



## Driving at Work Policy

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Reviewed and Agreed by	The Directors' Board
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## Statement of intent

At The Soceitas Trust (“The Trust”), we are committed to ensuring the health and safety of all employees and pupils, and maintaining compliance with our statutory duties. This policy has been created in order to outline the risks associated with driving at work and implement procedures to minimise hazards and protect the safety of staff and others during work-related driving activities. The policy also ensures appropriate safeguarding procedures are in place for the transport of pupils in private vehicles.

Health and safety law does not apply to staff commuting between their home and their usual workplace – this policy covers employees who use a vehicle for the purposes of academy/trust business only. The policy applies to both personal vehicles and vehicles leased or hired by the academy/trust.

Examples of where this policy applies include, but are not limited to, the following instances of driving:

- To the venue of an INSET day
- To a work-related meeting at another academy or site
- To attend a different academy within the trust
- To attend a conference, seminar, training course, etc.
- Transporting pupils to and from school related activities
- Transporting of pupils or staff due to being taken ill
- To fulfil union duties, e.g. a union representative undertaking work on behalf of the union – this does not include union members acting solely in their capacity as members to attend meetings

## 1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- Health and Safety at Work etc. Act 1974
- The Management of Health and Safety at Work Regulations 1999
- Road Traffic Act 1988
- The Road Vehicles (Construction and Use) Regulations 1986
- The UK General Data Protection Regulation (UK GDPR)
- Data Protection Act 2018
- DfE (2022) 'Keeping children safe in education 2022'
- The Working Time Regulations 1998

This policy operates in conjunction with the following trust policies:

- Safeguarding and CP Policy
- Data Protection Policy
- Lone Worker Policy
- Data Retention Policy
- Supporting Attendance Policy
- Health and Safety Policy
- First Aid Policy
- Transporting Pupils in Private Vehicles Risk Assessment
- Behaviour Policy

## 2. Roles and responsibilities

The trust board of directors is responsible for:

- Ensuring the trust meets its statutory and legal obligations regarding health and safety at work.
- Ensuring that the trust has adequate insurance in place for the purposes of employees driving at work.

The **headteacher** is responsible for:

- Ensuring that there are arrangements in place for identifying, evaluating and managing risks for driving at work activities.
- Ensuring that there are arrangements in place for monitoring and reporting incidents associated with driving at work.
- Permitting only employees who are insured, medically fit and competent to drive safely to drive at work.
- Permitting only vehicles that are roadworthy, e.g. have a valid MOT, to be used.
- Ensuring all staff are aware of, and uphold, their professional and personal responsibilities when driving at work.
- Ensuring pupils only travel in employee-owned vehicles where the headteacher or other member of the SLT has approved the journey and there is written permission from the parent.

- Reviewing the effectiveness of this policy at least annually and communicating any changes to all relevant members of staff and stakeholders.

The **Academy Business Manager** is responsible for:

- Ensuring that all staff are aware of this policy and its requirements.
- Involving employees and their representatives in decisions and consulting them to help identify potential hazards.
- Promoting a culture of safe driving.
- Ensuring that risk assessments are carried out for driving at work activities, in collaboration with the headteacher.
- Putting procedures and safe systems of work into practice, which are designed to eliminate or reduce the risks associated with driving at work.
- Ensuring that members of staff are provided with necessary information, instruction and training where required.
- Managing the effectiveness of preventative measures through a robust system of reporting, investigating and recording incidents.
- Ensuring that appropriate support is provided to staff involved in any incident.
- Ensuring that all personal data processed for the purposes of this policy is handled in line with the Data Protection Policy.

Employees driving at work are responsible for:

- Upholding their professional and personal duties when they are driving at work.
- Complying and co-operating with the controls put in place by the headteacher to ensure their safety.
- Holding a full valid driving licence for the category of vehicle being driven and providing their licence details to the headteacher where required.
- Ensuring that their driving insurance is valid for the purposes of business use, including cover for persons travelling as business passengers.
- Driving in accordance with the laws of the road and Highway Code.
- Checking before each journey that their vehicle is roadworthy, e.g. tyres are properly inflated and meet legal requirements.
- Ensuring that they meet the minimum eyesight standards for driving.
- Ensuring that they are fit to drive; where their fitness to drive may be impaired, e.g. due to a medical condition or taking medication, they inform their line manager as soon as possible and notify the DVLA where required.
- Ensuring that they do not drive if they are impaired in any way, e.g. by fatigue, alcohol or drugs.
- Submitting applications to the headteacher, subject to their approval, for driving at work activities where required.
- Reporting any driving accidents, near misses or incidents at work to the **academy business manager/headteacher** and ensuring these are recorded as appropriate.
- Notifying the headteacher where there is any change in their circumstance in relation to driving at work, e.g. if they acquire penalty points on their licence for motoring offences outside of work.
- Following the guidance and procedures outlined in this policy for safe driving at work practices.

- Reporting any incidents that may affect the health and safety of themselves or others to the **academy business manager and** asking for guidance as appropriate.
- Taking part in any training conducted to meet the requirements of this policy.
- Reporting any dangers or potential dangers they identify, as well as any concerns they may have in respect of driving at work activities to the headteacher.

### **3. Driver checks**

All employees who drive at work in their own vehicle must complete and sign the Staff Travel Declaration Form to confirm they have all the necessary valid paperwork to drive and have class one business cover on their insurance.

Employees will provide a copy of their insurance certificate to the Academy Business Manager whom will also conduct a vehicle tax and MOT check on [www.gov.uk/check-vehicle-tax](http://www.gov.uk/check-vehicle-tax)

Employees who drive at work will provide access to their driving licence to the Academy Business Manager for review on an annual basis via [www.gov.uk/view-driving-licence](http://www.gov.uk/view-driving-licence); alternatively, employees can print off their 'licence summary' on the website to be reviewed.

Employees will only be permitted to drive at work if their licence is free of serious offences – a final decision will be made by the headteacher.

Any changes in an employee's circumstances, e.g. driving convictions, penalty points or their licence is suspended, will be communicated to the headteacher as soon as possible.

Employees found to have made a false declaration will be treated as committing an act of misconduct and disciplined in line with the trust's disciplinary procedures.

### **4. Preparation**

All driving at work activities will be planned beforehand, involving consultation with the driver, to determine the best route and account for factors such as road type and conditions.

When planning journeys, the safety of routes and their appropriateness for the vehicle type will be considered.

Long journeys, e.g. those totalling more than 150 miles of travel in a day, will be approved by the headteacher only if they are satisfied that travel by private vehicle is justified – overnight stays will be considered where appropriate.

For long journeys, employees will ensure they take a 15-minute break for every two hours of driving.

The headteacher will ensure that employees are not being asked to work exceptionally long days by taking into account the estimated travel time for their activities.

Before leaving the academy/trust site to drive for work-related activity the employee will notify their line manager.

Employees will contact the headteacher to cancel a journey where weather conditions pose a significant risk.

The academy/trust will reimburse expenses incurred by driving at work, e.g. fuel costs, at its own discretion and any expenses will be agreed prior to driving at work activities.

## **5. Insurance**

All employees who make work-related journeys will ensure that their vehicles are insured for business use.

All employees will be advised that, if it is likely that they will need to drive at work at any point, they should take out business cover.

Where employees are unsure about the cover they need or if they need clarification about what their insurer currently covers, they will be instructed to speak to the academy business manager.

Only employees with valid business insurance, including for persons travelling as business passengers, will be allowed to drive at work.

Only employees with class one business insurance will be able to claim mileage expenses. Employees can only start to claim mileage expenses for a journey once they exceed the number of miles they would usually drive for their journey to and from work.

## **6. Vehicle safety**

Employees are legally responsible for the roadworthiness of their own vehicle – they will be instructed to perform routine safety checks in line with the Highway Code and the manufacturer's recommendations.

Employees will ensure that planned and preventive maintenance on their vehicle is carried out in line with the manufacturer's recommendations.

The vehicle will only be used in poor weather conditions if it is properly equipped, e.g. winter tyres are fitted and windscreen washer fluid is appropriate for the temperature.

If an employee has any doubts about the safety of their vehicle, they will be instructed not to drive and to seek maintenance in line with the manufacturer's guidelines.

## **7. Road use**

Employees will be responsible for ensuring that they and their passengers comply with the Highway Code, e.g. seat belts are worn at all times while the vehicle is in use.

Employees will be made aware that they must not drive under the influence of alcohol or drugs, if they are disqualified, or if advised not to do so by their doctor or another medical professional.

Employees will be made aware that they must not use a hand-held mobile phone while driving and are informed of the risks of using a hands-free phone.

Smoking will not be permitted during driving at work activity if there are passengers in the vehicle.

Glasses or corrective lenses will be worn if required when driving.

Employees will make sure that their vehicle's maximum load weight is not exceeded while driving at work.

Employees will be advised to store any work equipment and valuables out of sight and in the boot where possible, and to remove any work items from the vehicle overnight.

When it is known or assumed that an employee is driving on a work-related activity, other employees will be advised to avoid calling or texting them unless it is essential.

## **8. Incidents and near misses**

All employees will be instructed to report any work-related road incidents or near misses to the **academy business manager**.

The **academy business manager** will record incidents and discuss with the headteacher the appropriate response to prevent future reoccurrences.

Where an employee suffers an injury in any way, however minor, the details will be recorded in the incident log as soon as possible.

Where necessary, employees driving at work will be provided with basic safety equipment to use in the event of a breakdown or incident, e.g. warning triangles, high-visibility jackets.

Incidents requiring first aid will be dealt with in line the **Health and Safety/ First Aid Policy**.

In an emergency, employees will contact 999 immediately and follow the operator's instructions.

## **9. Transporting pupils**

All trips and journeys involving pupils will be submitted for prior approval by the **EVC/headteacher** in line with academy/trust Educational Visits Policy. As part of the approval process, the member of staff designated to drive will complete the Staff Travel Declaration form and provide a copy of their insurance certificate.

The academy business manager will conduct the driving licence, MOT and tax checks via the [www.gov.uk/view-driving-licence](http://www.gov.uk/view-driving-licence) & [www.gov.uk/check-vehicle-tax](http://www.gov.uk/check-vehicle-tax) websites for the Employee.

The headteacher will consider, in liaison with the DSL, whether the journey is necessary and appropriate, any behavioural, safeguarding, medical or SEND issues, and the suitability of the members of staff to complete and manage the journey.

All instances of pupils being transported are managed in line with the academy/trust Safeguarding and CP Policy.

Transport of pupils will only take place in private vehicles where there is no practical or reasonable alternative, and with prior parental approval. Only members of staff with the appropriate level of DBS check and safeguarding and behaviour management training will be permitted to transport pupils.

Where more than one vehicle is used to transport pupils, it will be clearly indicated beforehand which pupils and staff are travelling in which vehicle – this applies to travel to and from the destination.

Any pupil absences for the scheduled journey will be clearly noted before the journey starts.

One employee will not travel alone with a child, they must be accompanied by another member of staff or child.

The member of staff driving the vehicle will ensure age-appropriate seating and restraints are used correctly, in line with government guidelines, and child locks are in place on the vehicle's doors. Pupils will not sit in the front seat, and will not be transported in vehicles without seatbelts under any circumstances.

Instances of pupil misbehaviour will be handled in line with the Behaviour Policy – where a pupil's behaviour poses a potential risk to the safety of the driver or other passengers, the driver will take appropriate action, which may include stopping the car where it is safe to do so and returning to the academy.

## **10. Vehicles owned, leased or hired by the academy/trust**

All vehicles purchased, leased or hired by the academy/ trust are investigated by the **academy business manager** beforehand to check they are suitable for the purpose intended and for the health and safety of employees and the public.

Where appropriate, vehicles will have driving aids and other safety devices, e.g. reversing alarms, proximity sensors and camera systems.

Employees who wish to drive a minibus owned or hired by the academy/ trust will be required to undergo MiDAS training– if the employee obtained their drivers licence after 1 January 1997 they will also be required to obtain a Full Passenger Carrying Vehicle Licence (PCV).

The **academy business manager** will ensure that vehicles owned by the academy/trust are maintained in line with the manufacturer's recommendations and the appropriate MOT test is conducted on an annual basis.

Employees who wish to receive training should contact the headteacher.

Employees who wish to request to use a vehicle owned by the academy/trust for work-related activity should contact the headteacher.

The **site manager** will routinely inspect any vehicles owned by the academy/trust monthly – defects are recorded and repaired as soon as possible, and the vehicle is not used until it is safe to do so.

For further information please refer to the academy/trust Minibus Policy.

## **11. Monitoring and review**

This policy will be reviewed annually by the headteacher.

The headteacher ensures that sufficient information is collected, e.g. in response to any driving incidents, in order to monitor the policy's effectiveness and the need for changes.

Any changes to this policy will be communicated to all relevant members of staff.

The next review date for this policy is June 2024.



## Staff Travel Declaration Form

To ensure ..... complies with the Road Traffic Act (1988) regular driving licence checks must be completed.

Road Traffic Act (1988) states:

- It is an offence for a person to drive on a road a vehicle of any class without a licence authorising them to drive a vehicle of that class.
- It is an offence for a person to cause or permit a person to drive on a road a vehicle of any class without a licence authorising them to drive a vehicle of that class.

This is a declaration that I \_\_\_\_\_

Contact number: \_\_\_\_\_ Vehicle Reg: \_\_\_\_\_

Current Address: \_\_\_\_\_

\_\_\_\_\_ Post Code: \_\_\_\_\_

National Insurance Number<sup>1</sup>: \_\_\_\_\_

Have produced my current licence, valid MOT certificate, valid insurance; including Business Use.

I have confirmed that I have NO pending convictions, endorsements, or disqualifications. I will inform the **academy business manager/headteacher** of any road traffic convictions, pending convictions, endorsements, disqualifications or incidents that occur as soon as possible.

You must tell DVLA if you have a driving licence and:

- You develop a 'notifiable' medical condition or disability
- A condition or disability has got worse since you got your licence

Notifiable conditions are anything that could affect your ability to drive safely. They can include:

- Epilepsy
- Strokes
- Other neurological and mental health conditions
- Physical disabilities
- Visual impairments

If any of the above affects me I will inform the headteacher as soon as possible.

\_\_\_\_\_

I understand that I must also inform DVLA by writing to the Drivers Medical Unit, DVLA Swansea SA99 ITU or on telephone number 0300 790 6806. Otherwise I will be committing an offence that can lead to prosecution and a fine of up to **£1000**.

I understand and will comply with all relevant legislation in relation to road transport.

In particular I declare that I:

- Have the relevant level of insurance, i.e. Business Insurance, to use my own vehicle on school business
- Have a valid current MOT, where applicable
- Have valid road tax
- Understand and comply with the Highway Code and relevant laws while driving at work including speed limits of roads
- Will not drive a vehicle whilst under the influence of alcohol or drugs
- Ensure all seat belts will be used at all times and the children are using booster seats here applicable
- Will comply with all health and safety requirements and site rules on any site visited

I declare that I am legally able to undertake the duties required of me and will advise the headteacher if I have any doubts, concerns or problems with any issue in relation to the above.

Failure to provide the required information may result in your authority to drive your vehicle on academy/trust business being withdrawn.

I have read and fully understand the above and will comply with what is requested of me.

Date:	Date:
Employee signature:	Headteacher signature:

<sup>1</sup> By providing your National Insurance Number you are authorising the academy business manager to perform an online licence check to ensure that you hold a valid driving licence.

## Fair Processing Notice

### Compliance - How we use your personal information

The academy/trust take your privacy seriously and will only keep and use your personal information for reasons required or allows. We are a data controller for the personal information we hold about you in relation to Staff Travel. In order to comply with data protection legislation we must be sure you understand how we use this information.

The purposes for which the data will be used are:

- Validate that you have a current in date driving licence
- That your driving licence has not been revoked or suspended
- Confirm that you have the required category of vehicle on your licence and it is in date
- The address shown on your driving licence is your current home address
- If applicable your Drivers CPC card and your Digital Tachograph Card is valid
- There are no penalties recorded on your licence which could exclude you from driving

We are able to do this because the law as defined within the **Road Traffic Act (1988)** says we must do it and requires the academy/trust to undertake regular driving licence checks to confirm a **PERSONS ELIGIBILITY TO DRIVE**.

You should be aware that we have a duty to protect public funds. We may therefore use the information we have for the prevention and detection of fraud. We may share this information with other bodies for these purposes.

Data protection law provides you with certain rights, however not all these rights will be available to you in all situations. Where we are under a legal duty to use data for a particular purpose you will not have the right to prevent it being used in that way.

A full list of the rights you may have, under data protection law, is given below:

- You can ask to see the information we hold about you.
- You can ask what is being done with the information we hold about you.
- You can ask to have some of the data we hold about you deleted.
- You can ask us to review a decision made about you by a computer, and ask for a new decision to be made by a person.
- You can ask us to stop processing the data we hold about you.
- You can ask us to make changes to data about you that you believe that is inaccurate.
- In some circumstances you can ask us to help you move your information to another organisation.
- You can ask us to restrict or limit what we do with your data, for example if you believe the data we hold is inaccurate, or if you believe the processing is unlawful

We may share data with Internal Audit for the purpose of evaluating the effectiveness of the organisation's risk management, control, and governance processes.

If you wish to speak any of your information rights, please speak with the academy business manager. If you wish to complain about how your personal information has been handled by the academy/trust then please contact the Information Rights Team in the first instance using the details above. If you are not satisfied you can complain to the Information Commissioner`s Office at: The Information Commissioner`s Office, Wycliffe House, Waters Lane, Wilmslow, Cheshire, SK9 5AF Tel: 0303 1213 1113 or you can visit their website at [ico.org.uk](http://ico.org.uk).

You can find details of how we handle your personal information by visiting the staff privacy notice.

