

Driving at Work



Transporting Children, Young People & Adult Customers Safely Guidance

(use of staff/volunteer vehicles)

1.0 Purpose

This document does not repeat any details in the WCC Driving at Work policy, it has been written to provide guidance on transporting children, young people and adult customers safely in staff or volunteer vehicles or pool cars.

2.0 Introduction

These guidelines have been produced to give guidance, advice and good practice when staff or volunteers are transporting children, young people or adult customers in their own vehicles or pool cars. Examples may include the transportation of school pupils for the purposes of offsite education or other related activities, including sports events, performing arts and field trips etc. This may also be for the purpose of staff transporting children or adult customers as a necessary and integral

part of their role, for example, the transportation of children for safeguarding purposes or other scenarios where a customer is transported in a staff member's own vehicle. For the purpose of this document, "children and young people" refers to any child or young person who is a service user/customer, school pupils and any other children or young people who are members of the public accessing a service provided by Warwickshire County Council.

"Adult customer" refers to any adult service user/customer, families, parents/carers and any other adults who are members of the public accessing a service provided by Warwickshire County Council.

These guidelines should be used in conjunction with the following documents, where appropriate;

- WCC Driving at Work Policy and associated guidance documents as relevant
- Generic model risk assessment for driving a car at work

These guidelines must be followed to ensure that the duty of care to staff and customers is being fulfilled by assessing and managing the associated risks and implementing appropriate control measures, where necessary.

3.0 Drivers

Staff are not specifically required to transport children, young people and adult customers in their own vehicles unless it is part of their job description or they have indicated that they are willing to do so. The use of a competent, professional driver should always be considered as a preferred option, where reasonable and practical.

It is the responsibility of the member of staff/volunteer to hold the appropriate licence and ensure that their vehicle is road worthy. Staff must complete the Vehicle Document Record Form either on HRMS or a paper copy version available within the WCC Driving at Work documentation on the intranet. Staff transporting children, young people and adult customers should notify their manager of any existing or impending disqualification or conviction. Drivers should be aware that documentation checks will be made annually by managers either by the entry on HRMS or the Vehicle Record Form.

Where possible, and certainly when WCC pool cars are being used, drivers must be at least 21 years of age and less than 70 years of age and should have at least 1 year's previous driving experience.

When staff are using their own vehicles and where the above may not be the case (e.g. social care teams), this must be discussed with the manager and an assessment of the risks undertaken before transporting a customer.

Drivers must be in good health and be physically capable of driving safely (as per the requirements of the licence/DVLA). If drivers are on any medication, they must ensure that the preparation does not affect their ability to drive, if in doubt they should seek medical advice.

It is advised that drivers are accompanied by another adult when transporting children and young people as this significantly reduces the risk of distraction, accident and injury and allegation of misconduct or abuse. If this is not practically possible, the risks must be assessed and measures put in place to ensure that the risks are reduced to the lowest possible level. This should be documented.

Where volunteer drivers are using their vehicle for transporting children, young people and adult customers, it is good practice to request that they complete a "Volunteer Driver's Form" (see Appendix B). (Where volunteers are being used, the WCC Volunteer Management policy should also be complied with).

Drivers must adhere to the road traffic laws and Highway Code.

4.0 Transportation

Members of staff should discuss any proposals for transporting children, young people and adult customers in their own vehicles with their manager and agree appropriate arrangements. Specific consideration should be given for certain journeys, for example, over 20 miles or in circumstances where the customer is unfamiliar with the vehicle, driver or accompanying staff and potential risks have been identified. Managers should ensure that specific arrangements form part of their driving at work risk assessment, in conjunction with the WCC Driving at Work Policy.

For other teams, including Social Care staff where there is a requirement for a long distance journey, this should be discussed with the manager and the following considerations, in order of hierarchy of controls are made to reduce the risks:-

- Consider the use of a competent, approved, professional driver
- Consider whether an alternative form of transport will reduce driving risks
- If driving is the only option, consider whether an additional member of staff is available for the journey/s, particularly where the driving is in addition to a day of work
- Consider whether an overnight accommodation stay is reasonable and practical, as per the WCC Travel Code of Conduct.
- If, after consideration, one member of staff driving is the only option, ensure sufficient breaks are taken to rest/eat and drink

A mobile phone should be made available for use in the event of an emergency. (N.B. Members of staff should avoid using personal mobile phones to contact children, young people or adult customers, in order to maintain appropriate professional boundaries).

Use of mobile phones in vehicles

The following information has been extracted from the Travel Code of Conduct.

The Road Traffic Act makes the using of a hand held mobile phone or similar device, whilst driving, a specific offence.

The only permitted exception is when there is an urgent need to use a mobile phone to contact the emergency services in response to a genuine emergency when it is unsafe or impractical to stop driving to make a call.

The Road Traffic Act does not actually prohibit the use of hands free phones or satellite navigation equipment when driving, but drivers may still be prosecuted if they use them, essentially for failing to drive with due care and attention. This Policy therefore extends to the use of hands free phones.

The following guidelines must therefore be followed when driving at work:

- Calls must not be answered or initiated whilst driving;
- Drivers should stop at a safe place to receive, return or initiate a call.

It is vital that when stopped you switch off the vehicle engine otherwise liability may still be incurred.

- The hard shoulder of a motorway or the side of a busy road is not a suitable place to make or receive calls.
- Making or receiving calls while at traffic lights or in a queue of traffic constitutes using a mobile phone whilst driving and is therefore an offence.
- Texting, Internet messages, videophones; using a mobile phone or similar equipment for any of these purposes whilst driving is prohibited.
- If visiting areas that prohibit or restrict use of mobile phones on their site, then those site rules/signage must be followed.

Inappropriate use of mobile phones by employees on Council business will be considered as a disciplinary offence.

5.0 Children / Young People and Adult Customers

Parents/Carers must give their permission for children and young people to be transported in a staff member's vehicle, where this is necessary. Every effort should be made to gain written consent but where this is not practically possible, details of the verbal consent given should be recorded.

If no type of consent is obtained, transportation should ordinarily not be permitted. However, circumstances may sometimes arise where the risk of not transporting a child or young person is greater than doing so, for example, where a pupil is left at school without transport and the distance to home is too far or too dangerous to walk, or where there is a safeguarding risk (see Appendix A for Parental Consent Form). *Note: This does not apply to Social Care Team staff where it is not possible to obtain consent.*

Children, young people and adult customers must behave appropriately while travelling in the vehicle. If there are any concerns during the journey, an assessment of the risks should be undertaken with appropriate action taken to ensure safety.

If children, young people or adult customers have a medical condition that is likely to require additional support/medication, a copy of their Care Plan or sufficient

information on medical requirements plus appropriate medication must be available. A parent/carer or member of staff who has received training in administering support/medication should accompany the child, young person or adult customer in the vehicle.

Children, young people and adult customers should never be left in the vehicle unattended. Children must use the correct child restraint (see Section 9.0), and the driver is responsible for ensuring that this is the case.

6.0 Vehicles

It is the responsibility of the driver to have the correct insurance and to notify their insurers that the vehicle may be used for the transportation of children, young people or adult customers (as defined in this document) on employer's business. It is also the driver's responsibility to ensure that the vehicle is in a roadworthy and serviceable condition and has up-to-date vehicle tax and MOT (as appropriate to the age of the vehicle).

Drivers must ensure that the number and type of passengers carried safely is in accordance with:-

- manufacturer's recommendations or specifications
- the number of available seat belts
- the use of child locks where deemed appropriate

Exceeding the vehicle specification on the number of passengers carried may invalidate insurance policies and expose passengers to unacceptable risk.

7.0 Vehicle and Driver Documentation

Managers should check to ensure that staff who will be carrying children, young people or adult customers in their vehicles (including those staff who may only be requested to do this in exceptional circumstances) have the following documentation at the commencement of employment and then annually, as stated above.

- Current MOT certificate (if vehicle is over 3 years old)
- Valid road fund licence (tax)
- Appropriate insurance to cover transporting young people and adults on employer's business
- Valid driving licence – any queries regarding endorsements/disqualification should be discussed with the WCC Insurance Team

8.0 Accidents/Incidents

In the case of a road traffic incident, these must be reported by the driver to their own insurance company and passengers must be advised of the name and address of the insurance company, if wishing to make a claim.

All accidents/incidents that occur whilst driving at work (i.e. during working hours) must be recorded on the online WCC Accident/Incident Recording System.

9.0 Child Restraints

When staff are transporting children and young people, they should ensure that the correct type of restraint is used and that it meets the required standards. Restraints should be used in accordance with the manufacturer's guidance and instructions and should also be checked before use to ensure that they are well-maintained and fit for purpose, with no defects.

The following website gives all the up to date and relevant information and details on the required types of child restraints:

<https://www.gov.uk/child-car-seats-the-rules>

Further advice, information and guidelines on selecting and using the correct child restraints can be obtained from the WCC Road Safety Team, Tel 01926 418062.

10.0 Contact Information

All health, safety and wellbeing information is available on the intranet. Go to [Intranet](#) > [Helping You Work](#) > [HR](#) > [Health, Safety and Workforce Wellbeing](#).

For Driving at Work documentation go to [Intranet](#) > [Helping You Work](#) > [HR](#) > [Health, Safety and Workforce Wellbeing](#) > [Health & Safety](#) > [Health & Safety Topics A-Z](#) > [Driving \(At Work\)](#)

For Schools, refer to the schools health and safety document library on www.warwickshire.gov.uk/SchoolHSdocs

Alternatively you can contact the Health, Safety and Wellbeing Service on healthandsafety@warwickshire.gov.uk or telephone 01926 476803.

Appendix A

Staff Transportation Parental Consent Form

Not applicable in Social Care Teams where consent cannot be obtained

Dear Parent/Guardian/Carer

Please sign below to give your permission for your son/daughter to be a passenger in a vehicle that is owned, maintained and driven by a member of staff employed by Warwickshire County Council (WCC). All staff are issued with guidelines for transporting children and adult customers safely (a copy is available on request).

Date/s of journey _____

Destination _____

I give permission for my son/daughter (name) _____
to travel in a vehicle driven by a member of staff employed by WCC on the date
and to the destination shown above.

Print Name _____ Signature _____

Note: Every effort should be made to obtain written consent but where this is not practically possible verbal consent must be given and details recorded below.

Name of person giving consent _____

Date consent given _____

Information taken and recorded by _____
(name of WCC staff)

Appendix B

Volunteer Driver's Form

To Manager/Headteacher of _____ (school/team etc.)

Name of driver _____

Address _____

Postcode _____

Vehicle Make _____ Model _____

- I hereby confirm that I am willing to use my own vehicle for transporting young people where this is necessary and approved by the Headteacher/Manager.
- I accept responsibility for ensuring that the vehicle is in a safe, roadworthy condition and has appropriate insurance cover for the activity undertaken.
- I also confirm that I have a valid driving licence.
- I confirm that I have read and will comply with the Transporting Children, Young People and Adult Customers Safely Guidance.
- Attached is a copy of any relevant documentation (e.g. registration document, MOT certificate, driving licence, insurance certificate)

Signature _____ Date _____

Note: Those who are volunteer drivers on a regular basis should complete this form annually, or following a change in vehicle.