

Shropshire Council – Passenger Transport Commissioning Group

Driver Policy

1. Introduction

i. Shropshire Council (SC) herewith sets out its Driver Policy in respect of the provision and operation of vehicles in support of its provided Council services. The principles below also apply to schools and community groups, and to the Council's 'grey fleet' employees/drivers. The Council treats road safety as a matter of paramount importance. Aligned with this policy document are those for 'Transport Policy', 'Fuel Card Procedure' and 'Vehicle Operating Guidance' and these are applicable as well.

Council (SC) provides vehicles through its Transport Operations Group (TOG) which forms part of the Passenger Transport Commissioning Group (PTCG). Approximately two hundred vehicles are deployed in service areas, each provided to meet the needs of the service provider. In addition there are a number of vehicles operated by groups associated to SC, for example schools.

ii. Many of the council's staff, drive on council business either in council operated vehicles or in their private cars.

- The council employs drivers and uses agency and volunteer drivers to drive the council's fleet of vehicles.
- There are essential and casual car users who drive their own vehicles whilst at work on council business.

iii. The council uses voluntary staff to carry out various functions on behalf of the council. Volunteers may be using their private cars to carry out these functions and receive out of pocket expenses for doing so.

iv. SC owes a duty of care to people and property from risks under its control. The use of drivers vocationally is governed by the Driver and Vehicle Licensing Agency (DVLA), The Department for Transport (DFT) and extensive legislation.

v. This document describes how SC plans to manage risk by the responsible management of drivers on council business either using council vehicles or private cars. SC is directly responsible for large numbers of drivers. Adopting a formal management policy is a requisite in putting into place a legally defensible management system and ensuring that SC is compliant with its legal obligations.

vi. Purpose of the policy

The purpose of this document is to set out clearly SC Policy in relation to the management of employed (including essential and casual mileage drivers) and voluntary drivers in the course of its business or that of its associated groups.

The council operates a TOG who have vested within them responsibility for key matters contained within this policy. TOG is split into two distinct operational arms – TMO (Transport Management Organisation) who provide a vehicle Brokerage service to Council vehicle client users and Passenger Fleet who provide and organise bus routes, Drivers and Personal Assistants for home to school and Centre transport for entitled (SEN) pupils and adults respectively.

vi. Safety

SC recognises its duty under the Health and Safety at Work Act 1974 and otherwise in criminal and civil law to protect employees and members of the public, so far as is reasonably practicable, from danger arising from the services it provides.

According to DFT statistics 1 in 3 road crashes involves a vehicle being driven for work. Every week around 200 road deaths and serious injuries involve someone at work.

Nearly all of these deaths and injuries are preventable. According to the Health and Safety Executive, for the majority of people the most dangerous thing they do while at work is drive on the public highway.

Given the high risks associated driving on work business it is recognised that providing a robust policy covering the management of drivers and vehicles will significantly reduce the risk involved.

vii. Occupational road risk management

Nationally, there are approximately 3,500 road crash fatalities every year and of these approximately 1,000 are in some way work related. The Health & Safety Executive suggests that between 25 and 33% of fatal and serious road traffic incidents involve someone who was at work at the time. Considering categories of road users (drivers, motorcyclists and cyclists as well as pedestrians and those working at the side of the road) suggests that between 10,175 and 13,512 people were killed in at-work incidents in 2001.

Appropriate proactive management should reduce the risk of damage to persons and property.

viii. Objectives of the policy

- To clearly lay out the policy of the council and the respective responsibilities under the policy of drivers, volunteers and managers of drivers and volunteers.
- To provide links to appropriate information for drivers, volunteers and managers that supplements this policy.
- To lay out the requirements under the policy for the recruiting, employing, monitoring and managing of all drivers.

2. Responsibilities

i. Chief Executive

The chief executive is ultimately responsible for ensuring that the following measures are in place.

ii. Directors

Directors are responsible for ensuring that this policy is appropriately implemented and communicated in their directorates and that adequate planning, resources and access to training are provided to facilitate its implementation and that health and safety obligations are therefore met. A Director is allocated to provide overall management of PTCG and within that, TOG.

v. Head of Passenger Transport Commissioning Group

The Head of PTCG has responsibility for cost effective sustainable and safe transport services, delivering the services required by client directorates and other customers. As part of the overall management of the PTCG the Head of PTCG has responsibility for the services provided by TOG.

vi. Transport Operations Group Line Management

The TOG management has a responsibility to:

- Manage the SC vehicle fleet
- Act as the council's identified transport manager for both the council's Goods and Passenger Carrying Vehicle Operator's Licences, as registered and recorded with the Traffic Commissioner.
- Ensure the council's employed drivers are managed in accordance with this policy and all relevant legislation.

vii. TOG Staff

The TOG have responsibilities to:

- Ensure all operational requirements are met
- Manage risk and report any concerns
- Carry out the policy in an efficient and timely manner.
- Ensure all appropriate records are correctly maintained.
- Update and maintain systems held by TOG.
- Review and recommend subsequent improvements or amendments to policy or procedures to senior management.
- Provide technical advice and offer assistance.

- Report any non-compliance of this policy to the transport operations group manager.

viii. Clients and client officers

Clients and client officers have responsibilities to:

- Adhere to this policy and governing legislation.
- Ensure procedures are in place to ensure drivers are appropriately qualified, licensed, insured and trained to drive the type of vehicle in use.
- Ensure procedures are in place to inspect driver licences, at least annually, for endorsements and licence category compliance relative to the vehicle in use.
- Consider sustainability issues and attempt to reduce environmental impact through management of drivers.
- Take into consideration advice and recommendations from TOG.
- Provide TOG with all appropriate information for the drivers responsible to the client.
- Maintain appropriate systems to ensure that employees whose duties include driving SC operated vehicles adhere to the responsibilities detailed within this policy document under “All Drivers” and “Employed Council Drivers.”

ix. Schools and Associated Groups

Schools and Associated Groups [SAGs] that adopt this policy should undertake the role of Client/Client officer as shown in section viii.

SAGs operating vehicles funded by either SC or the School [excluding vehicles funded by Parent Teacher Associations] and requiring access to insurance through SC must adopt and adhere to this policy.

SAGs that do not adopt this policy should provide both the reasons for this and an alternative driver policy. This alternative policy should encompass procedures and

practices that ensure full compliance with all legal obligations and legislation, appropriate to providing and managing drivers of vehicles.

Legislation is subject to change and SAGs should ensure that they meet the latest requirements.

x. Line Managers of Drivers

For the purposes of this policy there are considered to be two main types of drivers:

- **Employed Drivers:** these are employees of the council who, as part of their substantive role and in delivering a service, are required to drive a vehicle owned or operated by the council.
- **Essential, Casual and Volunteer Drivers:** those drivers employed by SC, not specifically as drivers, but who drive their private vehicle in the course of carrying out their duty (for example to drive to a meeting in a different location). This includes drivers who use pool car vehicles or other similar arrangements.

Line managers of drivers have a responsibility to:

- Adhere to the Council's Driver Policy.
- Ensure that drivers are aware of this policy.
- Ensure drivers are appropriately qualified and licensed to drive the vehicle.
- Ensure drivers are appropriately trained and competent to use and operate the vehicle and all ancillary equipment.
- Ensure that drivers operate the vehicle legally.
- Ensure that drivers adhere to the Health and Safety at work act 1974.
- Ensure that drivers only use the vehicle for the purpose for which it is authorised and operate the vehicle safely within its capabilities.

- Notify the Transport Manager of any driving offences incurred by employed drivers with their responsibility.
- Notify the Transport Manager for employed drivers and the Central Safety section for all drivers of any accidents involving drivers whilst driving for work purposes.
- Ensure that employed drivers within their responsibility report accidents and consequential damage immediately and complete the relevant paperwork for forwarding to TOG within 10 working days. The only exception to this is accidents resulting in injury or death; which must be reported and documentation completed as soon as practicably possible, but no longer than 24 hours.
- Notify the Transport Manager for employed drivers and the Occupational Health Unit (OHU) for all drivers of medical conditions that may affect the ability of a driver to drive or may affect the validity of their driving licence. Such medical conditions are detailed in [Appendix J]
- Monitor employees who drive for the purposes of work and address any concerns over driving ability
- Carry out risk assessments as appropriate to the work being carried out by drivers within the line managers responsibility
- When taking action under other council policies consider the impact on the driving duties of an employee. For example when dealing with an employee who may have an alcohol dependency consider the appropriateness of that person being a casual or essential mileage driver

xi. All Drivers

Drivers have a responsibility to:

- Adhere to the SC Driver Policy
- Ensure they are appropriately qualified and licensed to drive the vehicle.

- Operate the vehicle legally.
- Adhere to the Health and Safety at work act 1974.
- Notify line manager of any accidents whilst driving for work purposes.
- Notify line manager of any medical condition that affects either their ability to drive or their driving licence. Such medical conditions are detailed [Appendix J].
- Undertake an appropriate eye sight test every 2 years.

xii. Essential, Casual and Volunteer Drivers

In addition to section 2.xi, essential and casual drivers also have a responsibility to:

- Notify the line manager of any road accident whilst driving a private vehicle for work purposes
- Notify the line manager of any relevant driving offences

xiii. Employed Council Drivers

In addition to section 2.xi, employed drivers also have a responsibility to:

- Only use the vehicle for the purpose for which it is authorised and operate the vehicle safely within its capabilities.
- Notify line manager of any driving offences.
- Report accidents and consequential damage immediately and complete the relevant paperwork for forwarding to TOG within 10 working days. The only exception to this is accidents resulting in injury or death; which must be reported and documentation completed as soon as practicably possible, but no longer than 24 hours.
- Carry out a daily vehicle inspection and record the details of the inspection, as per Nil Defect reporting [Appendix A].

- Adhere to guidelines and procedures detailed in the SC Fleet User Guide [Appendix B].
- Follow the procedures for the use of fuel cards [Appendix C].

3. Recruitment and selection

i. Pre-employment

It is important, when appointing to a new or existing post, to consider if the role includes any driving for work. This may not necessarily be identified in the Job Description (JD) as it can include driving as a secondary role for example between bases or to training courses. However, if the post does require driving as a secondary role it is important to amend the JD and Person Specification to reflect this.

For posts that specifically include driving, the JD should include the task to be undertaken. For example a minibus driver should have included in major tasks “to drive a minibus and transport passengers to and from day centres”.

The driving licence should be appropriate for the type of vehicle to be driven. Consider if the driver requires more than a current driving licence and reflect this in the Person Specification. The Person Specification should include in the essential criteria the minimum driving licence category required under ‘qualifications’ and the minimum driving experience required under ‘job related experience’

Job adverts should contain the minimum driving qualification and experience required. The advert should also state if there is a limit of endorsements, eg, 'A clean driving licence is ideally required, however we will consider applications from candidates with a maximum of 3 points on their driving licence.'

ii. Interview

Interviewers should consider questions within the interview regarding driving at work as reflected in the JD and Person Specification. Where necessary, interviewers should check the candidate’s driving licence is appropriate, valid and genuine. Any endorsements on the licence should be explained to the interviewer. For further information regarding checking driving licences see the guidance in [Appendix D].

For posts that are specifically for driving council vehicles interviewers should ask for relevant experience and consider assessing the driver's abilities as part of the interview process. See paragraph 3.iii.

iii. Assessment

Any person intending to drive a vehicle owned or operated by the council must undertake the Driving Assessment Scheme (DAS) to ensure that they meet the appropriate driving standard. See [Appendix E].

iv. Minibus Driving Assessment Scheme (MiDAS)

In addition to DAS drivers employed by TOG will also undergo MiDAS training for minibuses of up to 16 passenger seats. See [Appendix F].

v. Medical

Prior to employment a medical form should be completed for any new employee undertaking a driving role. Medical forms will be checked by Occupational Health Unit. Occupational Health can request an individual to attend a review meeting with the Occupational Health Nurse if this is deemed necessary from the information provided on the medical form.

vi. Induction

At induction all new employees who may be required to drive on council business must be made aware of the responsibilities under this policy and the policy and appropriate appendices should be made available to them to read.

All new employees who may be required to drive on council business should have their driving licence checked and recorded. Where the employee intends to drive under the casual or essential user criteria, a copy of the insurance certificate covering business use should be provided by the employee.

New employed drivers should be familiarised with the vehicle they are driving and associated equipment. Newly employed drivers should be made aware of their main task and the criteria they should work to. They should be made aware not to drive when under the influence of drugs or alcohol.

4. Training and competency

A driver's competence should be assessed before they undertake any driving duties. Competence can be measured by experience, qualification, training and ability.

Training should be offered to any driver to improve competence or to address particular issues e.g. a poor accident record.

A risk assessment should be completed for any driver that incurs penalty points against their driving licence for driving offences. A driver with 9 points on their driving licence should attend additional driver training appropriate to the driving offences. Serious consideration should be given to the use of drivers with 9 points on their licence.

Training can be provided by TOG for minibus drivers through MiDAS.

Other driver training can be provided by the Road Safety Section bespoke to particular needs or requirements. (Please see useful contacts at the end of the document for contact details for TOG and Road Safety).

An example course is based on two elements. A classroom element consists of:

- Hazard Recognition
- Highway Code work
- Driver AttPTCGde and how this effects driving

An on-road driving session consists of:

- Eyesight check
- Practical driving session by an approved driving instructor.

5. Drivers handbook

It is advisable to provide a driver's hand book pertinent to drivers employed in a particular service area. TOG has produced a generic staff handbook which incorporates a driver's hand book. See [Appendix G].

A driver's hand book can contain as much information as is appropriate to the service. The following information is a guide:

- Line manager
- Drivers responsibility within the Health & Safety At Work Act 1974 (as amended)
- Daily vehicle checks – Nil Defect Reporting
- Driving at work requirements
- Rules on driving e.g. no use of Mobile phones
- Vehicle cleaning facilities and regimes
- Taking medicines and driving
- Driving safely - tips
- Driving economically – tips
- What to do in the event of an accident
- Reporting accidents
- Reporting vehicle defects
- Appropriate use of vehicles
- Drivers Hours Regulations

- Appropriate Risk Assessments
- Manual Handling
- Securing Loads
- Severe weather procedures
- Code of conduct

6. Travel Expense and Volunteer drivers

i. Travel Expense drivers (TE)

TE drivers are those drivers employed by SC, not specifically as drivers, but who drive their private vehicle in the course of carrying out their duty (e.g. to drive to a meeting in a different location). This includes drivers who use pool car vehicles or other similar arrangements.

TE drivers are spread throughout the authority and are responsible to their individual line managers.

TE drivers should ensure they hold a current full driving licence which should be provided for checking as requested. It is recommended that licences are checked annually.

TE drivers should ensure their vehicles have a current, valid MOT certificate, current road fund licence and appropriate insurance for the work undertaken whilst employed by the council.

TE drivers should provide a current MOT (where applicable) and insurance certificate for any vehicle used on council business as requested, It is recommended that MOT and insurance certificates should be checked annually.

ii. Voluntary Drivers

Voluntary drivers are those drivers that use a vehicle under the instruction of the council and as part of providing a function on behalf of the council. Voluntary drivers

will receive an agreed out of pocket allowance from the council in line with their function.

There are a variety of volunteers used to provide functions on behalf of the council. There is no central record of the number and identity of volunteer drivers as they are managed within individual sections of the council.

The Voluntary Car and Community Car driving schemes are two identified schemes that provide transport services. These two schemes are co-ordinated through the Passenger Transport Commissioning Group. These schemes both have codes of conduct and instructions to drivers that are shown in [Appendix H] for Voluntary Car Drivers and [Appendix I] for Community Car Drivers. These codes should be adhered to by these voluntary Drivers.

For voluntary drivers outside these schemes guidance should be provided from the managing section as to the appropriate code of conduct and instructions to drivers. This guidance should be in line with this policy and include checking the Voluntary driver has a valid and appropriate driving licence, appropriate insurance, a current MOT and Road Fund Licence. These items should be checked by the relevant coordinator for the scheme.

7. Health and illness

i. Health

Members of staff that are employed in a driving role have a responsibility to ensure they are medically fit to carry out their driving duties and to hold the appropriate driving licence for the vehicle they drive. If a driver becomes ill or unfit to drive then they must notify their line manager before they drive again and stop driving until they are fit to drive. Specific conditions are shown in appendix J.

A driver can be referred to Occupational Health Unit (OHU) if there is any concern regarding a medical condition that may affect the ability or fitness to drive.

Medical forms are completed by new employees and passed to OHU for assessment. OHU can request drivers to attend a review of the information provided on the medical form if it is deemed necessary by the OHU Nurse.

Vocational Licence holders of Passenger Carrying Vehicles and Large Goods Vehicles should undergo medicals to maintain the entitlement to hold the licence. These require the driver undergoes a medical at the point of gaining the licence, at the age of 45 and then every 5 years up to the age of 60. From the age of 60 a medical is required every year.

ii. Illness

Illness can present some serious problems when driving. The development of an illness can affect your ability to drive safely. The DVLA will remove vocational licences for drivers that have developed certain medical conditions or illnesses. These conditions are shown in [Appendix J]. This list is for guidance, it is not exhaustive and any driver that has concerns about a medical condition should in the first instance contact their doctor, who will be able to advise if it is appropriate to drive.

If a manager of drivers has a concern the manager should first discuss this with the driver and then seek advice from the OHU.

Drivers should undergo regular eyesight tests every 2 years to ensure they meet the legal requirement for driving.

8. Drugs and alcohol

Drivers should ensure they are not under the influence of alcohol or illegal drugs whilst carrying out their driving duty and should at all times comply with the council's Drug and Alcohol Policy.

Prescription and non-prescription medicine can cause drowsiness or other side effects that can interfere with your ability to drive a vehicle. Whilst taking medication a driver should ensure that the instructions for safe use are followed and any warnings about using heavy machinery or driving are considered.

Guidance about driving for work – drink and drugs is shown in [Appendix K].

9. Additional guidance for drivers

i. Driving licences

Drivers must ensure they have the appropriate driving licence for the type of vehicle being driven. Driving licences will be checked annually. See appendix D for guidance.

ii. Section 19 permits

Vehicles that carry paying passengers are called Public Service Vehicles (PSVs). Ordinarily, any organisation that accepts payment for providing passenger transport must obtain a PSV Operator's Licence and in most cases drivers of such vehicles will require a PCV (Passenger Carrying Vehicle) entitlement on their licence.

The Section 19 permit scheme applies to non-profit making organisations and changes the requirements of the driver and council. See [Appendix L] for further information.

iii. Drivers Hours Regulations

Within the UK there are two sets of rules that may apply to drivers' hours: UK Domestic and EC rules. Which set of rule apply depends on the type of driving and the type of vehicle being used.

Most SC vehicles fall within the scope of UK domestic rules and are not subject to tachograph regulations. SC vehicles that are subject to tachograph regulations and EC drivers hours rules will be detailed by TOG.

[Appendix M] provides advice to drivers of passenger carrying vehicles (PCVs) and heavy goods vehicles (HGVs) regarding drivers hours regulations.

iv. Seat belts and Restraints

Whilst driving on council business all drivers must wear a seat belt unless the vehicle they are driving is not fitted with a seat belt.

Essential, Casual and Volunteer drivers should ensure that passengers are wearing seat belts appropriate to the size and age of the passenger.

Guidance on Seat belts and Restraints is contained in [Appendix N].

v. Trailers and Towing

All operations of a motor vehicle with or without a trailer on the highway are covered by legislation such as “The Road Vehicles (Construction and Use) Regulations 1986. The design and construction of the vehicle and trailer should be suitable for the loads that it is likely to carry. The driver is ultimately responsible for the load carried on their vehicle, whether or not they were involved in the securing of the load. The guidance in [Appendix O] explains in more details the precautions to take when towing and using trailers.

vi. Smoking

It is against the law and against council policy to smoke in any vehicle owned or operated by the council. [Appendix P] gives advice on the Smoke free law.

Additionally the council's [Smoking at Work policy](#) can be found on the council's intranet site.

Volunteer drivers should follow the code of conduct that is relevant to them in either [Appendix H] or [Appendix I].

PTCG

Last updated April 2017