

DRIVING AT WORK POLICY (F-003)

Document Type:	Policy
Document Reference:	F-003
Version Number:	2.03
Author (name & job title)	Paul Dent - Safety Manager
Executive Director (name & job title):	Peter Beckwith - Director of Finance
Name of approving body:	Exec Lead Sign-off (9 October 2024)
Date of approval:	9 October 2024
Date Ratified at Trust Board	N/A (Very minor amendment)
Next Full Review date:	October 2027

Policies should be accessed via the Trust intranet to ensure the current version is used

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1. INTRODUCTION

Humber Teaching NHS Foundation Trust is committed to fulfilling its obligations under Health and Safety legislation regarding driving at work activities.

Humber Teaching NHS Foundation Trust recognises and accepts its responsibility in accordance with the Health and Safety at Work Act etc. 1974 to provide so far as is reasonably practicable, safe systems of work and a safe place of work.

The Trust recognises that the use of motor vehicles on Trust business should be integrated into the Trust management systems.

2. SCOPE

This policy applies to all full/part time employees of the Trust (including agency staff, students/trainees, volunteers, clinical attachments, apprentices, seconded staff and all other staff on placement within the Trust).

3. DEFINITIONS

“Driving at work” refers to any work carried out on behalf of the Trust that involves staff members spending time driving a vehicle and covers all journeys other than to and from the normal place of work. This includes staff travel between sites or sites and service user’s homes and involves the use of Trust vehicles and private vehicles.

This definition includes bank and agency staff, non-executive directors, governors, associate directors and volunteers.

“Private vehicle” refers to a vehicle which, a staff member owns and runs privately, and for which the staff member has sole responsibility.

4. DUTIES AND RESPONSIBILITIES

Chief Executive

The chief executive is required to ensure the organisation has systems and processes in place to implement this policy.

Senior Management

Managers are responsible to their director for the implementation of this policy and to ensure that the arrangements in this policy are communicated to their teams and are in place.

Line Managers

- Bring this policy to the attention of their staff who drive on Trust business.
- Ensure driving at work activities are included in Unit/Team risk management systems.
- Ensure that regular checks are carried out on Trust owned/leased vehicles where applicable.
- Ensure that staff are referred to Occupational Health for advice on fitness to work if they have reported a medical issue which may affect their ability to drive at work or the manager requires advice on staff members fitness to drive at work.
- Ensure any safety related driving at work incidents are reported through the Datix reporting procedure.

Trust staff

Staff who drive on Trust business must:

- Hold a valid driving licence which meets the requirements of the Motor Vehicles (Driving Licences) Regulations 1999.
- Comply with the requirements of the Highway Code at all times.
- Drive a vehicle which is road worthy and meets the requirements of the Road Traffic Act 1988.

Safety Team

The Safety Team will:

- Monitor the implementation of the policy through the monitoring arrangements of the Trust's management systems.
- Review the content of this policy periodically or following changes to any relevant legislation.

5. PROCEDURES RELATING TO THE POLICY

5.1. Driver Competence and Insurance

The Trust requires staff driving vehicles in the course of their work undertaking driving activities on behalf of the Trust, to hold a valid driving licence for the driving they are undertaking and to observe the requirements of the Highway Code.

Where driving competence issues are revealed by the risk assessment process or otherwise, line management should consult with Human Resources and Occupational Health as required.

Staff using Trust vehicles will be covered by the Trust's insurance policies. Staff using private vehicle for driving at work are required to have insurance cover for business use.

5.2. Minibus Drivers

Drivers who hold full entitlement to drive before 1st January 1997 (group A (B for automatics) on an old-style licence or as category B and D1 on a current-style licence) can drive a minibus provided that they are aged 21 or over, the minibus has a maximum of 17 seats including the driver's seat and it is not being used for hire or reward.

Drivers who obtained full entitlement to drive (category B) on or after 1st January 1997 will normally only be able to drive vehicles with no more than nine seats including the driver's seat, unless they take an additional driving test.

However they will be able to drive a minibus with a maximum of 17 seats including the driver's seat without having to obtain category D1 provided:

- The vehicle is used for social or domestic purposes by a non-commercial body but not for hire or reward.
- They are aged 21 or over.
- They have held a car (category B) licence for at least two years.
- They are providing their service on a voluntary basis.
- The minibus maximum weight is not more than 3.5 tonnes excluding any specialist equipment for the carriage of disabled passengers. Minibuses up to 4.25 tonnes will be permitted in certain circumstances.

5.3. Fitness to Drive

The legal basis of fitness to drive lies in the second EC Directive on driving licences (91/439/EEC), which came into effect in the UK in January 1997, the Road Traffic Act 1988 and the Motor Vehicles (Driving Licences) Regulations 1999 (amended 2012).

Staff are required to ensure they meet the medical fitness standards to drive as set out in the above legislation and the Highway Code.

The Motor Vehicles (Driving Licences) Regulations 1999 refer to medical standards for Group 1

and Group 2 licence holders.

- Group 1 includes motor cars and motorcycles.
- Group 2 includes large lorries (category C) and buses (category D).

All drivers who obtained entitlement to group 1, category B (motor car) before 1 January 1997 have additional entitlement to category C1 and D1. C1 is a medium size lorry of weight between 3.5 and 7.5 tonne. D1 is a minibus of between nine and 16 seats, not for hire or reward.

Staff who drive group 1 vehicles do not have to undertake a medical assessment unless there is a known medical condition which may affect their driving ability.

Staff who drive group 2 class vehicles will be required to undertake a medical assessment by the Occupational Health Team that meets the DVLA group 2 medical requirements irrespective of the level of licence the driver holds.

5.4. Convictions

Where a staff member or volunteers reports that they have been disqualified from driving, they must be relieved of driving duties immediately. The line manager must immediately update Human Resources with this information.

The onus is on the staff member to report to their line manager any driving convictions (to include penalty points for speeding) they have received. Failure to disclose this information could lead to disciplinary action being taken by the Trust.

5.5. Mobile Telephones

All staff are advised to carry private or work issued mobile telephones or other communication devices as a matter of course when travelling during activities on behalf of the Trust.

The use of hand-held mobile telephones while driving is a criminal offence. Even the use of hands-free mobile telephones can cause a serious distraction to drivers, decreasing their reaction time and reducing the care and attention with which they drive.

The Trust's position regarding the use of mobile telephones is that staff can make and receive calls that involve the use of a hands-free device whilst driving at work. However, such use of hands-free devices should be kept to a minimum and control of the vehicle must be maintained.

If you are seen not to be in control of a vehicle while using a hands-free phone you can be prosecuted for that offence. The penalties are the same as for using a hand-held phone.

5.6. Risk Assessment

If line managers identify that staff under their control undertake driving at work activities then these activities are to be included in the overall work activity risk assessment for the Unit/Team.

Risk assessments are not required to be undertaken on individual staff or individual journeys undertaken by staff unless the following circumstance applies:

A staff member requires an individual risk assessment for driving on behalf of the Trust due to their health or other personal circumstances. Advice and guidance on completing such an assessment is available from the Occupational Health, Volunteer Services Management Team and Human Resources.

5.7. Accident Reporting

Staff and volunteers must report any safety related incidents which occur whilst undertaking Trust driving activities by completing a Datix incident report form.

Driving at work Datix reports will be reviewed as part of the overall review of staff Datix reports by

the Safety Team. Any lessons learned from an incident report will be fed back to the staff member involved and line manager. Any lessons learned which have wider implications for the Trust will be communicated via the Health and Safety Group.

5.8. Advice and Information

Advice and information on driving at work issues is available from the Safety Team, Fleet Manager, Occupational Health and Human Resources.

6. EQUALITY AND DIVERSITY

An Equality and Diversity Impact Assessment has been carried out on this document using the Trust-approved EIA.

7. IMPLEMENTATION

This policy will be disseminated by the method described in the Policy for the Development and Management of Procedural Documents.

Arrangements for implementing the Driving at Work Policy will be integrated within unit/team health and safety management systems as the systems are created and implemented within the units/teams.

The implementation of this policy requires no additional financial resource.

8. MONITORING COMPLIANCE

Line managers are required to review driving at work risk assessments on an annual basis or following any incident or changes to relevant legislation. The Safety Team will audit compliance with this policy as part of the Unit/Team health and safety management reviews.

9. REFERENCES

- Health and Safety at Work etc Act 1974
- Management of Health and Safety at Work Regulations 1999
- Provision and Use of Work Equipment Regulations 1998
- Road Traffic Act 1988
- Road Traffic Offenders Act 1988
- Road Traffic Act 1991
- Motor Vehicles (Driving Licences) Regulations 1999 (amended 2012)
- The Workplace Health, Safety and Welfare Regulations 1992

10. RELEVANT TRUST POLICIES/PROCEDURES/PROTOCOLS/GUIDELINES

Health and Safety Policy
Lone Worker Policy
Risk Management Policy
Moving and Handling Policy
Lease Car Scheme Document
Driving at Work INDG382
Volunteer Policy

Appendix 1: General Information on Driving at Work

Accidents and Breakdowns

Accidents

In the event of an accident, the driver should attempt to:

- Make the accident scene as safe as possible.
- Use hazard warning lights if appropriate.
- Not move any injured persons unless they are in immediate danger.
- Call the emergency services if appropriate.

The driver must stay at the scene of the accident until the emergency services and anyone else with reasonable cause have all the details they need.

If the accident is damage only and no one is injured, the driver must ensure their vehicle is roadworthy before continuing the journey. If there is any doubt about roadworthiness then a breakdown recovery company should be called.

Drivers should ensure they gather as much information about what happened including:

- Date, time and exact location.
- Weather conditions.
- A sketch of the scene or photograph if possible to include road names.
- Position and direction of travel of all the parties.
- A brief, clear explanation of what happened.
- Details of any damage/injury.

The information should be recorded as soon as it is safe to do so to avoid information being lost or forgotten.

The accident should be reported to the Trust by the completion of a Datix incident form.

Breakdowns

Staff using their own vehicle are advised to have adequate breakdown cover in place. In the event of a breakdown, if it is possible and safe to do so, the driver should move the vehicle off the carriageway, (onto the hard shoulder if on a motorway). The hazard warning lights must be turned on and the vehicle warning triangle placed 50 metres behind the vehicle, (if one is available and it is safe to do so).

If stranded on a motorway hard shoulder, the driver and any passengers should get out of the vehicle and position themselves away from the vehicle and other traffic. It is preferable to go up the grass margin and behind any safety rails if possible. In some cases it may be safer to stay in the vehicle, for example in severe weather or where the driver or passenger is a wheelchair user.

The driver should use a mobile telephone to call for assistance in the first instance. If necessary, the nearest fixed motorway SOS phone should be used. Using a motorway SOS phone will allow the police to pinpoint the vehicle location. The nearest phone is indicated by arrows and small numbers on small marker posts at the edge of the hard shoulder. The number on the post nearest to the vehicle should be given to the telephone operator.

Fatigue

Staff should not drive while dangerously tired. Journeys should be planned to allow a minimum 15-minute break every two hours. Some staff may find it beneficial to take more frequent breaks. The total time spent driving in any day (including private driving) should, where possible, not exceed six hours, and the combined time spent driving and time engaged in other work-related activities in any day should not, where possible, exceed ten hours.

Where possible, public transport such as trains should be utilised for journeys where the journey times listed above may be exceeded.

Journey Planning

All journeys must be planned with safety in mind, allowing sufficient time to permit compliance with speed limits, for adequate rest breaks, the safest possible routes and accounting for weather and traffic conditions. Any police advice regarding the avoidance of non-essential journeys should be complied with.

Medication

Staff are responsible for ensuring that any medication they are taking or have been prescribed will not adversely affect their ability to drive safely. If unsure, they must take the advice of a pharmacist in the case of over the counter medication, and their GP in the case of prescribed medication.

Staff must notify their line manager if they are taking medication that may adversely affect their driving, so that the necessary role adjustments may be made. Members of staff are under no obligation to discuss details of any medical condition or prescribed medication with colleagues, but in some instances it may be beneficial to discuss these matters with the Trust's occupational health staff.

Notification of Health Conditions

Staff should seek guidance from their own GP if they have any doubts over their fitness to drive. Certain medical conditions such as epilepsy or heart problems must be reported to the DVLA.

If you suffer from a medical condition or disability that may impair your ability to drive and you do not make this information known to the DVLA they can, without informing you, revoke your licence thus making it illegal for you to drive.

Staff Responsible for Trust Vehicles

Staff responsible for vehicles owned/leased by the Trust must ensure that they are maintained according to the manufacturer's recommendations, have a valid MOT certificate where applicable.

Those responsible for vehicles owned/leased by the Trust must ensure that keys are stored securely and only supplied to members of staff who are authorised to drive the vehicle.

Providing vehicle keys to a member of staff without authorisation shall be regarded as a disciplinary matter and will be dealt with in accordance with the Trust's disciplinary procedure.

Appendix 2: Document Control Sheet

This document control sheet, when presented for approval/ratification must be completed in full to provide assurance. The master copy of the document is to be held by the Policy Management Team.

Document Type	Policy		
Document Purpose	This policy ensures that driving at work activities are managed effectively by the Trust.		
Consultation:	Date:	Group / Individual	
<i>list in right hand columns consultation groups and dates -</i>	July 2018	Health and Safety Group	
	August 2021	Health and Safety Group	
	September 2024	Health and Safety Group	
Approving Body:	Exec Lead Sign-off	Date of Approval:	9 October 2024
Date of Board Ratification:	N/A (very minor amendments)		
Training Impact Analysis:	None [<input checked="" type="checkbox"/>]	Minor [<input type="checkbox"/>]	Significant [<input type="checkbox"/>]
Financial Impact Analysis:	None [<input checked="" type="checkbox"/>]	Minor [<input type="checkbox"/>]	Significant [<input type="checkbox"/>]
Capacity Impact Analysis:	None [<input checked="" type="checkbox"/>]	Minor [<input type="checkbox"/>]	Significant [<input type="checkbox"/>]
Equality Impact Assessment (EIA) undertaken?	Yes [<input checked="" type="checkbox"/>]	No [<input type="checkbox"/>]	N/A [<input type="checkbox"/>] Rationale:

Document Change History:			
Version Number	Type of Change (full/interim review, minor or significant change(s))	Date	Details of Change and approving group or Executive Director (if very minor changes as per the document control policy)
1.00	New policy	12/4/2010	New policy
1.01	Reviewed	2/4/2012	Reviewed no major changes
2.00	Reviewed	25/08/2015	Reviewed with very minor changes
2.01	Reviewed	11/07/2018	Reviewed with minor changes
2.02	Reviewed	29/07/2021	Reviewed no changes
2.03	Reviewed	09/10/2024	Reviewed with very minor amends. Approved by Exec Lead sign-off by Pete Beckwith (9 October 2024).

Appendix 3: Equality Impact Assessment (EIA)

For strategies, policies, procedures, processes, guidelines, protocols, tenders, services

1. Document or Process or Service Name: Driving at Work Policy
2. EIA Reviewer: Paul Dent Safety Manager
3. Is it a Policy, Strategy, Procedure, Process, Tender, Service or Other? Policy

Main Aims of the Document, Process or Service

The Driving at Work Policy sets out a framework for the management of the management of driving at work hazards and risks within Humber Teaching NHS Foundation Trust.

Please indicate in the table that follows whether the document or process has the potential to impact adversely, intentionally or unwittingly on the equality target groups contained in the pro forma

Equality Target Group	Is the document or process likely to have a potential or actual differential impact with regards to the equality target groups listed?	How have you arrived at the equality impact score?
1. Age	<p>Equality Impact Score</p> <p>Low = Little or No evidence or concern (Green)</p> <p>Medium = some evidence or concern (Amber)</p> <p>High = significant evidence or concern (Red)</p>	a) who have you consulted with
2. Disability		b) what have they said
3. Sex		c) what information or data have you used
4. Marriage/Civil Partnership		d) where are the gaps in your analysis
5. Pregnancy/Maternity		e) how will your document/process or service promote equality and diversity good practice
6. Race		
7. Religion/Belief		
8. Sexual Orientation		
9. Gender re-assignment		

Equality Target Group	Definitions	Equality Impact Score	Evidence to support Equality Impact Score
Age	<p>Including specific ages and age groups:</p> <p>Older people</p> <p>Young people</p> <p>Children</p> <p>Early years</p>	Low	The policy sets out responsibilities and arrangements to protect the safety of people involved with or affected by driving at work activities regardless of their age.
Disability	<p>Where the impairment has a substantial and long term adverse effect on the ability of the person to carry out their day to day activities:</p> <p>Sensory</p> <p>Physical</p> <p>Learning</p> <p>Mental Health</p> <p>(including cancer, HIV, multiple sclerosis)</p>	Low	<p>Where an individual's sensory, physical, learning or mental health may adversely impact on their ability to undertake driving at work activities, a specific risk assessment is required to be carried out by the Line Manager as per section 5.6 of the Policy.</p> <p>Where the risk assessment identified a requirement to implement a reasonable adjustment due a disability, e.g. provision of a vehicle with an automatic gearbox the Trust would seek to implement this adjustment.</p> <p>Advice and guidance on the carrying out of and implications of the risk assessment would be available from the Safety Team, Occupational Health and Human Resources.</p>
Sex	Men/Male Women/Female	Low	The requirements of the policy apply equally.
Marriage/Civil Partnership		Low	The requirements of the policy apply equally.

Pregnancy/ Maternity		Low	Where an individual's pregnancy may adversely impact on their ability to undertake driving at work activities, a specific risk assessment is required to be carried out by the Line Manager. Where the risk assessment identified a requirement to implement a reasonable adjustment to the individual's work activity, the Trust would seek to implement this adjustment.
Race	Colour Nationality Ethnic/national origins	Low	The requirements of the policy apply equally to any race.
Religion or Belief	All Religions Including lack of religion or belief and where belief includes any religious or philosophical belief	Low	The requirements of the policy apply equally to any to any religion or belief.
Sexual Orientation	Lesbian Gay Men Bisexual	Low	The requirements of the policy apply equally to any sexual orientation.
Gender reassignment	Where people are proposing to undergo, or have undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attribute of sex	Low	The requirements of the policy apply equally to either gender.

Summary

Please describe the main points/actions arising from your assessment that supports your decision above	
<p>A roll out programme for implementing the Trust's Driving at Work Policy has been instigated in particular the inclusion of driving at work as a hazard within a Team/Unit risk assessment. The results from the inclusion of Driving at Work within risk assessments will allow the Trust to identify issues in relation to a person's physical, religious, race, disability, etc. requirements and if these requirements are not being met.</p> <p>Regular safety management reviews are held where unit/team risk assessments are reviewed and this would include the Driving at Work risk assessments. Findings from management reviews are fed back to the Health and Safety Group meetings as required. As part of the reviews any equality issues raised by the assessments will be assessed.</p>	
EIA Reviewer: Paul Dent	
Date completed; 10 September 2024	Signature: P Dent