



Driving for Work Management and Safe Driving

V1.4

This document applies to all academies and operations of Cambrian Learning Trust.

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Section 1: Management of Driving for Work

Introduction

Driving for work remains one of the most common causes of serious injury and death at work. The legislation and obligations associated with driving are aimed at promoting road safety.

This document identifies the Trust arrangements for managing its obligations to identify and minimise associated risks.

In addition, it provides information on what drivers must do to ensure the journey for work is safe.

The Law requires employers to ensure, as far as is reasonably practicable, the health, safety and welfare of all employees, and to safeguard others who may be put at risk from their work activities. This includes all driving whilst at work.

*Employees commute to and from home **is not** considered driving for work.*

*If an employee is required to travel to a location which is not their **usual** place of work, including to training courses, **this is** considered driving for work.*

This procedure covers driving all vehicles for work– whether private or Trust provided, and minibuses.

If you are in a required to drive a mini-bus you must read and understand the mini- bus policy and complete the relevant section on the Approved Driver form.

This procedure details the responsibilities for ensuring that the appropriate checks and inspections are made to secure the commitment given in the Trust Driving for Work Policy.

Definitions / Abbreviations

| | |
|-------------------------|--|
| Trust | Cambrian Learning Trust |
| School / Office | Main place of work |
| Driving for work | Driving in a Trust owned/hired/leased vehicle or own vehicle with or without Trust employees or pupils, on business relating to Trust work. For example, driving a minibus for a sports fixture or educational visit, driving to a different school, Trust or otherwise, or other premises for a meeting or training. It does not refer to commuting |

| | |
|---|---|
| Occasional Business Use (OBU) Insurance | For use in unforeseen circumstances only. See Appendix C |
| Car Insurance | When driving their own car for work employees and volunteers must have a minimum legal basic insurance |
| Comprehensive Insurance | When driving their own car for work employees and volunteers we recommend that they have comprehensive cover for their car. |
| Business Use Insurance | In line with HSE (Health and Safety Executive) and RoSPA guidance staff MUST hold business use. If an incident occurs whilst driving for work and you DO NOT HOLD business use, this will invalidate your insurance. Business use insurance MAY allow the transport of pupils within the insured car. This will have to be checked by the nominated person on a case-by-case basis. |
| Employee | Within this policy employee refers to employees carrying out Trust business. This includes staff and support staff. |
| Volunteer | This policy covers any volunteer carrying out Trust business. This includes volunteers/ governors/ parents/ trustees. A Governor or Trustee driving to a meeting is not defined as driving for work. |
| Vehicle Check (own vehicle and work vehicle) | Prior to using your own vehicle for work you must ensure that the vehicle is fit for purpose, and the following in place. Insured Current MOT and is taxed and serviced. Enough petrol Individual journey RA and Checklist completed |
| Trust Vehicle Monthly Inspections | This is carried out every month by the nominated person and recorded on the Trust Vehicle and Minibus Condition form. |

Responsibilities

Head teachers are responsible for:

- Ensuring that all employees and staff are aware this policy through induction.
- If the prospective employee has a foreign driving license checking that the license is valid for use in the United Kingdom. The limits on a license can be checked at: <https://www.gov.uk/driving-nongb-licence>
- Excluding staff from driving for work if they are known to be mentally or physically unfit to drive.
- Maintaining a list identifying those persons who may drive for work, by completion of an Approved Driver form and carrying out an annual check that includes a DVLA check. <https://www.gov.uk/check-driving-information>
- Nominating a member of their staff to manage the maintenance of any vehicle owned or leased by the school.
- Ensuring all volunteers have completed an Approved Driver form, have relevant DBS (Disclosure and Barring Service) clearance, understand this policy and procedure, and signed the Driving for Work School Risk Assessment.
- Ensuring the Driving for Work School Risk Assessment is annually reviewed.
- Ensuring that the Driving for Work School Risk Assessment is signed by all Approved Drivers.
- Ensuring that Approved Driver forms are stored securely and in confidence.
- Considering the implications for any driver with penalty points, or who have been convicted of any driving offence.

NOTE:

In schools with a large number of employees who drive for work the Head teacher may delegate this activity to other of their staff. The Head teacher should keep a note of these delegations.

Employees and volunteers are responsible for:

- Reading/ digesting and understanding this policy.
- Reading/ digesting and understanding and signing the Driving for Work School Risk Assessment.
- Completing the Approved Driver forms and part 2 if they are to drive a minibus.
- Advising his/her manager where they are going and their expected return time.
- Declaring if they incur any penalty points on his/her driving licence or if he/she becomes disqualified from driving. Failure to do so will result in disciplinary action.

- Ensuring they hold a current MiDAS qualification prior to driving a Trust minibus.
- Carry out a Journey Plan and Risk Assessment and Checklist for each journey (see Appendix D)
- Taking cognisance of the guidance given in this policy with regards to transporting pupils
- When using their own vehicle ensuring that:
 - The vehicle being used for work purposes meets legal requirements for roadworthiness and that it is maintained appropriately.
 - The vehicle has a current MOT.
 - The vehicle is taxed.
 - The vehicle is insured and has Business Use.

Driving for Work Form

All staff who drive **for work** must complete an Approved Driver form. This form is reviewed annually.

There is a responsibility on the employee/ volunteer to inform the appropriate person of any changes to the information in the form, including change of address/ name and any addition or reduction in points/ change of vehicle.

Trustees: The Trust Secretary is responsible for ensuring non-employee Trustees who may drive on Trust business complete the Approved Driver form.

Non-employee Governors: Head teachers are responsible for ensuring non-employee Governors who may drive on Trust business complete the Approved Driver form.

Employees and volunteers: Head teachers are responsible for identifying those employees who have a requirement to drive on Trust business and for having those persons complete an Approved Driver form.

Please note:

It should be noted that not having a DBS check will not bar volunteers from supporting Trust activities. In these circumstances, the volunteer will be under the supervision of a DBS checked employee and will not be left alone with a pupil.

The Approved Driver form requires the employee to make declarations about the validity of their license and their own vehicle if they use it to drive for work.

The employee will also be asked to provide a 'check code' number, which can be found on <https://www.gov.uk/view-driving-licence>. Procedures on how to do this can be found on the Approved Driver form.

Part 1 Driving License and Vehicle:

All employees who wish to drive for work must complete the information requested on the form.

Part 2 Driving a school minibus:

This must be completed if you wish to drive a school minibus.

Monitoring Offences

If an employee receives any penalty points and drives for work, the Headteacher will consider:

- Whether this has any impact on the employee's ability to drive safely.
- Whether this has any impact on the employee's ability to transport others safely.
- Whether the reasons for receiving penalty points are because of any behaviour that is a breach of health and safety rules amounting to misconduct and / or likely to bring the Trust into disrepute.
- Whether this has any implications for the Trust's insurance policy.

If a driver incurs a driving disqualification of more than a month, then on the return of their license the Trust requires them to complete **1 year's endorsement free** driving before they will be allowed to drive for work under the Trust's motor vehicle insurance.

Accident Reporting

All driving for work accidents **must** be reported, including those where there has been no harm to drivers and passengers. Individuals should report any accidents to their Line Manager, and in the Trust online Digital Accident Book, who will determine whether an investigation is necessary.

Motor Vehicle Insurance – Insurance with Business Use

Staff and Volunteers must have minimum insurance cover on the car if driving for work. Your insurer will expect you to have the additional Business Use if driving for work. This cost is not covered by the Trust.

Using Trust Cars and Vans

Trust vehicles can only be used on Trust activities by Trust employees who have the appropriate licence, unless the vehicle is provided as part of an individual's contract of employment.

Using Trust Minibuses

Those employees who wish to drive Trust minibuses must complete section 2 of the Approved Driver form and pass it to their line manager, who will review and approve it.

Employees who drive a Trust minibus must be MiDAS qualified.

In addition, they must also:

- Hold a full D1 licence (driving licence before 1st January 1997)

OR

- Hold a category B (car) licence (driving licence after 1st January 1997)

And

- Be over 21
- Held category B licence for at least 2 years
- Do not tow a trailer
- Provide the service on a voluntary basis
- For further guidance please see DfE guidance [Driving a school minibus: advice for schools and local authorities](#)

Towing a Trailer

The Trust does not expect employees to use trailers when carrying out their work. If trailers are used, then the individual's license must have the appropriate entitlement to drive a vehicle towing a trailer.

Maintenance of Trust Vehicles

Trust vehicles shall be maintained in accordance with the manufacturer's instructions.

Responsibility for ensuring Trust vehicles are maintained rests with the person nominated by Head teacher to carry out that work.

Breakdown Cover

All Trust leased or owned minibuses must have breakdown cover organised by the Trust.

It is recommended that staff using their own vehicles for work purposes should consider having breakdown cover on their vehicle.

Training

The Trust recommends drivers who extensively use motorways to complete the Advanced Drivers Course as recommended by ROSPA to improve their driving skill and reduce the risk of accidents. This would be at the employees' time and expense.

To drive a school minibus the driver must have completed the MiDAS training course. This can be arranged through the school and the cost is met by the school. This needs to be renewed every 4 years.

If this qualification is already held evidence must be presented when completing part 2 of the Approved Driver form.

For further information see Appendix B.

Driving outside of the UK

This guidance note applies to all driving carried out in the United Kingdom. Should any employee be required to drive vehicles overseas they should discuss with, and get approval from, their line manager and, if necessary, discuss with the Trust Office to ensure the journey will be covered within the Trust insurance policy.

Section 2: Safe Driving Guidance

This section of the policy considers how to ensure that driving for work is safe.

Driving for Work School Risk Assessment

Each school must have its own Driving for Work School risk assessment that is regularly reviewed.

Staff driving for Work must read/ digest and understand and sign the risk assessment.

Using Mobile Communication Devices

Mobile communications devices must not be used whilst driving (Phones Satnav's, iPads etc.) unless the vehicle you are driving is stopped in a safe place and the engine switched off. We do not recommend the use of Hands-Free devices.

Drugs and Alcohol

Never drive under the effect of drugs or alcohol or if otherwise not in a fit state – e.g., after receiving a shock or while upset.

Smoking / Vaping

There will be no smoking or vaping in any Trust owned or leased vehicles, whether the person using the vehicle is on or off duty.

Employees conveying pupils in a vehicle shall not smoke or vape in the vehicle whilst pupils are present. From October 2015 it is illegal to smoke or vape in a private vehicle in which there are children under the age of 18.

Employees travelling with other employees should refrain from smoking or vaping whilst those passengers are in the vehicle.

Tyres

Staff should maintain vigilance regarding the depth of their vehicle tyre treads and ensure they drive with care, as they should normally do, when the roads are wet.

Passengers

When travelling on work journeys you should only carry passengers who are associated with the journey and work you are to carry out. You should not pick up any person on route who is not associated with the journey.

If the passengers are pupils, you must consult section 3 Transporting pupils.

Ensures that appropriate safety measures have been implemented if transporting children/pupils/students or vulnerable adults in vehicles, and that all appropriate equipment and arrangements have been put in place including restraints, booster seats where required¹, escorts, locking of doors, and considerations relating to challenging behaviour whilst driving.

Goods

You should ensure that all goods and equipment being carried are safely secured to prevent any movement likely to endanger driver and/or passenger/s.

In an Emergency

Most journeys undertaken by Trust employees are carried out safely and without any hitch. However, from time to time the occasional mishap or unusual occurrence occurs, therefore, employees should be prepared for these events.

It is recommended that vehicles being used to travel on Trust business carry:

- Reflective jacket so that persons can be seen;
- Warning triangle;
- Torch;
- Mobile phone

In addition, if weather conditions are likely to be inclement consideration should be given to carrying the following items:

- De-icer and scraper;
- Warm clothing;
- Practical footwear.

¹ Children must normally use a child car seat until they're 12 years old or 135 centimetres tall, whichever comes first.
<https://www.gov.uk/child-car-seats-the-rules>

Documentation

Drivers should ensure they take the following documents with them:

- Driving Licence;
- Breakdown cover contact details;
- Motor Vehicle Insurance Details.

Carriage of Hazardous Material

Employees must not transport any hazardous material in either Trust or their own vehicles for work purposes.

Section 3: Transporting Children in Vehicles

Introduction

The purpose of this guidance is to protect all children who are transported in Trust vehicles or, **in an emergency**, in personal cars driven by Trust employees and volunteers.

The Trust OBU does not cover transporting pupils in personal vehicles for ANY reason other than an emergency.

This guidance applies to all situations where children are transported in vehicles by Trust employees and volunteers.

Definitions / Abbreviations

| | |
|------------------------|---|
| Trust | Cambrian Learning Trust |
| Child restraint | Collective term used in the legislation and applies to infant carriers, child seats and booster seats |

Child Restraints

Infant Carriers

Rear facing and for babies from birth up to 13kgs/29lbs in weight (approximate age 12 – 15 months old). Babies are only too big for this seat if they are heavier than 13kgs in weight or if their head is above the top of the seat.

Child Seats

Forward facing seats for children with a minimum of 9kgs/20lbs to 18kgs/40lbs in weight (approximately 9 months – 4 years). Children have outgrown this seat if they exceed 18kgs or if the internal harness is shorter than the top of the child's shoulders

Booster Seats

For children from 15kgs/33lbs to 36kgs/79lbs in weight (approximately 4 – 11 years). If the child is heavier than 36kgs or are 150cms/5ft tall, they must move to adult seat belt only.

NB: Booster cushions are just a 'base' to sit on to raise the child up, they offer a lower level of protection than a full booster seat and because of this they are being phased out.

The Law

The legislation sets minimum standards for protecting children when they are being transported in cars, vans, and goods vehicles. Children are categorised by age, height, and weight and this is correlated to the appropriate seating position and types of child restraint (or seat belt). The legislation applies to all journeys.

The law means that:

- Children under three years of age will have to use an appropriate child restraint appropriate for their weight.
- Children aged three to twelve – or up to 135cms tall (approx. 4ft 5ins) – will have to use an appropriate child restraint.
- Children over 135cms tall or twelve years of age will have to use an adult belt where fitted.
- Passengers aged fourteen years and over will, under their own responsibility, must use an adult belt where fitted.

This information is summarised in a table in Appendix A

Specifications

Modern child restraints are designed for specific weight ranges of child.

They must meet UN ECE Regulation 44.03 or 44.04 type approval standard and be marked with a label (showing an 'E' and 'R44.03' or 'R44.04') and the group number or weight range of child for which it is designed.

All child restraints that meet the Regulation 44.03 or 44.04 type approval standard are approved for use in forward-facing or rear-facing seats. Since May 2008 regulation requires child restraints to meet these standards.

It is recommended that any new purchases meet R44.04 standards for improved side impact protection.

Safe Child Restraint

It is important to use the right child restraint related to a child's height, weight and age and not to use an adult seat belt before a child is over 135cm in height. Seat belts are designed for adults.

Children who have grown out of child seats may still need to use booster seats. A booster seat is designed to raise a child up into the right position so that the adult belt can provide adequate protection.

Getting the lap strap to go from hip to hip across the upper thigh (rather than across the stomach) is just as important as getting the diagonal strap to fit across the chest properly.

It is a driver's legal responsibility to ensure that children are properly secured using a child restraint.

The driver must ensure it is safely fitted referring to manufacturer's instructions if necessary.

Responsibilities

Any journey being undertaken on behalf of a Trust school will have to comply with the requirements of the Regulations.

Head teachers or their nominated deputies of Trust Schools must ensure that any car used for transporting children is fitted with the right restraint for the children being carried. Where an employee's job entails the carrying of children in their own car, appropriate child restraints must be provided by the Trust School to enable the employee to carry out their job.

If individual children cannot be provided with the correct restraint, they cannot be transported in that vehicle.

Employees and volunteers should be trained and instructed to assess that the child restraints provided are appropriate for the child and the vehicle and to fit them, or at least check they are correctly fitted.

Exemptions

Minibus or coach drivers and companies do not have to provide child car seats. Parents can provide their own if they wish to make sure a child has one.

Coaches & School Buses

Children can travel without a child car seat or seat belt if they are not available.

Minibuses

All children must travel in rear seats (any seats behind the driver) if a child car seat or an adult seat belt is not fitted.

Children aged 3 or older must:

- use a child car seat if there is one available in a minibus.
- use an adult seat belt if child car seats are not fitted or are unsuitable.

In certain circumstances there are exemptions from the requirement of the Regulations. These are the use of a licensed taxi or private hire vehicle, the use of a car for a short distance for reason of unexpected necessity, or two occupied child restraints prevent fitment of a third.

The unexpected necessity cannot cover emergencies where the basis of an employee/volunteer's role is to deal with emergency events that may involve collecting and transporting children in their car.

Responsibilities

| Responsibility | Actions |
|----------------|---|
| Head Teacher | <ul style="list-style-type: none"> Appropriate child restraints are provided to drivers transporting young children Drivers receive instruction in fitting child restraints |
| Driver | <ul style="list-style-type: none"> Fitting child restraints in accordance with manufacturer's instructions |

Records

If the Trust chooses to purchase any child restraints, they must hold the records of purchase for the life of the restraint.

References

Department for Transport: www.dft.co.uk – Think Children! Child Car Seats

Child Car Seats: www.childcarseats.org.uk

Linked Documents

Approved Driver Form

Driving for Work Policy

Driving for Work School Risk Assessment

Appendix A: Summary of Requirements for Child Restraints

The table below summarises the relevant information from the Department for Transport website: Think Road Safety.

Further information can be found in their publication 'Child Car Seats – The New Law'

| In cars, vans and goods vehicles | | | |
|---|--|--|---------------------------|
| | Front Seat | Rear Seat | Who is Responsible |
| Driver | Seat belt MUST be worn if available | | Driver |
| Child up to 3 years* | Correct child restraint MUST be used* | Correct child restraint MUST be used.* If one is not available in a taxi, may travel unrestrained. | Driver |
| Child from 3rd birthday up to 135cms in height (approx. 4'5") (or 12th birthday whichever they reach first)** | Correct child restraint MUST be used* | Where seat belts fitted, correct child restraint MUST be used. Must use adult belt if the correct child restraint is not available. Exemptions to this rule are: <ul style="list-style-type: none"> • In a licensed taxi/private hire vehicle; or • For a short distance for reason of unexpected necessity; or • Two occupied child restraints prevent fitment of a third. A child 3 and over may travel unrestrained in the rear seat of a vehicle if seat belts are not available | Driver |
| Child over 135cms (approx. 4'5") in height or 12 years | Seat belt MUST be worn if available | Seat belt MUST be worn if available | Driver |
| Adult passengers (i.e. 14 years and over) Seat | Seat belt MUST be worn if available | Seat belt MUST be worn if available | Passenger |

* Children under 3 years MUST use child restraint appropriate for their weight, height and age in all cars, vans and other good vehicles, with the single exception for the rear of taxis. They cannot travel otherwise. This means for example that they may not travel in cars, vans or goods vehicles which do not have seat belts installed.

** Examples. A 7-year-old who is 140cms tall is over the height for a child restraint and may use an adult seat belt. A 12-year-old who is 130cms tall is over the age threshold and therefore may use an adult belt.

*** If no seat belts are fitted in the front, then children under 135cms in height (who are also under 12 years of age) cannot travel in the front.

N.B. When a front passenger airbag is fitted consult the vehicle handbook for the recommendation for the carriage of a child in the front passenger seat. It is recommended that the passenger height is greater than 150cm (4'11") to be safely (from airbag) carried in the front seat.

Appendix B: Training Requirements

| Groups | Training Requirement |
|--|---|
| Those persons who normally travel in and around the location of the school they work at, and between Trust schools, on roads for which they are familiar | No training required. |
| Those persons who regularly drive on motorways, on unfamiliar roads away from the familiar roads they normally travel on. | Encouraged to take the advanced driving test or one to one on road driving instruction. |
| Those persons who drive a minibus. | Hold a MiDAS qualification or complete the MiDAS qualification through school. |

Appendix C: Occasional Use Policy - Summary

Occasional Use in the context of the Trust' Insurance Policy means:

Making journeys that are not regular:

- **Unforeseen** circumstances
- **Emergency** transportation of pupils

Full details of the policy terms and conditions, and exclusions are available from the Trust Office on request.

Appendix D: Individual Journey Plan Risk Assessment and Checklist

All Driving for Work Journeys should be assessed to ensure they can be carried out safely. The following is a checklist of issues to be reviewed for each journey.

Date:

Journey:

| | |
|---|----------|
| Is the travel necessary? Have other options been considered? | Yes / No |
| Has the use of public transport been considered, assessed, and eliminated? | Yes / No |
| Has driving in adverse weather conditions been minimised as far as practicable, e.g., avoiding driving on unfamiliar roads in darkness, not driving in severe weather – ice/snow/storm? | Yes / No |
| Has the travel distance been minimised, consistent with choosing the safest route? (Note: motorways, dual carriageways are safer than other roads. Speed restrictions must be complied with). | Yes / No |
| Does the journey involve passengers who may require the provision of an escort or additional appropriate support? | Yes/No |
| Are any medical conditions and/or restrictions that apply to any driver or passenger been taken account of? | Yes / No |
| Has the duration of the working day been kept to acceptable levels? (The sum of driving time, working time and required breaks should not exceed 13 hours). | Yes / No |
| Have travel schedules been planned to include sufficient breaks? | Yes / No |
| Do you have a valid Approved Driver Form? | Yes / No |
| Has the appropriate vehicle been selected for the journey? (Consideration must be given to the safety and security of any goods that may be being carried). | Yes / No |
| Is the car roadworthy? Carry out appropriate checks before setting off. Sufficient fuel Tyres are in good condition Mirrors are in place Seat belts work | Yes / No |
| Before using any vehicle, have drivers familiarised themselves with the controls, adjusted mirrors and checked vehicle for obvious defects? | Yes / No |
| Has essential emergency equipment, for use in an emergency been included with the vehicle? | Yes / No |
| Is the vehicle covered by a national breakdown service? | Yes / No |
| If you are a volunteer transporting pupils, without an employee, do you have current, relevant DBS clearance? | Yes/No |