that the log-book is always kept in the minibus and is always available for users to sign. The BLA is responsible for ensuring that pre-checks are recorded as per Appendix B. Drivers must check with the Estate team that the vehicle is roadworthy ahead of use.

**Please Note: If the vehicle is not road worthy it must be taken out of service until repairs have been rectified by a competent contractor and these should be rectified as soon as possible.**

- 8.3. The BLA has two fuel cards, one for each minibus and the fuel cards remain in the cloth folder. The folders are located in the glove compartment of each vehicle.
- 8.4. No minibus is allowed to be kept overnight off school premises unless agreed with the responsible person.

## **9.0. Breakdowns**

- 9.1. All BLA minibuses should be covered by a suitable breakdown recovery service. The contact details are readily accessible in each mini-bus and the driver should be aware of the procedure of using the service in the event of a breakdown. In addition drivers should be able to access guidance on what to do in the event of a breakdown. In the case of the BLA breakdown covered is provided by the AA.
- 9.2. In addition, drivers should be able to access guidance on what to do while awaiting recovery, including in what circumstances passengers remain in the vehicle. The BLA emergency procedures should be followed in these circumstances and appropriate contact should be made with the 'responsible person' to inform them of the situation.
- 9.3. In the event of a vehicle breakdown, the Royal Society for the Prevention of Accidents (ROSPA) advises that:
  - The driver should move the vehicle off the carriageway (on to the hard shoulder on a motorway) or as far from moving traffic as is possible and switch on the hazard warning lights;
  - The passengers should be moved out of the nearside of the vehicle and remain as far from the vehicle and other traffic as possible. No one should stand between the vehicle and the oncoming traffic. On motorways or other busy roads, passengers should be taken onto the embankment and as far from the traffic as is practicable;
  - In some cases it may be safer for passengers to remain seated in the vehicle, for example, if it seems too dangerous to unload passengers in wheelchairs or if there is

not a safe waiting area. The driver will therefore need to make a decision based on the circumstances at the time;

- Passengers should be kept together in one group. Children should be kept calm and under constant supervision;
- On a motorway, a mobile phone (when the vehicle is stationary) or a roadside emergency telephone should be used as this will alert the emergency services to pinpoint the exact location of the vehicle.

#### **10.0. Rest Breaks while Driving**

- 10.1. Tired drivers are much more likely to have an accident. Drivers who drive for more than two hours after a day's work are significantly more likely to be involved in a road traffic accident.
- 10.2. If you drive a school mini-bus, you should take a break of at least 30 minutes every two hours of driving. The rest time should not include time spent undertaking other duties associated with the supervision, care or responsibility of pupils/students. Times and lengths of breaks should be noted in the logbook. On longer journeys it is advised that additional drivers should share driving duties and supervision duties in order to allow drivers an adequate rest break.
- 10.3. Under the Working Time Directive 1998 Staff have the right to a daily uninterrupted break of at least 11 hours.

#### **11.0. Road Traffic Accidents**

The Road Traffic Act requires that:

- (i) In the event of an accident where personal injury is caused to any person, or domestic animal and/or damage of any vehicles or other property, the driver shall stop and exchange names and addresses etc., with the driver/other person, or owner of the animal or property. If names and addresses are not exchanged at the time of the accident, the incident must be reported to the police as soon as possible or in any case within 24 hours. Details of witnesses and relevant insurance details should be obtained.
- (ii) **Drivers should in no circumstances admit liability as an admission may adversely affect any claim.**
- (iii) If the vehicle is roadworthy, the driver must decide whether to continue the journey or return the vehicle back to The Cooper School.

If the vehicle is not roadworthy, the driver must contact the 'responsible person' and discuss the next step. Drivers must call the BLA insurers on the following number:

(01489) 882110.

### **Points of Contact if you have a Road Traffic Accident.**

The responsible person for the BLA is:

- Senior Operations Manager, Mobile Number: 07557 770355

If you are unable to contact the Responsible Person, please contact one of the following persons:

- Director of Business & Finance, Mobile Number: 07557 770575
- Executive Headteacher, Mobile Number: 07823 883787

- (iv) Vehicle Accident claim forms are available from the Senior Operations Manager and the Director of Business and Finance as soon after the accident as is possible.
- (v) Any correspondence received from the other party involved in the accident must be passed to the Zurich Insurance Team.
- (vi) It is important that as much information as possible is recorded. Please see Appendix C.
- (vii) All accidents will be investigated by the BLA.

### **12.0. Risk Assessment**

12.1. The BLA are responsible for completing a 'suitable and sufficient' Risk Assessment covering the driving of the BLA mini-buses both by Staff and external organizations and this Risk Assessment is to be reviewed on an annual basis, or after a serious accident or a near miss.

12.2. The Risk Assessment is to be made available to all drivers. It is the responsibility of the 'responsible person' to ensure that all drivers, have read and signed the Risk Assessment either at the start of the school year or in the case of external bookings before an external trip.

12.3. In addition, specific risk assessments will be required where:

- The driver is pregnant.
- The driver has declared a disability or other factor that might affect their driving ability to the 'responsible person'.
- The driving role is assessed as higher risk.
- The driver performance is below the expected standard.

<b>Policy/Procedure Title</b>	<b>Driving at Work Policy</b>
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<b>Author (Name/Department)</b>	<b>R Dodsworth, Senior Operations Manager (BLA)</b>
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## Appendix A: Driving at Work Agreement

**Name:** .....

**Car Registration:** .....

I confirm that I have read The Bicester Learning Academy Driving at Work Policy and understand my responsibilities as an employee.  *Please tick*

I confirm that, should I use my car for work-related business, I will ensure that:

- My vehicle is insured for business.
- My vehicle is taxed, insured, is roadworthy and has a current MOT (if more than 3 years old).
- I have a current full driving licence, appropriate to the vehicle being driven.

**Employee Signature:** .....

**Date:** .....

Please return to Senior Operations Manager

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**Documents checked by:**

**Name:** .....

**Job Title:** .....

**Signed:** .....

**Date:** .....

We ask that all staff who are likely to undertake work-related journeys complete and **return the Driving at Work agreement form to:** ..... confirming your compliance with the Driving at Work Policy.

**Please ensure you also take the relevant documents as stated in the Agreement for checking.** This requires checking annually, unless you need to update us due to a car change or insurance company change.

Thank you for your co-operation. *The full Driving at Work Policy is available to read on the Bicester Learning Academy, The Cooper School and Glory Farm Primary School websites*



## Appendix B: VEHICLE CHECKLIST

Description	✓ = Satisfactory/Available X = Defective/Missing N/A = Not Applicable	Comments
Conditions and functions of Seat belts		
AA Information		
First Aid Kit		
Warning Triangle		
Vehicle Handbook		
All Lights		
Horn		
Washers & Wipers		
Brakes		
Fuel		
Engine Oil Level		
Coolant Level		
Windscreen Wash Level		
Power Steering Fluid		
Condition of Vehicle Bodywork, windscreen, windows, mirrors, lights		
Condition of windscreen wiper blades		
Cleanliness of windscreen, windows, mirrors, lights, number plate.		
Availability of spare wheel & jack		
Conditions of tyres, tyre pressure, tyre wear.		

Vehicle Registration Number:

Vehicle Checker:

(SIGNATURE)

Date:



## Appendix C: Emergency Procedures

It's not something we like to think about, but Road Traffic Accidents happen – and it's important you know what to do if you're caught up in a crash. Immediately after a car accident

### 1. Stop

However minor you think a car accident is, you must stop. In fact, failing to do so is an offence under the Road Traffic Act.

Call the Police if someone was hurt in the Road Traffic Accident.

You should make sure your car's engine is switched off and then turn your hazard lights on to alert other road users to your presence.

### 2. Call 999

Take a look around and if anyone has been injured in the car accident you should call the police (and an ambulance, if necessary) as soon as possible.

The police should also be called if the Road Traffic Accident is blocking the road.

Call the 'responsible person' and/or deputy to inform them about the accident, if there is a need for additional help or assistance, due to the minibus being unable to be driven or if there have been injuries or fatalities. The details are listed at the bottom of this appendix

#### **Giving details after a car accident:**

When you are involved in a car accident you're obliged to give your name and address to anyone else involved.

Avoid saying sorry or accepting blame for the accident until you know precisely what happened as it could count against you later on.

You should stop and give your details if you crash into something on or near the road even if there aren't any other people involved. If you hit a parked car, for example, you should leave your details on the windscreen.

Car accidents should be reported to the police within 24 hours. Failure to do so could result in a fine, penalty points or even disqualification.

#### **Collecting details after a car accident:**

After a car accident, collect as many details as possible

If possible, you should collect the following information from any drivers, passengers and witnesses:

- names
- addresses
- contact numbers.
- vehicle registration number.

- Ask the other drivers involved for their car insurance details and try to establish whether they are the registered keeper of their vehicle. If they aren't, find out who is and make a note of their name and address.

Call 999 straight away if someone leaves the scene of the car accident without giving their details.

### **Other information to collect from the car accident:**

Here are some other important details you should try to collect at the scene of the car accident:

- the registration numbers of all vehicles involved, plus a note of each vehicle's colour, make and model;
- the time and date of the crash;
- a sketch showing the positions of vehicles involved;
- a description of the weather conditions, plus anything unusual you notice about the road quality or lighting;
- if possible, take some photographs of the scene, damage etc;
- the names of any witnesses or police officers at the scene;
- a list of damage to vehicles and a description of any injuries sustained by pedestrians, drivers and passengers.

You may find it useful to take photos of the car accident for use as evidence.

Some drivers carry disposable cameras for this purpose, but most modern mobile phones will take good enough shots to help you remember important details.

### **Who to call from the Bicester Learning Academy if you have a Road Traffic Accident.**

The responsible person for the BLA is:

- Senior Operations Manager, Mobile Number: 07557 770355

If you are unable to contact the Responsible Person, please contact one of the following persons:

- Director of Business & Finance, Mobile Number: 07557 770575
- Executive Headteacher, Mobile Number: 07823 883787