

## Policy on the Safe Use of Motor Vehicles on County Council Business

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**Reviewed: 07/2007**

This policy covers arrangements for private, leased & County Council pool vehicles. Minibuses & people carriers used to transport pupils, service users, etc, are covered by the County Council 'Guidelines for Minibus Operation'. It is impossible to cater for every eventuality, and situations not covered by these arrangements should be referred in the first instance to the appropriate manager.

### Key points

- **The content of this Policy applies when using any motor vehicle on County Council business, including privately owned cars**
- **Driver Development, Driver Awareness or Driver Improvement Training may be required**
- **Drivers must ensure they are medically fit to drive**
- **Drivers must take appropriate safety measures so that they & others are not put at risk**

**Copies of all the Health and Safety Policies can be found on the Intranet.**

## 1 Introduction

- 1.1 This Policy specifies the operational and safety requirements for the use of motor vehicles on County Council business. The term motor vehicle includes private, leased and County Council pool vehicles, and also motor cycles.
- 1.2 **This Policy does not include details applicable to minibuses and people carriers, whether provided by the County Council or privately owned by staff, which are used to transport pupils, service users, etc. Such vehicles are covered by the County Council “Guidelines for Minibus, People Carrier and Landrover Operation”, and require specific driver training and authorisation, etc.**
- 1.3 Sections 3 to 6 of this Policy refer to the arrangements for driver authorisation and training, insurance and possible disqualification. Sections 7 to 12 additionally refer to various aspects of driving practice where road safety is paramount and which may be affected by medical conditions, alcohol/drugs consumption, journey patterns and the use of mobile phones.
- 1.4 It is impossible to cater for every eventuality, and situations not covered by these arrangements should be referred in the first instance to the departmental officer responsible for transport.

## 2 Responsibilities

### 2.1 Chief Officers

- 2.1.1 have delegated powers to determine locally agreed contracted and optional user categories, as described in section 3 below, and will ensure that the requirements of this Policy are implemented.

### 2.2 LMG and other Line Managers will:

- 2.2.1 inspect their employee’s certificate of **motor insurance** for their private motor vehicle on commencement of employment, and thereafter annually, to confirm it covers their appropriate business use. A photocopy of the certificate of motor insurance should be signed and dated by the manager, and retained on the employee’s supervision file. Alternatively, an auditable record detailing the dates of when employee licence and insurance documentation inspections have been carried out must be kept.
- 2.2.2 inspect their employee’s **driving licence** on commencement of employment, and thereafter annually, to check its suitability and validity, any penalty points, endorsements or other motoring offences (paragraph 2.3.3 refers); and restrictions, if any, applied by DVLA (Swansea), in particular those concerning medical conditions. A photocopy of the driving licence should be signed and dated by the manager, and retained on the employee’s supervision file. Alternatively, an auditable record detailing the dates of when employee licence and insurance documentation inspections have been carried out must be kept.

- 2.2.3 ensure that their employees immediately inform the Occupational Health Service on 01273 481210 of any restrictions on their licence to ensure they correspond with their health grading category.
- 2.24 contact the Principal Road Safety Officer on 01273 482303 to arrange, if applicable, the appropriate training detailed in section 6, and for more information about the training courses. .
- 2.2.5 seek prior approval from the Lighting, Signals and Vehicles Group on 01273 482932 for a possible relaxation on the age restriction for transporting service users (paragraph 2.3.1 refers) if in individual cases it might prejudice service delivery.

### **2.3 Employees:**

- 2.3.1 required to drive their private vehicle, or a leased or pool vehicle, on County Council business must hold a **full driving licence**, and if required to transport pupils or service users, must be aged 21 years or over and have held a full driving licence for at least 3 years.
- 2.3.2 designated as a contracted or optional car user must have the necessary **motor insurance** cover, specified in section 5 below, before using their private vehicle on County Council business. Employees must be aware that cars provided to, or by, them temporarily, e.g. a courtesy car whilst their own car is being serviced, may not be insured for business use. They must clarify this before they use such cars for business purposes;
- 2.3.3 who are convicted of any motoring offence and/or receive any driving licence endorsement, penalty points or are disqualified from driving or suffers a blameworthy total loss accident; (irrespective of the vehicle and whether or not driving on County Council business at the time) must immediately inform their manager;
- 2.3.4 must keep their vehicles roadworthy and serviced in accordance with the manufacturer's instructions, possess a current driving licence and keep their motor insurance valid for both commuting and business use. A current Road Fund Licence must always be displayed. They must be in possession of a valid MOT, where necessary, which must be made available for inspection, and
- 2.3.5 observe the requirements in respect of the use of drugs and alcohol, the planning of a journey and the use of mobile phones, as detailed below.

## **3. Authorisation to Use a Motor Vehicle on County Council Business**

- 3.1 Contracted car users are employees for whom it is essential that a car is available for work purposes every day due to the nature of their post and the operational requirements of the service they provide.
- 3.2 Optional car users are employees who occasionally may be required to provide a car to undertake their duties (but are not required to have a car available every day) or who may need to use a car for business purposes during a known short period at a set time in the year (e.g. assisting with the main exercise undertaken each year for education admission appeals), but for whom other means of transport are also possible.

- 3.3 More detailed information concerning allowances payable, submission of claims, out-of-County journeys etc. can be found in the “Travel for Work” Information Pack and the County Council Guidance on Travel Allowances for County Council Business.

## 4 Driving Disqualification

- 4.1 If any person (not solely employees) authorised to drive a leased or pool vehicle is disqualified from driving, permission must be obtained from the Lighting, Signals and Vehicles Group for them to drive such vehicles upon reinstatement of their licence. Their decision on this matter will be final.

## 5 Insurance of Private Motor Vehicles for County Council Business

- 5.1 Before employees are allowed to use their private vehicles on County Council business, they must sign the Claimant Authorisation Document, Trav10, to confirm that their vehicle is insured for business use, including travelling to attend training courses. This is subsequently confirmed on each Business Mileage and Expenses Claim Form, Trav2, where the claimant signs a declaration confirming their motor insurance cover.
- 5.2 The employee must be named on the policy and the policy must expressly cover use of that vehicle by that named employee in connection with business.

## 6. Driver Training

- 6.1 In order for the County Council to manage occupational road risk, and reduce the number of claims and injuries, all employees who drive **leased or pool vehicles** must attend Driver Development Training. This training is required before employees take receipt of their new or replacement leased vehicle, and once before driving a specific category of pool vehicle. More information about these requirements can be obtained from the County Road Safety Unit on 01273 482150/482303.
- 6.2 Also, those employees required to drive service users in their own private cars must attend Driver Development Training.
- 6.3 In addition, employees who drive leased and pool vehicles and meet any of the following criteria must be referred to the County Road Safety Unit for Driver Awareness Training:
- 6.3.1 Two or more blameworthy claims within a 3–year period.
  - 6.3.2 Two convictions for motoring offences within a 3–year period.
  - 6.3.3 One blameworthy claim and one conviction for a motoring offence within a 3 year period.
- 6.4 Also, any employee (irrespective of the vehicle and whether or not driving on County Council business at the time) who is disqualified from driving, or suffers a blameworthy total loss accident, must attend appropriate Driver Improvement Training through the County Road Safety Unit.

- 6.5 Employees who are experiencing stress, fear or difficulty with driving, e.g. loss of confidence, can receive support and coaching to rebuild their confidence and improve their driving skills.

## **7 Key Road Safety Issues**

- 7.1 The road safety issues and requirements in Sections 8 to 12 below reflect some of the legal duties in this area and will enhance the safety of both drivers, their passengers and other road users.
- 7.2 Therefore, employees must act responsibly and appreciate that these requirements are crucial to both their personal safety and that of others. If they have any concerns about their compliance with any of them, they must discuss them with their manager without undue delay.

## **8 Medical Fitness to Drive**

- 8.1 If an employee has any concerns about their medical fitness to drive, they should consult their manager and/or the Occupational Health Service and their GP.
- 8.2 Assessments concerning medical fitness to drive are decided by the Occupational Health Service in compliance with the County Council's criteria. In the first instance this is through the pre-employment health screening process when employees join the County Council. Managers are sent a copy of the health grading category.
- 8.3 In particular, every driver must be able to read a pre-September 2001 format number plate at 20.5 metres (or a post September 2001 format number plate at 20 metres) in good light. Failure to comply is a criminal offence. Drivers who do not meet the vision requirements and who come to the attention of the police may be liable for a fine of up to £1,000.
- 8.4 Employees are required to notify the DVLA of any physical or mental disability or condition which currently affects their fitness as a driver or which might do so in the future (unless the effect of the disability or condition is not expected to last more than 3 months), and if they come to know in future that they have such a disability or condition.
- 8.5 Driving licence restrictions due to medical conditions, as applied by the DVLA, are shown by a limit of three years or less on the period for which the licence is valid. Where such medical restrictions apply, the employee is not automatically prevented from carrying pupils or service users in their car. However, it must be made clear to employees that the onus is on them to act responsibly concerning their fitness and ability to drive.
- 8.6 Where an employee's health, ability or fitness to drive, temporarily or permanently, deteriorates beyond that on which the DVLA issued the licence, the employee must immediately inform their manager, who must consult with the Occupational Health Service.
- 8.7 In exceptional circumstances the Occupational Health Service may advise a manager that an employee stops carrying pupils or service users in their car until their medical fitness, etc is formally established.
- 8.8 To help managers understand the types of medical condition involved, the following are examples for which DVLA (Swansea) may impose restrictions:- neurological

disorders like epilepsy, Parkinson's Disease; brain surgery; cardiovascular disorders like angina, heart attack, pacemaker insertion; diabetes, insulin dependent or diet/tablet controlled; psychiatric disorders like psychosis or severe mental handicap; alcohol misuse and dependency, drug misuse and dependency; visual disorders. This list is not exhaustive, and the Occupational Health Service must always be consulted for medical advice.

## 9 Alcohol/Drugs Policy

9.1 General information on the implications of alcohol or drugs at work can be found in the County Council's Policy Alcohol on Drugs and Alcohol in the Workplace. It must be appreciated that illegal drugs and certain prescription drugs, plus some over the counter drugs, pain killers, hay fever and cold remedies etc., will also affect driver ability; thereby putting their safety and that of their passengers and other road users at risk. Therefore, everyone driving on County Council business must act responsibly, comply with legislative requirements, and observe the guidance outlined below:

### 9.2 Alcohol

9.2.1 A person cannot calculate their alcohol limit, and must not try;

9.2.2 Any amount of alcohol will affect a person's judgement;

9.2.3 The only safe way is for a person not to drink if they are driving. Therefore:  
**Don't Drink and Drive.**

### 9.3 Drugs

9.3.1 The possession and use of illegal/controlled drugs is a criminal offence. No-one must drive if under the influence of drugs or if drugs remain in their system.

9.3.2 Certain prescribed and over the counter drugs can affect driver performance. Employees must check with their doctor if they are unsure, and obtain clearance to drive in writing.

## 10 Planning the Journey

- 10.1 Journeys must be adequately planned and organised such that the driver, and any passengers, are not put at risk. This would include, for example, allowing sufficient fuel, planning the safest route and allowing adequate time to counter stress and tiredness.
- 10.2 Drivers must ensure that passengers wear seat belts and that children are secured in an appropriate safety seat or restraint.
- 10.3 Passengers have a right to feel safe. If they are concerned about their safety with a particular driver, they should inform their manager.

## 11 Sleep-Related Accidents

- 11.1 The high risk periods for falling asleep at the wheel are:

- Midnight to 2 am
- 4 am to 6 am (most dangerous)
- 2 pm to 4 pm

To counter stress and tiredness, the combination of working, teaching, supervision and/or driving hours should not exceed 13, with a minimum of 11 consecutive hours rest in any 24 hour period. If unforeseen circumstances dictate that 13 hours work and driving are likely to be exceeded, employees should not feel compelled to do so and should consult their manager to agree the best way to proceed.

- 11.2 The journey should be planned to:

- ensure a break of at least 15 minutes in every 2 hours
- pull off the road at a safe place, at the onset of tiredness, and not be tempted to keep going
- drink two cups of coffee (not decaffeinated), then
- take a short nap – 10 to 15 minutes only – longer may make a person even more sleepy

## 12 Safe Use of Mobile Phones

- 12.1 The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 2003 came into effect on 1<sup>st</sup> December 2003 prohibiting drivers using a hand-held mobile phone, or similar device, while driving (Note: “driving” also includes a stationary vehicle with the engine running). It also makes it an offence (e.g. for an employer) to “cause or permit” a driver to use a hand-held mobile phone while driving.
- 12.2 RoSPA and other safety organisations additionally consider that hands-free phones present a similar degree of risk as to hand held phones in terms of driver distraction.
- 12.3 The County Council’s policy with regard to the use of mobile phones whilst driving remains that:
  - 12.3.1 with the exception of those staff referred to in 12.3.3 below, no person must operate, or be required to operate, a hand-held or hands-free mobile phone whilst driving a vehicle on County Council business.

12.3.2 hand held mobile phones must never be used whilst driving a vehicle. The driver must always find a safe place to park with the engine switched off before personally making or answering a call. This includes drivers who participate in lone working security systems.

12.3.3 if, exceptionally, and for clearly defined and vital operational reasons, it is deemed necessary for specific posts within the County Council business to have a hands-free telephone available for use whilst driving on business, the phone:

- must be of a type approved by the Road Safety Team within the Transport and Environment Department
- must not be used until specific driver instruction and training relating to the use of such hands free mobile phones has taken place
- must only be operated in accordance with the strict guidelines required by the Road Safety Team for the use of such phones

Any such posts, if justified, must be agreed by a member of the Senior / Departmental Management Team of the Department / Directorate concerned and any decisions on applicability must be made following full consultation with, and agreement from, the Road Safety Team.

## **13 Smoking**

13.1 From 1<sup>st</sup> July 2007 smoking in enclosed workplaces and public places was prohibited. Although private cars are exempt from this ban, if the vehicle is being used on County Council business transporting service users or work colleagues, then the vehicle would be classed as an enclosed workplace and smoking is therefore prohibited.