

# Driving at Work Policy



# Driving at Work

## 1. Introduction

1. The aim of this policy is to promote the highest standards of driving conduct within Lilac Alliance. The manner in which company vehicles are driven has a direct bearing on the public's perception of Lilac Alliance as a professional organisation. All staff must therefore strive to safeguard the company's reputation by displaying high standards of driving and road behaviour at all times.
2. In addition to ensuring compliance with Road Traffic Law, all staff have a duty to protect the safety and wellbeing of other staff, patients, passengers, and other road users.
3. Drivers of company vehicles, or when driving their own vehicle for company use, must drive to a high standard. This includes maintaining a thorough working knowledge of the Highway Code, Road Traffic Regulations Act 1984, appropriate current supporting training and education material, policies, procedures, and information that is circulated within the organisation.
4. All staff, whether driving or not, should always ensure a suitable and sufficient dynamic risk assessment is undertaken.
5. All drivers need to be aware that the consequences of actions and non-compliance to provided training and/or policy, procedures and information can lead to serious injury or death of staff or others.

## 2. Scope

- 2.1 This policy applies to staff. Where vehicle is referred to this includes those that are owned, hired, leased, or borrowed. It also applies to staff who drive private vehicles for business use.

## 3. Responsibilities and accountabilities

- 3.1 Board of Directors – the Director, or Board of Directors have overall responsibility for ensuring that this policy is applied fairly, consistently and in a non-discriminatory manner.
- 3.2 Managers – are responsible for familiarising themselves with this policy and ensuring that all employees are aware of, and comply with this policy and any associated procedures. They have a duty to apply this policy fairly and consistently and to act in accordance with the requirements of this policy.
- 3.3 All appropriate employees must adhere to the relevant parts of this policy.
- 3.4 All staff are responsible for being familiar with the contents of this document and enforced Road Traffic Regulations.
- 3.5 All members of staff are expected to challenge unacceptable driving behaviour or standards observed in the overall interests of maintaining the highest professional standards and safety of all concerned.
- 3.6 Whilst it is the driver's ultimate responsibility, all crew staff must jointly undertake a dynamic risk assessment when collecting and dropping off patients/service users.
- 3.7 Regular In-depth vehicle checks will be conducted weekly. In addition it is the drivers responsibility to complete POWDERY checks (Petrol, Oil, Water, Damage, Electrics, Rubber, Yourself) prior to every journey.
- 3.8 All staff must be aware that it is an offence to use, cause, or permit a person to use a vehicle that is not legally roadworthy.

3.9 All employees are responsible for:

- Ensuring they follow this policy at all times.
- Being aware of specific terminology definitions related to driving.
- Driving with the appropriate safe attitude to safety and risk.
- Knowledge of and adherence to the highway code and changes as they are enacted.
- Using company vehicles correctly with due care and attention.
- Ensuring adherence to current Road Traffic Regulations.
- Compliance with their Statutory duty under Section 7 of the Health and Safety at Work Act 1974, i.e. to co-operate with their line manager so they can comply with their duties e.g. use vehicles in accordance with this policy.
- Taking reasonable care of their own health and safety and that of others which may be affected by their actions, this includes driving vehicles.
- Ensuring that, if driving in their own vehicle for business purposes, they make provision with their insurance company and that they have relevant cover for the journeys they undertake.
- Ensuring that no privately owned cars used for work unless have a current MOT ( where applicable ) and a current valid road fund licence. Along with clear evidence of commercial insurance they can use there vehicle to transport vulnerable children or adults as part of their work.
- Ensuring that their driving licence is current, and have no more than 6 points and they inform their line manager of any endorsements as soon as they occur.
- Ensuring that all company vehicles are maintained and MOT'd where appropriate, according to manufacturers recommendations.
- Ensuring they are fit to drive at all times and being aware of the implications which alcohol, illicit substances and medication have on driving. There are no limits imposed for illicit substances and employees found to be under the influence of drugs could be arrested and prosecuted by the Police if caught in charge of a vehicle. Impairment to drive is a serious offence and those found unable or unfit to perform their duties, even if under prescribed legal limits, may face disciplinary action. Managers, prior to taking action, will seek advice from the HR Department.

## 4. Lilac Alliance Culture / Vision and Values

- 4.1 This policy aligns with the culture, vision and values of Lilac Alliance in that it aligns with the commitment statement in that employees understand that their conduct can have an impact on the business.
- 4.2 The driving of company vehicles to the highest standard and in line with current legislation is a fundamental part of the culture, vision and values of Lilac Alliance.
- 4.3 The above should not be considered exhaustive and this policy has been produced with due consideration to the culture, vision and values of Lilac Alliance in mind at all times

## 5. Definitions

1. Throughout this document the term vehicle refers to all types of vehicles operated by Vcar Alliance, including those which are owned, leased, hired or borrowed. The term driver refers to all staff who have been authorised to use company vehicles.

2. An authorised driver is any person who is driving any vehicle on company business with the permission and knowledge of their line manager.
3. A dynamic risk assessment can be defined as: "The continuous process of identifying hazards, assessing risk, taking action to eliminate or reduce risk, monitoring and reviewing in the rapidly changing circumstances of an operational incident".

## 6. Driver Training

1. All newly recruited staff will undertake a driving assessment conducted by suitably qualified staff.
2. All staff engaged on driving duty or with the potential to be engaged on driving duty must hold a current, Full Driving Licence for the vehicle driven.
3. The licence must be always carried on their person whilst driving.
4. A copy of the driving licence for all successful applicants, on entry to the company will be retained on their personnel file.
5. When required to do so by any Manager of the company, driving licences must be made available for inspection within 24 hours or at a time and date agreed between them. All operational personnel will have their Driving Licences inspected at least annually.
6. Driving licences will be checked on a regular basis, as dictated by management. It is the individual's responsibility to ensure that their licence is up to date.

## 7. Fitness to Drive

1. It is the responsibility of the driver to inform, without delay, their line manager of any health changes / eyesight problems or other condition, which would impair his / her ability to drive safely. A referral to the Clinical lead, for a medical review may be appropriate in certain circumstances.
2. It is driver's responsibility to ensure that they are fit to drive at all times and aware of the implications which alcohol/illegal substance and medication could have for driving safely. If staff are found to be under the influence of the aforementioned, then this will be investigated, and Disciplinary action may be taken.

## 8. Vehicle Inspection

1. The purpose of this inspection is to ensure that all company vehicles are maintained in a roadworthy condition and comply with the Road Traffic Act.
2. It serves as a reminder, to ensure that no person employed by Lilac24 contravenes or fails to comply with any regulation of the Road Traffic Act(s) relating to roadworthiness of motor vehicles.
3. It is intended to ensure that the vehicle inspection is always correctly completed, prevention of mechanical damage occurring due to insufficient fluid levels or preventative maintenance and breakdowns and mechanical failure is reduced wherever possible. In-depth vehicle checks will be completed on a Sunday every week. In addition, it is the drivers responsibility to complete POWDERY (Petrol Oil Water Damage Electrics Rubber Yourself) on every journey they undertake.
4. The staff assigned to each vehicle will carry out the Vehicle Inspection for every vehicle used during that shift and complete the appropriate paperwork/Electronic submission.

5. Any identified fault, which may cause contravention of the Road Traffic Act(s) or compromise safety, must be recorded/reported on the Vehicle/Equipment Defect Form to a Supervisor for corrective action.
6. Where the vehicle is deemed to be unroadworthy and no Supervisor is available, then the crew must report the unavailability of the vehicle to Senior Management.

## 9. Driving Standards

1. It is incumbent on all company personnel to maintain high standards of driving skills resulting in less risk to clients, other road users, and less damage to company vehicles.
2. Every vehicle shall be driven with care and consideration for other road users. At no time must it be driven recklessly, or in a manner, or at a speed likely to cause danger to other road users.
3. The company requires it staff to always drive with due care and attention.

## 10. Reversing

1. It must be clearly understood that it is the driver's responsibility to ensure that the area into which it is intended to reverse is wide enough and high enough to accept the vehicle and that it is clear of obstacles.
2. Two or more-person crew: whenever the attending crew member is not engaged with client care, he/she must dismount from the vehicle and assist the driver, remaining within the driver's fields of vision whilst the vehicle is in motion. Eye contact must be maintained.
3. Single person crew: The vehicle is not to be reversed until the driver is satisfied that the way is clear and sufficient space exists for the manoeuvre to be completed safely.
4. Where a crew has not checked the area or obtained assistance when reasonable to do so, management reserve the right to take action up to and including disciplinary proceedings in the event of failure to comply with this policy.

## 11. Construction and use regulations

1. A motor vehicle must at all times be in such a condition that no danger is caused, or likely to be caused, to anyone in or on the vehicle, or on the road.
2. No danger should be caused (or made more likely) to anyone in or on the vehicle, or on the road because of the number of passengers being carried, the way in which they are carried, or the weight and distribution of the load.
3. In a motor vehicle or trailer on a road, no person shall open any door (or cause or permit to be opened) in such a way as to cause injury or danger.
4. Compliance with The Road Vehicles (Construction and Use) Regulations 1986

## 12. Driving and using mobile devices

1. It is illegal to use a handheld mobile phone while driving a motor vehicle.
2. Mobile devices shall not be used at any time by the driver of any company vehicle and this includes the use of hands free functions

3. It is still illegal to use your hand-held mobile device if you're:
  - Stopped at traffic lights
  - Queuing in traffic
  - Driving any vehicle that turns off the engine when you stop moving
  - Holding and using a device that's offline or in-flight mode when driving

### 13. Smoking and vaping

1. Smoking and Vaping is strictly prohibited in any company vehicle by staff at any time
2. An exemption, for vaping, is permitted for ADULT service users when being transported by transport if it is felt that this help to de-escalate situations.

## 14. Driving licences / Prosecution for Motoring Offences

1. It is the driver's responsibility to inform his / her line manager of any new or pending convictions/endorsements or penalty points that may impact on his/her ability to hold a current unendorsed licence, as soon as is as practicable and at least within 24 hours. Failure to do so may result in disciplinary action.
2. It is the responsibility of the driver to notify his / her line manager immediately if, as a result of a collision or alleged motoring offence, committed ON or OFF duty, a Court Summons, is received. Failure to do so may result in disciplinary action.
3. On receipt of a summons for any motoring offence, which occurred whilst on duty, the individual MUST, as soon as practicable, notify his / her line manager who will seek advice from the Transport Manager. If this summons results in your driving license accruing more than 6 points, then this may result in the termination of your employment. (This decision will be based on a discussion with the Lilac24 Insurance Company).
4. Where a summons is received for an incident which occurred off duty, receipt of such MUST still be advised to the line manager as soon as is practicable. The line manager will seek advice from the Transport Manager particularly in relation to claims cover.
5. Collisions involving company vehicles where prosecution by the Police against the company driver is pending will be investigated by the company, but any decision may be deferred until the outcome of any subsequent Court hearing.
6. If the driver is subject to any motoring offences that involve a fine while on duty, the driver will be liable for the full costs.

## 15. Road Traffic Collision Procedure

1. The law defines a reportable road traffic collision involving a mechanically propelled vehicle on a road or other public area which causes:
  - Injury or damage to anybody – other than the driver of that vehicle
  - Injury or damage to an animal - other than one being carried on that vehicle (an animal is classed as a horse, cattle, ass, mule, sheep, pig, goat, or dog)
  - Damage to a vehicle – other than the vehicle which caused the collision.
  - Damage to property built on, attached to, growing in, or otherwise forming part of the land where the road is

## 2. What to do if you are involved in a road traffic collision:

- Stop at the scene – it is a legal requirement to stop as soon as it is safe to do so
- Switch off your engine
- Switch on your hazard lights
- Check for any injuries to yourself and any passengers.
- Exchange details with anyone involved – name, address, car registration number
- Provide your insurance details if requested.
- Report matter to the planner

If you're having trouble getting these details from someone involved or they have left without giving details, call the Police on 101 while you are still at the scene of the collision.

### 3. When should you call 999

- If someone is in danger
- If someone has been seriously injured
- You believe a serious offence has been committed
- The collision has caused a blockage or dangerous obstruction of the road

### 4. Driver Responsibilities

The duties of a driver involved in a Road Traffic Collision are well defined in Law by the Road Traffic Act(s) – **THERE ARE NO EXEMPTIONS**

5. Should the driver be unable to give the required information (the person has either been injured or would not comprehend the information, the owner of the animal, property or vehicle is not present) then the driver MUST report the accident to a Police or at a Police Station AS SOON AS POSSIBLE and in any case within 24 hours.
6. **Personal Injury Collision** – In the case of a road collision in which injury is caused to any person, the driver must report same to the Police. An Incident/Near Miss Form must be completed for any third parties sustaining injury during a Road Traffic Collision.
7. **Injury to Patients/Passengers** - If a client, escort or colleague is injured whilst getting in /out or travelling in a company vehicle, then you have been involved in a personal injury collision. Therefore, the same conditions exist regarding exchange of particulars and an Incident/ Near Miss Form must be completed for each person injured / involved.

## 15. Driving Assessment Process

Staff members who are required to drive for work purposes are required to pass a driving assessment designed to demonstrate their driving ability to the standard required for

- Safety
- Service user comfort
- Vehicle sympathy

### 15.1

The standard against which the candidate will be judged will be observance of the Law, driving skills and observance and knowledge of the rules of the Road.

### 15.2

Assessments will be undertaken as follows:

- On public roads
- In a company vehicle - dependant on role within the company
- On a 6 monthly basis for transport staff and annually for all others

15.3

The Driving Assessor retains the right to stop the assessment at any time if he / she consider that the driver is demonstrating practice which is unsafe or dangerous.

15.4

Feedback will be provided to staff as part of their development and where deemed necessary for their current job role, further training instigated.

#### **NOTE: THE ASSESSORS DECISION WILL BE FINAL**

#### **16. Driving Suspension**

The following is a list of guidelines regarding the suspension from driving of staff:

- i. There is a fatality following a collision
- ii. There is a serious injury following a collision
- iii. Serious vehicle or property damage
- iv. Cautioned by the Police
- v. Failed a road side breath test by the Police or the be under the influence of other substances
- vi. Drugs/Medication that may effect the ability to drive
- vii. Alcohol smelt on a member of staff breathe
- viii. Failing to reach a satisfactory standard on a driving assessment
- ix. A staff members licence revoked by court
- x. Any member of staff having three collisions within a six-month period ( blameworthy or contributory )

16.1

The suspension will not be lifted until the member of staff has successfully completed a Driving Assessment.

**This assessment must not be carried out on the same day as the incident**

#### **17.0 LINKS TO ANY ASSOCIATED POLICIES, PROCEDURES OR DOCUMENTS**

17.1 Below are any associated policies, procedures or documents you may need to be cross referred to:

17.1.1 Expenses Policy

17.1.2 Eyesight Test policy

17.1.3 Conflict Management Policy

17.2 You should also be informed of any standard operating procedures in the workplace that may run alongside this policy – if at any time it contradicts the contents of this policy please ensure you raise this with you line manager immediately.

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