

# Manor Hall Academy Trust



## Driver Policy

The Directors of the trust, in line with the Scheme of Delegation and Articles of Association have overall responsibility for the effective operation of MAT policies, but has delegated day to day responsibility to the Headteacher and LAB.

Directors will take account of recommendations from individual schools in review of this policy and seek HR advice as to such revisions.



Date	Version	Reason For Change	Overview of Changes Made	Source
Autumn 21	1	New Trust Policy		

## **MANOR HALL ACADEMY TRUST**

### **Driver Policy**

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### **1. Policy Statement**

The purpose of the policy is to ensure that the directors of MHAT and LABs of its schools, meet their obligations under its duty of care for employees who drive on its behalf. The policy is written to meet the requirements of the Health and Safety at Work Act 1974 and to ensure compliance with the guidance issued by organisations such as RoSPA, the Department of Transport, the Health and Safety Executive and the DfE.

The policy applies to all persons who drive on behalf of MHAT in vehicles owned, leased or hired by the organisation. It also applies to those who drive their own vehicles on behalf of Manor Hall Academy Trust.



Employees are required to undertake proper risk assessments of all activities including those of a voluntary nature; this policy is designed to minimise the risk to employees and students and to protect the interests of MHAT.

Driving on behalf of MHAT is defined as:

- a) staff who drive regularly as a major part of their job or
- b) those who drive occasionally or for short distances

Reasons for driving on behalf of MHAT may be:

- travelling to and from meetings,
- multi-site journeys (driving to and from different schools within the Trust on a regular basis),
- Taking students on education visits and transporting pupils.
- site visits (visiting another school within the Trust), and
- travelling to and from home to a non-permanent place of work, including visits to other establishments and training courses, seminars, conferences etc.

Such a definition does not relate directly to the payment of expenses or inclusion in job descriptions, but purely to the 'activity' of driving on behalf of the Trust, with or without payment.

Travel to and from home to your usual place of work is defined as "commuting" and is exempt from this policy.

## 2. License and Insurance - Fleet Vehicles

Each school within MHAT records details on both the driver and the vehicle(s) used on behalf of the organisation (for example a minibus). In these circumstances an up-to-date copy of the relevant employees' driving licences / training will be held on file.

The Trust expects drivers of fleet and lease vehicles to have mini bus driver training.

For vehicles owned, leased or hired, each school will keep the following documentation usually found within the Finance Office or Site Team Office at each school:

- Insurance certificate
- Ownership details
- MOT certificate (if applicable)
- Tax
- Breakdown Cover
- Service record
- Other vehicle documentation

For vehicles insured through the Trust Fleet Insurance (Zurich) drivers do not require business use on their insurance. This is because they have been given permission by the



Trust as the policy holder and the relevant checks outlined in this policy have been done by the school the vehicle is registered to.

A section 19 permit is also required to be displayed in all vehicles – please see link in Appendix 5 for more information.

For vehicles leased and insured through other companies it is important to check that the drivers are covered and hold a D1 licence if required (further advice can be found on the SLN see appendix 5). It would be best practice to obtain written confirmation that all cover is in place from such companies.

Please note that if the same driver also uses their personal vehicle for business use then they will require appropriate cover on their personal insurance as outlined in the section below.

### 3. Privately owned vehicles

For employees using privately owned vehicles it is their responsibility to ensure that they are licensed to drive, and that the vehicle is correctly insured and roadworthy.

Anyone driving on behalf of the School or MHAT is required to sign a proforma (appendix 1) indicating that:

- They hold a valid driving licence.
- The vehicle is correctly insured for the use.
- The vehicle is fit for purpose - roadworthy

The school / MHAT reserves the right to request evidence to support any declaration given and should keep evidence on file of the above documentation.

For privately owned vehicles, the insurance certificate must state for 'business use' or 'for purposes in connection with the business/occupation or the trade or profession of the policyholder', or a similar phrase.

It is the responsibility of each employee to inform the school of any change(s) to the documents held on file, including the pro-forma.

Employees who regularly travel on the business of the school (i.e. 3 or more days per week when journeys are made) will need to provide copies of their Driving Licence and valid Insurance Certificate to the School Office (or Trust office for the central team) along with a signed proforma (appendix 1) to ensure that mileage claims (accompanied with a valid fuel receipt) are processed correctly.

All members of staff travelling on the business of the school need to organise Class One business cover on their own personal insurance.

The definitions of cover are as follows:

General Car Insurance-Commuting;



Provides cover for social, domestic and pleasure, and cover to drive back and forth to a permanent place of work. Travelling to a railway station on route, where the car is parked, is classed as commuting. If the vehicle is being used in connection with work beyond simply commuting, then the insured will require a level of business cover:

Business use: Class 1;

This will cover the vehicle in connection with your job, such as driving to different sites away from your place of work. It will exclude commercial use (such as delivery of light goods) and selling (such as door-to-door).

Occasional Business Use;

The Occasional Business Use extension will operate where a staff member is required to use their own vehicle on rare occasions when their insurance does not extend to cover business use. OBU should therefore only cover journeys which are unexpected or required to be made at short notice. Examples where this could arise include taking an unwell pupil home or to hospital. Schools should ensure that staff members who use their own vehicles on a regular basis have suitable insurance by making annual checks of insurance documentation.

#### 4. Staff Transporting Pupils in their own cars

Manor Hall Academy Trust is made up of a range of special schools and alternative provision units, which throws up a range of circumstances which are not applicable to the mainstream transport model. For example;

- Students on individually tailored programmes requiring high staff/pupil ratios and often 1:1 or 2:1 support.
- Students who have remained after school for legitimate reasons to overcome learning barriers.
- Students who have to be returned home for Health and Safety reasons.
- Students who refuse to get on the taxi at home time. Most of our schools have such an extensive catchment area and a substantial number of parents who don't have transport, staff have often kindly volunteered, under the direction of the Headteacher, to transport students home using school vehicles or their own vehicles. The following policy gives guidance in this practise.

If at all possible School Transport should be used to transport students and all drivers should have received and possess the Local Authority minibus driver assessment to use the school Minibus.

If staff have to use their own vehicle/school vehicle, then the following principles should be adhered to:



- All staff need authorisation from a member of the SLT who has consulted with the Safeguarding Officer before giving permission, before transporting students (to adhere to safeguarding principles). Young persons should be willing to be transported and be compliant to instructions.
- The member of staff transporting a student should be satisfied that their relationship with the CYP is sufficiently robust to ensure that the CYP is safe in the vehicle. Risk Assessments and IBPs should be referred to before a member of staff transports a student.
- Staff should ensure that they have on their persons the details of the student i.e. home address / telephone number.
- SLT will endeavour to inform parents / carers that their child is being transported home by a member of staff and the estimated time of arrival.
- Staff should have a mobile phone on their persons with the contact number of the school and the Head and Deputy Head for emergencies.
- The school acknowledges that the transporting of students by staff is an act of goodwill towards the efficient running of the school and is a gesture of meeting the students' needs. Staff will not be expected to transport children unless they have volunteered for this process.
- Staff can be expected to claim additional mileage allowance when using their own vehicle.
- All children must have their own seat and seatbelt within the vehicle.
- Ensure that the student can get access to the house and that a responsible adult is in.
- Staff should be made aware that all Professional Associations advise against the transporting of CYP in their own vehicle. However, in providing this service the school provides some pupils with activities and experiences they would not otherwise have. It is important this is recognised.
- Staff need to ensure their own vehicle is insured for business purposes.

## 5. Fit to Drive

Each time an employee drives a vehicle on behalf of MHAT the following applies:

- That it is the individual's responsibility to ensure that they are fit to drive when they take a vehicle onto the public highway. See <https://www.gov.uk/driving-medical-conditions> for more information.
- That any person who is required to drive as part of their employment, or as part of an approved activity, must declare to their employer any medical condition which adversely



affects their ability to drive safely (all information provided will be treated as confidential). In these circumstances the school will endeavour to make reasonable adjustments, in consultation with the individual employee and Occupational Health, and other support agencies as appropriate.

- Where a school has a concern about a potential alcohol or drug abuse issue then the employee should not drive on the school's business until and unless the concerns prove to be unfounded.

## 6. Disqualification from Driving

Employees who drive vehicles on behalf of MHAT are duty bound to inform the school immediately of disqualification from driving on the public highway. Where that person drives as a requirement of their job, they will be relieved of all driving duties with immediate effect; following consultation with the individual employee, the school will determine the most appropriate course of action. Each case will be dealt with confidentially and on its own merits.

## 7. Road Safety

When driving a vehicle owned, leased or hired by MHAT, each driver is responsible for making sure that the vehicle is roadworthy before embarking on a journey; it is recommended that appropriate driver checks are undertaken before taking the vehicle on the road. The following checks are recommended before each journey:

- Tyre tread
- Foot and hand brake operation
- Lights, indicators and hazard warning lights operate
- Horn operates
- Screen wash and wipers operate
- Seat belts fitted and functioning
- Mirrors adjusted/adjustable

These are tasks which do not require any technical expertise and are the basic checks included in the current UK driving standards examination. Additional checks for long journeys might usefully include:

- Fluid levels (oil, coolant and screen wash)
- Tyre pressures
- Locks and security functional
- Fuel level

It is not intended that checklists are provided or that records of pre-use checks are kept, as it remains the responsibility of any driver to ensure that a vehicle is roadworthy, however schools can implement records should they wish.



It is also important to ensure that windows are clear before driving from ice, mist and snow.

For employees who use their own vehicles during their employment with MHAT individuals are responsible for ensuring that regular checks are undertaken as detailed above to ensure that their vehicle remains in a roadworthy condition.

## 8. Route Planning and Scheduling

It is expected that where an employee must drive to undertake work-related activity, an assessment of the schedule of driving and work activity is made to ensure that it is reasonable, allows for rest breaks at least every 2 hours, when it is recommended that they should leave the vehicle. It is also important to ensure that the necessary driving will not result in excessive working hours or working at unsociable hours. Employees should apply common sense and not drive when tired or at unsociable hours.

In adverse weather conditions please seek advice from your line manager before starting any journey.

## 9. Accidents and Speeding

In the event of an accident occurring whilst driving a vehicle owned, leased or hired by the school the driver should follow the directions shown below for reporting and recording the accident. Where the employee is driving their own vehicle on school business, they should follow the directions of their insurance policy for reporting and recording the accident (appendix 4). It is responsibility of the driver to inform their line manager of the accident.

If the driver has been pulled over by the police for speeding, it is also their responsibility to disclose the incident and any resulting action to their employer.

If a driver is caught by a speed camera in a work vehicle, the notice of intended prosecution will be received by post, addressed to the 'registered keeper'. It is most likely this will be the school business address, however it may be received by the leasing company if the vehicle is leased.

The company or school who received this notice is responsible for naming the driver and failure to disclose this information can be considered an offense.



## Appendix 1 - Driving Policy, Manor Hall Academy Trust

### **For employees driving vehicles owned, leased or hired by a school of MHAT:**

- I confirm that I hold a valid Driving Licence, a copy of which is attached to this form

**I understand that it is my responsibility to inform the school / MHAT of any change(s) to the documents held on file. Failure to provide details could result in disciplinary action being taken.**

Signed: ..... Date: .....

Print Name: .....

### **For employees driving on behalf of a school of MHAT:**

- I confirm that I hold a valid Driving Licence
- The vehicle(s) I am using for business purposes whilst driving on behalf of MHAT is insured correctly\*
- The vehicle is fit for purpose and is roadworthy I understand that the school / MHAT reserves the right to request evidence to support any declaration given.

**I also understand that it is my responsibility to inform the school of any change(s) to the documents held on file, (including this pro-forma). Failure to provide details of the change could result in disciplinary action being taken.**

Signed:..... Date:.....

Print Name:.....

\*For privately owned vehicles, the insurance certificate must state for 'business use' or 'for purposes in connection with the business/occupation or the trade or profession of the policyholder', or a similar phrase.

### **Additional information for employees who drive regularly on the business of MHAT:**

In addition to the declaration above I have provided copies of the following documents:

- Valid Driving Licence
- Valid / current certificate of motor insurance

Signed:..... Date:.....

Print name.....



## Appendix 2 CHECKLIST – Transporting pupils in your own car

1. Get permission from SLT to transport young person. SLT will contact parents to inform of arrangements
2. Ensure you are familiar with the CYP Risk Assessment.
3. Only transport if you are confident that the CYP is willing to be transported and your relationship is robust enough to ensure the student is safe in the vehicle.
4. Make sure you have the students home address and telephone number
5. Ensure you have the contact number of the School and the Headteacher/ Deputy Head/Head of Care mobile numbers in case of emergency
6. Students should never be dropped off without checking that a responsible adult is in the house. If nobody is in contact SLT.

Thank you for your goodwill



### Appendix 3 VOLUNTEER DRIVER DECLARATION

1	To the Headteacher – (name of school)
2	<ol style="list-style-type: none"><li>1. I confirm I am willing to use my own vehicle/school vehicle (delete as appropriate) for transporting pupils/students for school purposes</li><li>2. I accept responsibility for maintaining appropriate insurance cover and have checked with my company that pupils/students carried voluntarily are insured</li><li>3. I have a current valid driving licence</li><li>4. I will ensure that the vehicle is roadworthy in all respects</li><li>5. I will ensure that passengers all wear correctly fastened seatbelts</li><li>6. I will not transport a single pupil, that is not my own child without permission of the Headteacher, SLT and/or Safeguarding Lead.</li><li>7. I consent to the terms and conditions outlined on this declaration and will work within them. I have never been convicted of any offence that would render me unsuitable to work with children.</li></ol> <p>Signed _____ Date _____</p>
3	<p>Name: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p>
4	<p>The School and the Manor Hall Academy Trust reserve the right, at any time, to request copies of any relevant documentation pertaining personal vehicles including the vehicle registration document (form V5), MOT certificate, insurance certificate, road tax and driving licence.</p> <p>Additionally, persons regularly transporting children will be asked to undertake a DBS disclosure (to ascertain they have not been convicted of an offence rendering them unsuitable to work with children) or obtain a <i>Certificate of No Convictions</i> from the police. (available under data protection procedures)</p>



	Drivers should retain a copy reminding them of the School and Manor Hall Academy Trust expectations.
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## Appendix 4 – Action to Take in the Event of an Incident

### **ACTION TO TAKE IN THE EVENT OF AN INCIDENT**

**(A copy of these instructions must be displayed in each school vehicle)**

At the scene of the incident:

- Stop in a safe place where no further damage is likely to be caused to the vehicle or passengers.
- The driver and/or the escort must make the accident scene as safe as possible.
- Use hazard warning lights and any other devices supplied.
- Where the vehicle cannot be moved to a place of safety, evacuate the passengers to safety. Do not move injured passengers unless they are in immediate danger of further injury, or from fire or explosion.
- Ensure, where possible, one person (driver or escort) remains with the passengers.
- Call the emergency services immediately, if necessary. The driver must stay at the scene of until the emergency services (and anyone else with reasonable cause) have taken all the details.
- If involved with a third-party vehicle exchange Drivers' and Vehicle Owners' names and addresses, vehicle and insurance details.
- If involved with a third party get an independent witness name, address and telephone number.
- In the event of injury, the Police must be notified as soon as possible but within 24 hours.
- As soon as it is safe to do so please notify your line manager.

After the incident:

- As soon as possible, but within 3 days, report the incident on My Health and Safety.
- As soon as possible write down the events as you remember them, including any diagrams that may be helpful and complete an insurance accident report form. Give this report to the Administrator.

**These procedures are in addition to the Highway Code requirements to report an accident.**



## Appendix 5 – SLN Links

Where passenger transport vehicles are operated the operation, maintenance and management of such vehicles must be considered and the risks adequately managed.

The DVLA provides clear guidance on the operation of such vehicles and it is recommended that operators familiarise themselves with this guidance and the relevant statutory instruments.

The [Operating Minibuses Guidance](#) should be used to support any management arrangements a site has in place.

The following 3 fact sheets will also supplement this guidance:

[Fact Sheet 1 - Who can drive a minibus?](#)

[Fact Sheet 2 - Section 19 permits](#)

[Fact Sheet 3 - What are your licence choices?](#)

**If you need any further guidance on this please contact** Dominic Davidson, SCC Senior transport coordinator [dominic.davidson@staffordshire.gov.uk](mailto:dominic.davidson@staffordshire.gov.uk).

You can also view further information about minibus driving on the Staffordshire web:

<https://www.staffordshire.gov.uk/Highways/roadsafety/Minibus-training-scheme.aspx>