



Driving at Work Policy For Schools Based Staff

June 2014

Version Control:

Version	Date	Author	Sent to	Reason
1.	4/5/10	Steve Dean	Policy & Procedures	Approved Policy
1.1	28/8/13	Catherine Halford	Steve Dean	To agree updated Policy changes.
1.2	4/9/13	Steve Dean	Catherine Halford	Initial amendments prior to wider consultation.
1.3	5/9/13	Catherine Halford	Steve Dean	Final amendments.
1.4	17/10/13	Steve Dean	Schools H&S Group	Consultation
1.5	June 2104	Steve Dean	All Schools	Reviewed and update policy

Planned Date of Review: Three years from date of last approval

SMBC DRIVING AT WORK POLICY

Introduction

According to ROSPA (the Royal Society for the Prevention of Accidents), driving is the most dangerous work activity that most people do and about 150 people are killed and seriously injured every week in crashes involving someone who was driving, riding or otherwise using the road for work.

Endorsable road traffic offences contribute to a significant number of casualties. For example, in 2011, excess speed contributed to 213 deaths and using a mobile phone while driving contributed to 374 road casualties.

Various legislation applies to the use of Motor Vehicles including:

- Road Traffic Act
- Road Safety Act
- Highway Code
- Road Vehicles (Construction and Use) Regulations

The Health and Safety Executive (HSE) in collaboration with the Department for Transport and ROSPA have published Guidance for Employers on "Driving at Work – Managing work-related road safety". This Guidance clearly states their view that the requirements of Section 2 of the Health and Safety at Work Act 1974 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999 apply to all work related activities, including "work-related driving".

To help to keep people safe whilst driving at work, the Council has developed this Driving at Work Policy. Please note that failure to comply with this Policy could result in disciplinary action.

1. Purpose and Scope

The law counts you as "driving for work" whenever you drive in the course of your employment. Everyday commuting does not count, but journeys that start from your home and go to a work location other than your normal workplace are counted as work-related driving.

In relation to work related driving, the Council and the School aims to:

- ensure, so far as is reasonably practicable, the health and safety of staff who drive on School business;
- involve all staff in the identification and proper assessment of all significant risks associated with work related driving activities;
- encourage safe driving by providing employees with appropriate information, instruction, training and supervision.

This Policy:

- a) applies to all schools based staff (a separate Policy applies to Core Council staff);

- b) applies to vehicles owned, hired or leased by the Council and the School as well as those owned by individual employees;
- c) applies to employees who manage someone else who drives;
- d) includes the use of cars, motorbikes, scooters, lorries, vans, wagons and minibuses;
- e) excludes commuting to and from work or evening meetings (in the case of Governors).

2. Roles and Responsibilities

The following describes roles and responsibilities in relation to work related driving. More detailed responsibilities for managing health and safety arrangements generally can be found in the School's Health and Safety Policy.

2.1 Employer

Overall responsibility for health and safety rests with the employer. This varies as follows:

- a) for staff in community schools, community special schools, voluntary controlled schools, maintained nursery schools and pupil referral units the employer is the Council (also referred to as the Local Education Authority);
- b) for foundation schools, foundation special schools and voluntary aided schools, the employer is usually the Governing Body.

The Council and/or Governing Body delegate the work required to meet their health and safety responsibilities to the Chief Executive, Corporate Directors, Head Teachers and Line Managers, with advice and support from the Corporate Health and Safety Support Team. However, the employer retains ultimate responsibility for ensuring that the Managing Driving at Work Policy is implemented.

2.2 The Schools Health and Safety Group

The Schools Health and Safety Group is responsible for developing, maintaining and regularly reviewing the Driving at Work Policy.

2.3 Governing Body

The Governing Body sets the operational direction for effective health and safety and will:

- a) comply with the Council's Driving at Work policy Schools and arrangements;
- b) take account of health and safety when developing policies, approving major projects and implementing change management initiatives;
- c) review health and safety performance (including driving at work activities) at least once a year.

2.4 Head Teachers / Line Managers

Head Teachers / Line managers have a duty to satisfy themselves that any drivers under their supervision can legally and safely drive the vehicle before giving authority to drive. Headteachers (either personally or through clear delegation to their line managers) will:

- a) ensure that all staff they manage are aware of the risks associated with driving at work and that safe working practises operate;

- b) signpost drivers to the Driving at Work Policy and if required provide appropriate guidance that includes more practical instruction and advice for example minibus driving;
- c) ensure that any casual car users present their driving licence for review as part of their annual appraisal;
- d) in the event that a line manager is unsure of the entitlement regarding a driver, he/she must contact the Transport Manager who will in turn determine the next steps to establish the person's entitlement to drive that class of vehicle.
- e) not permit any employee who is suspected of being intoxicated by alcohol, or drugs (either prescribed or illegal) or where there are concerns about driving ability, to drive on Council / School business;
- f) notify the Health and Safety Support Team of all work related road traffic accidents;
- g) consult Occupational Health for advice on the employee's well being as required to help determine fitness for driving in line with the Managing Sickness and Ill Health Policy;
- h) consult Human Resources for advice before any action is taken as a consequence of this Policy.

2.5 Health and Safety Support Team

The Health and Safety Support Team will:

- a) support the School to develop policies, procedures and standards as regards work related driving activities;
- b) review reports of any driving related accidents and where appropriate, conduct impartial accident investigations and prepare reports of such investigations, with recommendations to prevent recurrence;
- c) assist in the development of health and safety awareness and training;
- d) present quarterly performance data (including accident statistics, risk assessment progress and training activities) to the Schools Health and Safety Group.

2.6 Transport Manager

The Council's Transport Manager will:

- a) be responsible for the procurement, supply, maintenance and repair of all SMBC owned vehicles;
- b) be the nominated holder of the Council's Goods Vehicles Operators Licence (known as the "O" Licence) and is responsible for ensuring that Council vehicles are operated properly;
- c) provide advice as required to Head Teachers / line managers in particular to the purchase, maintenance and use of Minibuses;

2.7 Drivers of SMBC Vehicles (including School Minibuses)

Drivers of any SMBC vehicles have ultimate responsibility for traffic related matters whilst the vehicle is on the highway, including personal driving standards, road worthiness of the vehicle and the behaviour of persons carried as passengers.

As such, drivers of any SMBC vehicles (including school minibuses) must

- a) familiarise themselves with this Managing Driving at Work Policy and comply with all the standards and guidelines;

- b) where relevant, familiarise themselves with the separate **minibus guidance/handbook** and apply the guidance when driving;
- c) report any driving convictions or medical condition that might affect driving ability as soon as these occur, to the appropriate Line Manager/Head teacher;
- d) notify their Line Manager/Head teacher if they lose their driving licence;
- e) carry out any required vehicle checks and report defects immediately;
- f) only use the vehicle for authorised journeys i.e. on school business, as the school's motor insurance policy may be invalidated by the unauthorised use of vehicles, leaving the driver open to litigation, prosecution or disciplinary action;
- g) co-operate with and support the school, Head teachers, Line Managers and other employees, in meeting their health and safety legal responsibilities including the requirement to complete a driving licence check mandate for the Transport Manager to confirm they hold a valid and correct driving licence with the DVLA;
- h) undertake any required training in safe methods of driving, including a driver assessment where required;
- i) know the height and weight limits of their vehicles and ensure that such limits are not exceeded (primarily overloading minibuses during use);
- j) ensure that loads are safely secured and extending loads are properly marked;
- k) drive safely in a way that will not bring the School/Council into disrepute.
- l) not drive if they do not have a valid and correct driving licence or have any doubts about their ability to drive safely.

2.8 Casual Car Users

Employees who drive their own cars either as part of their work or voluntarily to transport children and/or colleagues must:

- a) familiarise themselves with this Managing Driving at Work Policy and comply with all the standards and guidelines;
- b) report any driving convictions or medical condition that might affect driving ability as soon as these occur, to the appropriate Line Manager/Head teacher;
- c) notify their Line Manager/Head teacher and the Transport Manager if they lose their driving licence;
- d) have appropriate business insurance and tax;
- e) maintain their vehicle in a roadworthy condition at all times (including regular servicing and maintenance in accordance with manufacturer's guidelines) and have an MOT where applicable;
- f) co-operate with and support the school, Head teachers, Line Managers and other employees, in meeting their health and safety legal responsibilities including the requirement for casual car users to submit a copy of their driving licence to their line manager to confirm they hold a valid and correct driving licence as part of the annual appraisal process;
- g) drive safely and in a way that will not bring the School/Council into disrepute;
- h) not drive if they:
 - do not have a valid and correct driving licence;
 - do not have adequate and appropriate insurance cover;
 - do not have a valid MOT for the vehicle they are driving, where required; or
 - have any doubts about their ability to drive safely.

3. Arrangements for Managing Driving at Work

3.1 Corporate Management

The Council recognises that a detailed assessment of every driver would be a major undertaking. Therefore, the Council and School's approach to managing driving risks is based on the **school risk assessment** that identifies the potential risks associated with work related driving activities and the arrangements in place to minimise these risks including those related to the driver, the vehicle and the journey..

Head teachers are responsible for ensuring that:

- the **school risk assessment** is tailored to the particular circumstances in their school and shared with their teams;
- the control measures identified continue to be implemented locally; and
- that anyone who drives as part of their employment is legally competent to do so (see 3.3 below for details).

3.2 Local Management

At a local level, all persons who drive for business purposes are personally responsible for ensuring that they are:

- legally qualified to drive;
- appropriately insured to drive;
- medically fit to drive;
- driving a safe vehicle;
- driving safely.

In addition, drivers of SMBC vehicles are responsible for ensuring that:

- vehicles are driven in a way that will not bring the School /Council into disrepute;
- vehicles operate within their legal gross vehicle and axle weights and are loaded securely.

3.3 Legal Competency

Line managers / Head teachers must confirm, on appointment and annually thereafter, that drivers are legally competent to drive. This means ensuring that all drivers have a valid and correct driving licence and that a record is made/retained by the line manager to confirm that the original copy has been verified.

In the event that a line manager is unsure of the entitlement regarding a driver, he/she must contact the Transport Manager who will in turn determine the next steps to establish the person's entitlement to drive that class of vehicle.

In addition, at any time, the Health and Safety Support Team or the Transport Manager may request sight of an employee's driving licence, evidence of appropriate business insurance cover and, where appropriate, MOT certificate. Employees are required to produce such documentation, within a reasonable timescale, if required to do so.

All information will be treated in the strictest confidence.

Drivers that have been disqualified from driving will be relieved of all driving duties with immediate effect. Advice will be sought from Human Resources to identify, in consultation with the individual and their line-manager, the most appropriate course of action. In some instances, this may result in termination of employment. Each case will be dealt with on its merits.

A reminder that for road traffic offences (e.g. speeding) the driver would go to court and for vehicle offences (e.g. defective tyres), the driver and / or the registered keeper would go to court.

3.4 Driver Training and Assessment

With the exception of those who drive SMBC vehicles, experience suggests there is no business case for blanket driver training across Solihull Schools. However, the Health and Safety Team should be contacted to discuss any individual requirements.

Drivers of SMBC vehicles (including school minibuses) are required to attend the Council's approved driver training every 3 years. Re-assessment may take place more often if an incident merits it, for example, an individual driver is convicted of a traffic offence, such as speeding, is involved in a blameworthy collision or if complaints have been received. Please contact the Transport Manager for more information.

New employees who are recruited to roles that require them to drive Council owned vehicles must undertake some form of driver assessment as part of the interview process. For more information, contact the Council's Transport Manager who can provide appropriate advice.

3.5 Communication

The Driving at Work Policy is available on the Health and Safety Extranet and Solnet.

Head teachers will ensure that the [school risk assessment](#) is shared with their teams to ensure staff are aware of the risks associated with driving and the measures in place to minimise these risks.

4. Equality Duty

It has been concluded that this policy poses no significant equality issues.

5. Further Advice and Guidance

For further information, please contact the Health and Safety Support Team on telephone 0121 704 6328.