



WALTHAMSTOW HALL
SEVENOAKS

DRIVING POLICY **(for School minibuses, vehicles and private cars)**

Introduction

The employer's duty of care extends to all employees driving on School business, no matter who owns the vehicle, this includes personal vehicles being used to take staff and/or pupils on School trips, sporting fixtures, replenishing stores or other outings.

Recent revisions to the legislation relating to corporate manslaughter have created legal liabilities for company directors – Governors in the case of the School – and management, should negligence be proved.

Passive observance of transport regulations, such as having a valid driving licence, the vehicle being properly licensed, insured and MoT tested is now insufficient to meet corporate obligations for staff safety. Active measures need to be taken to demonstrate that the employer recognised its duty of care to its staff and those for which it is responsible.

Management Structure

- The procurement, maintenance, documentation and use of the School's vehicles are the responsibility of the Bursar's Department.
- The Senior Driver is responsible for making arrangements for the servicing and tasking of the vehicles.
- Primary driving duties are carried out by the Senior Driver and School drivers; other suitably qualified members of staff may drive the vehicles on School business if none of these are available.

Documentation

- The minibuses are licensed with the Department of Transport to carry passengers and operate by virtue of a permit granted by Section 19 of the **Transport Act 1985** and the provisions of the Minibus and Other Section 19 **Permit Buses Regulations 1987**.
- The vehicles must be adequately insured and have a valid MoT certificate, if more than a year old.
- Insurance is provided under a fleet policy issued by the School's Insurers.
- A copy of the School Major Incident Procedures document should be kept in each bus.
- The School's general insurance policy provides comprehensive cover for members of staff to carry their colleagues and/or pupils in their private cars on the School's business.

However, pupils should only be taken in a member of staff's private car in an emergency. Given sufficient time, a hire car can be booked for small groups of pupils such as for tennis matches and is the preferred option.

- To be eligible to benefit from the School's insurance cover, private cars must have current registration, insurance documents and, where appropriate, an MoT test certificate.

Driving Qualifications

- The Section 19 Permit allows staff of the School to drive the minibuses with up to 16 passengers using a normal car licence, having passed an approved driving assessment.
- Drivers must be over the age of 21 and under 70 and have held a clean, full licence for at least 12 months before being eligible for assessment (DI endorsement on their licence) in order to comply with both licensing regulations and the terms of the School's insurance.
- Approved assessments are arranged through the Bursar's office and are valid for six years.
- It is a condition of employment for the School Drivers to pass a medical test conducted by a doctor.
- These qualifications only allow members of staff to drive the minibuses within the United Kingdom and it is the School's policy that the vehicles should not be driven abroad.
- The School Tractor may be driven on a provisional licence; drivers will be approved by the Senior Driver, the Bursar or the Estates Manager.

Vehicle Maintenance

- The maintenance programme for the minibuses is controlled by the Senior Driver.
- The minibuses are serviced in accordance with the manufacturer's recommended schedule.
- The School Drivers, or if taken away for longer School trips, the designated driver, are responsible for the daily maintenance of the minibuses to ensure that:
 - a) they are clean, particularly the windscreens
 - b) the vehicles have sufficient fuel
 - c) the oil, water and tyres checked and adjusted as necessary
 - d) the seat belts have been checked and are working properly
 - e) all the lights work properly
- The minibuses require a yearly Class V MoT test which must be carried out by a designated testing station. This is arranged by the Senior Driver as part of the annual maintenance programme.
- Drivers are to report any faults found on the vehicles to the Bursar's office which will pass on the details to the Senior Driver for repairs to be arranged.
- The Estates Manager is to ensure regular and routine maintenance is carried out on the School tractor

- Personal cars used on behalf of the School must be kept in a fully roadworthy condition and have valid MoT certificates where necessary in order to be covered by the School's insurance.

Safe Driving

- The Senior Driver is to ensure a generic Risk Assessment is kept up to date and reviewed regularly to cover regular, routine use of the minibuses including routine journeys such as the morning pick-ups and afternoon drop-offs and the 'swimming pool' runs.
- Specific Risk Assessments are to be carried out for all non-routine trips.
- All buses should carry a copy of the School Major Incident Procedures.
- Drivers are to ensure that they and their passengers wear seat belts whenever the vehicle is on the move.
- Any cargo carried by the vehicle is to be secured and the stowage checked by the driver.
- The driver is to check that the lights work properly and that there is no visible damage to the tyres before starting a journey.
- While on the move the driver should not eat or drink. Incoming calls on a mobile phone, are only to be answered via 'hands free' and if it is safe to do so. Outgoing calls should not be made whilst driving unless for an emergency and it is safe to do so.
- Journeys are to be planned to take account of the time of day, likely traffic conditions, opportunities for breaks on route, types of road to be used and the distance involved.
- If the journey is to take more than two hours, the driver is to take a break of at least 30 minutes at the first safe opportunity after the first two hours and for 20 minutes after each subsequent two hours.
- If the journey is to take more than six hours, two drivers are to be taken and can take two hourly stints at the wheel; however, a stop of 30 minutes must be taken after four hours' driving. No journey is to exceed seven hours driving in any one period of 24 hours and a rest of at least 10 hours is to be taken between one day's driving and the next.
- Drivers are to be sufficiently fit to undertake planned journeys and nobody is to drive a School minibus, hire vehicle or a personal car on behalf of the School under the influence of alcohol or drugs.
- The Senior Driver is to ensure that staff driving School vehicles when taking them away overnight are instructed on how to conduct daily checks and what to do if a defect is discovered.

Accident/Breakdown Procedure

- Each minibus is to hold an "accident pack" to assist non-regular drivers in the event of an accident/breakdown. It should provide staff with emergency contact details, instructions on what to do in an emergency or on discovering a defect.
- In the event of an accident, the driver, or if the driver is incapacitated, the most senior passenger is to:

- a) make the accident scene as safe as possible
 - b) do not move injured passengers unless this is necessary to keep them from further harm
 - c) ensure passengers are moved to safety
 - d) call the emergency services and then stay at the scene of the accident
 - e) obtain the details of any independent witnesses to the accident
 - f) contact the School and report the circumstances of the accident
 - g) follow the procedures as set out in the Major Incident Procedures
- In the event of a vehicle breakdown, the driver is to:
 - a) attempt to move the vehicle off the carriageway
 - b) switch on the hazard warning lights and place the warning triangle about 50m behind the vehicle. **Warning triangles are not to be used on motorways.**
 - c) evacuate the passengers to a place of safety and any pupils should be kept under close adult supervision
 - d) telephone the School's breakdown service, the details of which are in the vehicle document holder
 - e) inform the School of what has happened and pass on a contact telephone number, then keep the telephone switched on.

Summary

- The School does all it can to keep the vehicles in a safe working order.
- The vehicles' documentation is kept current and drivers given the appropriate training.
- To ensure that journeys take place without incident, members of staff driving on behalf of the School are to ensure that:
 - a) they plan their journeys
 - b) they carry out simple checks on the vehicle before setting off to ensure that it is roadworthy and their passengers secure
 - c) that they do not drive for too long at a time and that they are not distracted while they are driving
 - d) that they report any vehicle faults after the journey.

This policy has regard to the guidance issued by the Secretary of State.

Walthamstow Hall policies are approved, ratified and reviewed regularly by the Governing Body in the light of statutory requirements.

Reviewed May 2020
Next Review May 2021

Signed:Date:

Mrs J Adams
Chairman of the Governing Board