



EYNSHAM PARTNERSHIP ACADEMY

Driving at work Policy

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CHAIR OF TRUSTEES SIGNATURE	
CEO SIGNATURE	

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1. Introduction – Health and Safety and Driving

Driving at 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 policy identifies the obligations placed on managers and employees in order to identify and minimize associated risks.

2. What and who does this policy cover?

Health and safety legislation requires employers to ensure, as far as 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 while at work and covers driving cars, minibuses, motorcycles and bicycles.

Health & Safety law does not apply to and from home unless the employee is travelling to a location which is not their usual place of work, **including to training courses**.

In the event of an exceptional short-term issue relating to safeguarding or an individual vulnerable child, then the matter should first be referred to the CEO. Any short-term exceptions must be approved by the relevant Headteacher/DSL and the CEO.

3. Aims of the Policy

This policy sets out responsibilities, which aim to:

- Minimise the risk to drivers' health and safety.
- Minimise the risk to other road users.
- Minimise the risk to any passengers.
- Investigate reported accidents and incidents so that any necessary additional precautions can be implemented to avoid recurrence.

4. Employees Responsibilities

- An employee must, if using a vehicle for work or travel to locations other than their normal place of work for work purposes, including training courses, ensure that he/she:
- Adheres to the Highway Code and Health & Safety Legislation.
- Confirms with his/her insurance company that the vehicle is insured for business use (note: vehicles used for business use must be insured for that purpose, not just commuting to and from work; this includes travel to locations other than their normal place of work for work purposes, including training courses).
- Checks the car has a road fund licence, is roadworthy and has a current MOT (if more than 3 years old).
- Checks he/she has a current full driving licence, appropriate to the vehicle being driven.
- Provides evidence from the online driving licence checking system and print a summary of their licence (this only applies to staff with a photocard licence and replaces the counterpart paper licence). Alternatively, a summary of his/her licence can be requested from DVLA.
- Advises his/her manager if he/she is charged with any motoring offence or he/she incurs any penalty points on his/her licence or if he/she becomes disqualified from driving. Failure to do so may result in disciplinary action.
- Reports any accidents arising in the course of employment to his/her line manager. Failure to do so may result in disciplinary action.
- Always wears a seat belt or an appropriate cycle helmet.
- Ensures that appropriate safety measures have been implemented, following a risk assessment, if transporting children/pupils/students or vulnerable adults in vehicles and that all appropriate equipment and arrangements have been put in place including restraints, escorts, locking of doors, and considerations relating to challenging behavior whilst driving. *(This is only relevant for minibus drivers as the EPA Health & Safety policy ensures that children are not transported in private vehicles).*
- Ensures that all equipment carried should be secured to prevent any movement likely to endanger driver and/or passenger/s.
- Ensures that adequate time is available to make journeys safely with appropriate rest breaks being taken. (the Highway Code advises a 15 minute break every 2 hours).
- Advises his/her line manager if he/she has a disability or medical condition that could affect his/her ability to drive or if he/she believes he/she is unfit to drive for any reason.
- Never drives under the effect of drugs or alcohol or if otherwise unfit not in a fit state – e.g. after receiving a shock or while very upset or taking prescribed drugs that effect their ability to drive.
- Never uses any interactive communication device when driving or the engine is switched on e.g. mobile phone. Hands free devices must also not be used (please note that “driving” includes when the vehicle is stopped e.g. at traffic lights or during other hold-ups).
- Smoking is not allowed in EPA vehicles.
- Advises his/her manager/colleagues where they are going and expected return time.

5. Managers' Responsibilities

Managers are responsible for the following:

- Ensuring that any requirements for driving are set out and checked as part of the recruitment process, including making specific mention of this in reference requests and during the induction process.
- Preventing staff from driving if they are known to be mentally or physically unfit to drive.
- Carrying out an annual check and recording that
 - a) The employee's insurance covers the required level of business use
 - b) There is a valid MOT certificate
 - c) The employee holds a valid driving licence
- Undertaking a risk assessment of all hazards associated with driving including private vehicles and minibuses. Points for inclusion in the Risk Assessment are:
 - a) have drivers read the EPA Driving at Work Policy?
 - b) are drivers instructed to take short breaks if the journey is long or stressful?
 - c) are drivers advised to seek alternative method of transport if undertaking long journey e.g. trains?
 - d) have you advised drivers undertaking long journeys that arrangements for overnight accommodation may be required or alternative means of transport used?
 - e) when driving a minibus - does the journey involve passengers who may require the provision of an escort or additional appropriate adult?
 - f) have you advised the driver that if they have a medical condition or feel unwell that they should consider not driving?
- Ensuring that all driving accidents and incidents are reported to Facilities Manager.
- Drawing to the attention of the employee any issues arising from driving on EPA business and take appropriate action if required.

6. Motoring Offences

If a driver receives 12 points or more, with a 3 year period, he/she will receive an automatic ban. For first time offenders this ban will be for a minimum of 6 months, but for drivers who have received a "totting-up" disqualification in the past 3 years, the ban will be for a minimum of 1 year. Courts have the discretion not to disqualify, or to reduce the period of disqualification, when they consider that mitigating circumstances exist. Drivers can also face disqualification if they have less than 12 points in some circumstances, for example because of drink driving or dangerous driving.

New drivers who reach 6 or more penalty points within the first 2 years of passing their driving test will automatically have their driving licence revoked until they pass the theory and practical test again. If an employee receives any penalty points the manager will consider:

- Whether a breach of health and safety rules has occurred amounting to misconduct or gross misconduct and whether any disciplinary action is necessary
- 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 as a result of any behavior that is likely to bring the EPA into disrepute
- Whether this has any implications for the EPA's insurance policy

If an employee is banned from driving and assessment will also need to be made about whether and employee can continue to carry out his/her job role.

In cases where disciplinary action follows EPA HR Manager should be consulted to ensure all cases are dealt with consistently and in accordance with EPA policies and procedures.

7. Monitoring of this Policy

Checks will be carried out to ensure that this policy is being operated in accordance with legislation and best practice. This will require staff to provide a copy of all relevant driving documents when requested.