

Notice of Meeting

Personnel Committee

Friday, 12th November, 2010 at 2.00 pm
in Committee Room 1 Council Offices
Market Street Newbury

Date of despatch of Agenda: Thursday, 4 November 2010

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Moira Fraser on (01635) 519045
e-mail: mfraser@westberks.gov.uk

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To: Councillors Paul Bryant (Chairman), Adrian Edwards, Tony Linden, Keith Lock (Vice-Chairman) and Quentin Webb

Substitutes: Councillors Brian Bedwell, Mollie Lock, Andrew Rowles and Julian Swift-Hook

Agenda

Part I

Page No.

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes**
To approve as a correct record the Minutes of the meeting of the Committee held on 17th September 2010.
3. **Declarations of Interest**
To receive any declarations of interest from Members.

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Items for Information

4. **Transport / Fleet / Driver Risk Management Policy**
This Item is for Information.
5. **Demonstration of the HR System**
6. **Update on progress made with HR Policies**
7. **Date of Next Meeting**
To decide a date when the Personnel Committee should next meet.

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Verbal
Report
Verbal
Report

Andy Day
Head of Policy and Communication

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Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

PERSONNEL COMMITTEE

**MINUTES OF THE MEETING HELD ON
FRIDAY, 17 SEPTEMBER 2010**

Councillors Present: Adrian Edwards, Tony Linden, Keith Lock (Vice-Chairman) and Quentin Webb and Andrew Rowles

Also Present: Ian Priestley, Jane Milone, Spencer Scott and Moira Fraser

Apologies for inability to attend the meeting: Councillor Paul Bryant

Councillor(s) Absent: None

PART I

13. Apologies

Apologies for inability to attend the meeting were received from Councillor Paul Bryant. Councillor Andrew Rowles substituted for Councillor Bryant. In the Chairman's absence the Vice Chairman chaired the meeting.

(Councillor Keith Lock in the Chair)

14. Minutes

The Minutes of the meeting held on 02 July 2010 were approved as a true and correct record and signed by the Chairman.

Actions Arising:

In respect of **Item 1, paragraph 5, last sentence** Councillor Adrian Edwards queried whether Ian Priestley had been able to confirm with Margaret Goldie and the Legal Service whether or not the paragraph in relation to schools adhering to Council Health and Safety policies could be strengthened. Ian confirmed that he had spoken to the Monitoring Officer who had explained that the schools could not be forced to adhere to the Council's policies. He had in fact requested a diminution of the wording setting this out.

In respect of **Item 1, paragraph 7**, Councillor Adrian Edwards queried whether paragraph 4 of the Asbestos Policy also referred to Voluntary Aided Schools. Ian confirmed that it did. He had however consulted a colleague in the Education Service that had returned from maternity leave and as a consequence a number of other amendments to the policy were required. Members, while accepting that the schools could not be forced to adhere to the Council's policy, were concerned about the possible duplication of effort where they were opting to produce their own policies.

Councillor Quentin Webb noted that at the meeting on the 28 May 2010 he had requested that Officers be asked to attend a future meeting to give Members a brief demonstration of the way HR records were now retained. It was agreed that this would be included on the next Personnel Committee agenda.

15. Declarations of Interest

There were no declarations of interest received.

16. Protection of Staff

The Committee considered a report (Agenda Item 4) concerning a range of policies and proposals designed to protect staff. Ian Priestley explained that the Personal Safety of Staff Policy was an overarching policy that had been developed in consultation with colleagues in Human Resources as had the other policies attached to the report. Some services already had existing staff safety procedures in place. This document was designed to provide a framework for all services to work to and adapt to meet their particular circumstances. The framework included a model policy prepared by Community Services.

The policy covered the following areas:

- Violence at work;
- Lone working; and
- Clients of concern

In addition Officers had produced a spreadsheet which would be used as a central register to record addresses where clients of concern resided. When visiting a premise Officers would be able to look at the spreadsheet to see if it was listed. Where it was they would be able to contact a gatekeeper to establish further relevant details. This methodology would assist with concerns from services about sharing information. To date it was being used by a small number of services but it was hoped that it would soon be rolled out to the rest of the Council.

The register would only contain the address and the contact Officer for establishing further detail and advice; this would mean that the details of the concern were not included on the register. It was possible that some individuals would only pose a risk to specific services and this could be conveyed in the message from the gatekeeper. In some instances it would be necessary to ask the clients to come into the West Berkshire Council Offices for face to face meetings when required as a safety precaution.

Councillor Keith Lock noted that most of the clients of concern would be those visited by staff in Adult Social Care and he wondered if there was a register available to these staff setting out clients that staff could not visit on their own. Officers explained that individual services would have their own lists and that the spreadsheet was a means of sharing information across service areas.

Members queried whether this policy would cover staff in the Licensing Team and Trading Standards who were required to undertake test purchasing late at night. Officers explained that this was an overarching policy and did not deal with service specific issues. The Services concerned should have their own detailed procedures in place. The Health and Safety Team would be undertaking a detailed audit of individual policies to ensure that they were in place and were sufficiently detailed. Officers noted that the six month review would not be automatically generated and involved the Health and safety Team using the spreadsheet to follow up actions.

Councillor Tony Linden noted that the 'Working with Challenging Behaviour Policy' applied to both Officers and Members. He asked Officers to establish the decision making route for this policy as he felt that if Members were being affected by the policy a Member or Group of Members would have to have authorised it.

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Members then considered the individual policies within the document.

Personal Safety of Staff Policy

Officers confirmed that this was an overarching policy and the service specific issues would be dealt with in individual services' documents. These would be audited by the Health and Safety Team.

Procedure and Guidance for Managing Violence and Aggression Against Staff

Councillor Keith Lock reported that in paragraph 6.3 he noted that staff carrying cash who were confronted with a violent or aggressive situation should hand over the money. He queried whether staff were still carrying cash or if it was transported by security firms. Officers noted that there were still situations where staff had to carry cash for a variety of reasons.

Councillor Adrian Edwards noted that the policy encouraged staff to take out an injunction or other legal remedy if there was a perceived danger of a further attack on an employee. He noted that these incidents would be reported to line managers and would be put onto Webrisk. He asked if the Council would assist employees with legal fees or help in kind to take civil action against aggressors. Ian noted that this had not happened yet but that he could not see a problem with this provided that it was agreed that they had a valid case. Members felt that this should be clarified in the policy and that paragraph 4.9 should be amended to state explicitly that this help would be provided 'in appropriate cases'.

Members queried whether the Council's contractors were shown copies of these policies, or were required to adhere to the Council's policies and whether or not they would be required to provide copies of their own policies about staff protection. Councillor Keith Lock was particularly concerned about training provided to Social Service contractors. Jane Milone noted that the Council's training courses were available to partner organisations at a small charge. The Council could not impose a requirement on them to adhere to the Council's policies or attend training but contracts would stipulate the required standards. This was applicable to all contractors not only those in Adult Social care.

Councillor Adrian Edwards requested that paragraph 2 (Applicability), second bullet point be amended as follows: 'other persons including Elected Members, Consultants, Agency Staff and contractors working for the Council, including external organisations be expected to have policies equivalent or better than those of the Council, whilst engaged on Council business.' Ian Priestley would check with colleagues in Legal to ensure that this was permissible. Jane Milone noted that this was standard wording on the Council's Policy template and if this change was acceptable the template would need to be amended.

Working with Challenging Behaviour Policy

This Community Care Policy had been included as an example which other services could use as a reference in preparing service specific policies. Officers would look into the issue of Member sign off previously raised by Councillor Tony Linden. Members felt that it would be useful if amended / new policies agreed by the Personnel Committee could be included in the Members' Bulletin in order to draw Members' attention to them.

Guidance for Service Areas on the Development of Service Specific Lone Working Procedures

Members noted that a separate policy on working from home had been developed as part of the implementation of the Timelord Programme.

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Councillor Quentin Webb in referring to paragraph 2.12, which advocated carrying a Dog Dazer where dangerous dogs might be present, stated that it was imperative that Officers received proper training on the use of these instruments which were known to make some dogs more aggressive.

Recording of Clients of Concern Policy and Procedure

Members queried whether contractors would have access to the Council's database. Ian explained that they would not have at the present time. There were issues with data sharing which still had to be overcome. Progress on this tool had been slow because of concerns about data sharing and therefore it was being rolled out on a phased basis.

Members thanked Officers for the inclusion of Appendix F which they felt was very useful.

Actions:

1. Ian Priestley to establish the decision making route for the Working with Challenging Behaviour Policy to ensure that it had Member sign off as it applied to Members;
2. Ian Priestley to establish if paragraph 2 of the Personal Safety of Staff Policy could be amended as requested;
3. Should this amendment be permissible to Council's Policy template would need to be amended;
4. New policies agreed by the Personnel Committee that impacted on Members to be highlighted in the Members' Bulletin.

RESOLVED that the proposed policies and procedures set out in the report be approved subject to the inclusion of the minor amendments requested by Members.

17. Date of Next Meeting

The Committee agreed that Officers would identify a date for the next meeting via email. Items for discussion would include a demonstration of the HR system, an update on progress made with HR policies and the Fleet Driver Policy (which would be brought to the Committee for information as it had already been agreed by the Chief Executive under delegated powers).

(The meeting commenced at 2.00 pm and closed at 3.00 pm)

CHAIRMAN

Date of Signature

Title of Report:	Transport / Fleet / Driver Risk Management Policy
Report to be considered by:	Personnel
Date of Meeting:	12 November 2010
Forward Plan Ref:	

Purpose of Report: To set out a policy and range of procedures to improve the management of the Council's transport arrangements

Recommended Action: For the Personnel Committee to consider and approve the policies and procedures.

Reason for decision to be taken: To reduce the risks to staff and customer safety from transport arrangements and reduce the risk of loss arising from damage to the Council's vehicles

Other options considered:

Key background documentation:

<p>The proposals will also help achieve the following Council Plan Themes:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> CPT11 - Protecting Vulnerable People <input checked="" type="checkbox"/> CPT14 - Effective People <input checked="" type="checkbox"/> CPT15 - Putting Customers First <p>The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by: Reducing risks and costs associated with the Council's transport arrangements</p>

Portfolio Member Details	
Name & Telephone No.:	Councillor David Betts - Tel (0118) 942 2485
E-mail Address:	dbetts@westberks.gov.uk
Date Portfolio Member agreed report:	

Contact Officer Details	
Name:	Mark Edwards
Job Title:	Head of Highways and Transport
Tel. No.:	01635 519208
E-mail Address:	medwards@westberks.gov.uk

Implications

Policy:	The report sets out a range of policies and procedures associated with Council transport
Financial:	The report proposes that an online Driver Training package will cost £5000 pa. This cost should be outweighed by avoiding higher insurance premiums and reducing own damage costs on the leased fleet.
Personnel:	The Head of Human Resources will be consulted in the event of any subsequent modifications to the policies and procedures where staff are affected.
Legal/Procurement:	The report is designed to reduce the risk of the Council breaching H&S Legislation and the Corporate Homicide and Manslaughter Act
Property:	none
Risk Management:	The report proposes a number of changes to tighten up process that will reduce levels of risk associated with the Council's Transport arrangements.
Equalities Impact Assessment:	The EIA indicates that the proposals will have a positive impact on certain groups eg learning / physical disabled who are transported as clients by the Council by reducing the risks associated with such travel. In addition there are age restrictions for higher risk driver groups

Executive Summary

1. Introduction

- 1.1 The purpose of this report is to introduce a policy and set of procedures designed to improve the management of risk around the Council's transport arrangements.
- 1.2 The transport arrangements cover
 - (1) The Council's fleet of staff leased vehicles
 - (2) The Council's "General Fleet" of minibuses managed by the Highways and Transport Service.
 - (3) Private vehicles of Council staff that are used on Council business.
 - (4) Private vehicles of Members that are used on Council business.

2. Proposals

- 2.1 There are a range of proposals set out in a number of procedures covering:
 - (1) Licence checks
 - (2) Driver training
 - (3) Risk assessment of drivers of the General Fleet
- 2.2 The policy and procedures have been prepared jointly by the Highways and Transport and Finance services. It is proposed that the ownership going forwards rests with Highways and Transport as this service has the skills and expertise to provide the technical advice regarding road safety and transport risk management.
- 2.3 One key requirement is that staff who use a car to perform their duties effectively, whether they are classed as essential users or casual users, are required to have business use insurance cover.

3. Conclusion

- 3.1 The Policy and procedures outlined in this report should result in safer and lower cost transport for the Council.

Executive Report

1. Introduction

1.1 This report sets out a new policy and a range of procedures for the management of Transport Risk. The aim of the policy is that it should cover all aspects of use of vehicles by Council staff and Members, whether their own vehicle, the leased fleet or Council General Fleet. Attached as appendices are a number of draft procedures that form the core of such a Policy:

- (1) Policy for Fleet / Driver risk management
- (2) Driving Risk Assessment
- (3) Work Related Road Safety Procedure
- (4) Driver Training procedure
- (5) Licence verification procedure
- (6) Minibus operating procedure

2. Purpose of the Policy

2.1 The main reasons for the introduction of these procedures are a set of requirements outlined by the Council's Motor Insurers "Risk Management Partners". These are set out below:

- (1) A written policy statement on fleet and driver risk management should be prepared and issued across the organisation
- (2) Robust procedures should be in place throughout the organisation to ensure all vehicle users hold (as a minimum) a full, current driving licence, which is appropriate for the class of vehicle to be driven
- (3) A written policy should be drafted, agreed and circulated covering vehicle use and prescribed medication, alcohol consumption, or the possession and use of illegal/controlled drugs.
- (4) The risks associated with work-related driving should be formally assessed by the organisation in line with legal requirements

2.2 There are a number of other reasons for putting the policy in place. The policy will enable us as an organisation to exercise control over:

- (1) The way our vehicles are driven
- (2) The purposes to which they are put
- (3) Those people we allow to drive them and under what circumstances they are allowed to drive the vehicles.
- (4) Staff and Members using their own vehicles for Council business.

2.3 This will also help minimise a range of risks that the Council is currently exposed to. For example:

- (1) Health and Safety Legislation states that the workplace “includes any place and in particular any vehicle used in connection with the employer’s trade or business whether owned by the employer or employee”. In other words the Council has a duty to manage occupational road risks as for all occupational risks. Successful prosecutions under H & S legislation against employers in relation to transport are becoming commonplace.
- (2) PUWER regulations (Provision and Use of Work Equipment Regulations) require training to ensure that drivers are trained and competent including those using their own vehicles for work.
- (3) Under the 1988 Road Traffic Act “causing or permitting” an employee to drive while disqualified from doing so or for driving a class of vehicle for which they are not permitted to drive.
- (4) If an Officer or Member has an accident using their own vehicle while on Council business and does not have business use insurance then the Council is likely to be liable.

3. Outline of key proposals

3.1 The key proposals contained in the procedures are set out below.

- (1) Full Licence verification for all employees who may drive, our vehicles, or their own on the business of West Berkshire Council must be checked annually, along with insurance certificates and, where appropriate MOT certificates. This will need to be carried out annually for all staff who drive on the Council’s business. The Council’s insurer has commented that “Licence checks should be undertaken by a competent person who has a fundamental understanding of all associated issues”. Corporate Board have determined that the appropriate checks will be carried out by line managers.
- (2) Provide and enforce vehicle driver training and assessment for our vehicle drivers, monitor the accident records of our drivers and put in place a system of further training assessment as required. An online training package is estimated to cost £5,000 pa.
- (3) Define the circumstances under which an individual can no longer drive for the Authority. E.g. number of accidents / number of points on driving licence.
- (4) Staff who are required to drive their own vehicles on Council business must be required to have Insurance for business use. This is specified as a requirement in the procedures.
- (5) Changes to the lease agreements with staff to ensure that controls are in place for drivers with a poor accident record. This will be implemented through a planned review of the Leased Car insurance arrangements.

- (6) Improvements to the Risk Management arrangements for drivers of the General Fleet to ensure proper assessments are carried out of all drivers.
- (7) Transfer the cost of paying the excess on damage for the General Fleet from the Highways and Transport Service to the drivers service, and increase the excess paid to £500 with the option of increasing this to £1000.

4. Benefits

- 4.1 The overall aim of these proposals is to reduce the cost of the Council's transport arrangements. This should happen by reducing levels of accidents and hence insurance costs, both premiums and self insured costs.
- 4.2 The procedures will also significantly reduce the risk of the Council breaching legislation and being prosecuted.

5. Recommendation

- 5.1 That the policy and procedures outlined in this report and its appendices be accepted and implemented.
- 5.2 That ownership of the Policy and Procedures sits with the Head of Highways and Transport.
- 5.3 That the Head of Highways and Transport can introduce minor amendments to the policies and procedures as appropriate from time to time.

Appendices

Appendix A – Fleet and Driver Risk Management Policy

Appendix B – Driver Risk Assessment

Appendix C – Work Related Road Safety Procedure

Appendix D - Driver Training procedure

Appendix E - Licence verification procedure

Appendix F – Minibus operation policy

Consultees

Local Stakeholders:

Officers Consulted: Risk Strategy Group – Corporate Management Team – Head of HR

Trade Union: Unison - GMB

Fleet and Driver Risk Management Policy

Document Control

Document Ref:		Date Created:	
Version:	1	Date Modified:	6 th August 2010
Revision due			
Author:	M Billinge-Jones	Sign & Date:	
Owning Service	Highways and Transport		
Equality Impact Assessment: (EIA)	Date undertaken:		
	Issues (if any):		

Chief Executive	Sign & Date:	
Corporate Director (Community Services)	Sign & Date:	
Corporate Director (Children & Young People)	Sign & Date:	
Corporate Director (Environment)	Sign & Date:	

Change History

Version	Date	Description	Change ID
1		WWRS	
2			
3			

This Policy is not for publication externally

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1. **Introduction**

- 1.1 Driving is one of the greatest risks faced by Officers and Members. Approximately 25% of all deaths and injury collisions involve those driving in connection with their trade or business.
- 1.2 West Berkshire Council is not only committed to reducing the level of road accidents but also to reduce the level of risk faced by employees and Councillors when driving. Although this commitment is aimed principally at driving whilst in the course of the Authority's business, it is intended to be a measure of support for drivers when using their vehicles for other purposes.
- 1.3 West Berkshire Council recognises that the Health & Safety of its staff extends to driving a motor vehicle whilst on Council business irrespective of vehicle ownership. It will therefore ensure that employees and Councillors are suitably appraised of roles and responsibilities by means of this Fleet and Driver Risk Management Policy and associated procedures.

2. **Purpose of the Policy**

- 2.1 The purpose of the Policy is:
- 2.1.1 To provide employees and Councillors with a greater understanding of road safety issues relating to:
- The driving.
 - The vehicle.
 - The journey.
- 2.1.2 To reduce the number of collisions and consequently the human and financial costs associated with those reductions.
- 2.1.3 To provide an effective system of monitoring driver behaviour for all who drive on business.
- 2.2 To ensure compliance with the Health & Safety at Work Act (1974) which states that a place of work "includes any place and in particular any vehicle used in connection with the employer's trade or business whether owned by the employer or employee."
- 2.3 To ensure compliance with Provision and Use of Work Equipment Regulations (PUWER) that require training to ensure that drivers are trained and competent including those using their own vehicles for work.
- 2.4 The Corporate Manslaughter legislation leaves all employers vulnerable to prosecution if they fail to provide for adequate measures to manage the risks associated with work related driving.

3. **Overall Policy Statement**

3.1 West Berkshire Council believes the Management of Occupational Road Risk (MORR) is the joint responsibility of employer and employees. It is the Council's policy to provide and maintain safe and healthy working conditions for all employees and Councillors and to provide the information, instruction, training and supervision required for this purpose.

3.2 All employees and Councillors should be made aware of the organisation's Fleet and Driver Risk Management Policy. To ensure this policy is kept up-to-date it will be reviewed annually or when new issues arise. Should managerial responsibilities change; policies will be reviewed and/or adjusted to reflect such changes. This will be the responsibility of the Head of Highways and Transport

4. **Applicability**

4.1 This Policy applies to:

4.1.1 All non-school based employees working for the Council, including those working from home or at non-Council locations.

4.1.2 Other persons including Elected Councillors, Consultants, Agency staff and Contractors working for the Council, external organisations working with the Council, whilst engaged on Council business .

4.1.3 Volunteers from the Volunteer Driver Bureau

4.1.4 Schools will be made aware of this policy and invited to adopt it and conform with the standards in it.

4.2 It is the responsibility of each employee and other person mentioned in Section 4.1.2 to familiarise themselves with and adhere to this Policy.

5. **Terminology**

5.1 The report covers all aspects of driver and vehicle safety. For the purposes of this policy and associated procedures the following definitions are used.

5.1.1 Leased Fleet – cars and drivers of the council leased vehicles that staff have for both personal and business use.

5.1.2 General Fleet – vehicles, including minibuses used to move the Council's clients and staff, purely on Council business.

5.1.3 Grey Fleet – vehicles owned by employees of the Council and Councillors that they may use on Council business.

6. **Policy**

6.1 It is the Policy of the Council to:

6.1.1 Provide and enforce vehicle driver training and assessment for our vehicle drivers.

- 6.1.2 Monitor the accident records of our drivers and input a system of further training as required. In some cases drivers may be banned from driving on Council business if their driving record indicates unacceptable levels of risk. Any such decision will be taken by the Head of Highways and Transport on the advice of the Transport Services Manager.
- 6.1.3 Define the circumstances under which an individual may no longer drive for the authority, having exhausted the full provision of driver training and education.
- 6.1.4 Obtain Licence verification, MOT verification and business use insurance verification for all employees and volunteer staff to ensure compliance with the Road Traffic Act and other related legislation.
- 6.1.5 Require all staff who use their own vehicles for work to have business use on their motor insurance. In addition vehicles used by employees must be fully roadworthy and maintained to such a standard. A valid MOT certificate must be obtained as appropriate
- 6.1.6 No modification is to be made to any leased or Council owned vehicle, except as agreed by the Transport Services Manager and carried out by an Authorised and recognised Agency for such work.
- 6.2 The Insurance cover provided by our Insurers on both the Leased Car fleet and the General Vehicle fleet allows the Council to authorise employees to drive vehicles without the provision of restrictive documentation which needs to be reissued when drivers change. In providing this concession, Insurers require the Council to verify, train and monitor that all employees adhere to the provisions of this Fleet and Driver Risk Management Policy
- 6.3 This Policy will be supported and implemented by the relevant risk assessments and procedures appended to this Polcy. These are:
 - 6.3.1 The Council's "Driver Risk Assessment" – Appendix B
 - 6.3.2 The Council's "Work Related Road Safety Standard Procedure" – Appendix C
 - 6.3.3 The Council's "Driver/Rider Training Standard Procedure" – Appendix D
 - 6.3.4 The Council's "License and Insurance Verification Procedure" – Appendix E
 - 6.3.5 The Council's "Policy and Guidelines on the Safe Operation of Minibuses" Appendix F
- 6.4 Mandatory additional training/assessment will be required for new employees not holding a U.K. driving license.
- 6.5 The current £250 minimum excess will increase to £500 and in future be payable by the drivers employing Service, when involved in an accident to a General Fleet vehicle. A higher excess of £1,000 may be charged at the discretion of the Transport Services Manager where there is evidence of multiple accident history/claims by a particular driver.
- 6.6 Vehicles from the General Fleet will not be hired or loaned out to any individual or outside agency without the prior permission of the Transport Services Manager.

6.7 General Fleet vehicles are available only for business use. Use for social / domestic and recreation purposes is outside the scope of the Council's General Fleet insurance and is forbidden.

7. **Roles and Responsibilities**

7.1 The Head of Highways and Transport is responsible for maintaining this policy.

7.2 All Heads of Service are responsible for ensuring their staff are aware of and abide by this policy and the associated procedures.

7.3 All employees that drive as part of their duties must read this policy together with the related procedures

8. **Failure to comply with WBC Fleet and Driver Risk Management Policy**

8.1 This document provides employees and others with essential information regarding Driving Risk and sets out procedures to be followed. It is the responsibility of all to whom this Policy document applies to adhere to these conditions. Failure to do so may result in:

- withdrawal of authorisation to drive specific vehicles and access to relevant services
- informal disciplinary processes
- formal disciplinary action (in accordance with the relevant policies)

8.2 Additionally if, after internal investigation, a criminal offence is suspected (for example under the Road Traffic Act), the Council may contact the police or other appropriate enforcement authority to investigate whether a criminal offence has been committed.

9. **Review**

9.1 This policy will be reviewed to respond to any changes in legislation and at least every 2 years.

9.2

Record of Risk Assessment (ref: Management of Health & Safety at Work Regulations 1999 & INDG382 – Driving at Work)	Activity, procedure or workplace being assessed: Driving for Work		
	Assessed by: John Theobald (Corporate Health & Safety Adviser)	Service: All Corporate Services (Generic document for Service modification)	Date: May 2010

Stage 1		Stage 4	Stage 5			Stage 6	Stage 7		
List significant hazards and effects.		Describe hazard control measures in place.	Likelihood	Severity	Risk rating	Identify any further controls required.	Likelihood	Severity	Risk rating
			L	S	LxS		L	S	LxS
1.	Road Traffic Collision with another vehicle or person causing Fatal / Serious injury from Road traffic accident (RTA).	Driver must hold full valid UK Driving License (appropriate to the class of vehicle driven), appropriate Insurance and an MOT Certificate (where appropriate). Line manager (or external agency) to make and record checks upon this documentation annually.	2	4	8		Amend Council Terms and Conditions to require all staff who need to use a car for their work to have business use insurance in place. In practice this means all employees outside of schools	1	4
2.	RTA due to Driver being under the influence of drugs / alcohol	Driver must not be under the influence of alcohol or un-prescribed drugs. If taking prescribed medicines check with GP or Pharmacist that it will not cause drowsiness or impair judgement and driving performance. Inform manager if that is the case and do not undertake the journey.	1	4	4				
3.	RTA due to being late for meeting / being held up in traffic then rushing to venue, driving too fast.	Planning journey – making assessment of route etc, leaving in good time and allowing for rest breaks or 15-20 minutes if over 2 hours duration.	1	4	4				

Stage 1	Stage 4	Stage 5			Stage 6	Stage 7		
List significant hazards and effects.	Describe hazard control measures in place.	Likelihood	Severity	Risk rating	Identify any further controls required.	Likelihood	Severity	Risk rating
		4.	RTA involving inexperienced driver, unfamiliar with vehicle.	1		4	4	
5.	RTA due to being unfit to drive i.e. poor eye sight, musculoskeletal problem etc	1	4	4				
6.	RTA due to driver not paying attention to the road due to use of mobile phone, in vehicle technology	1	4	4				
7.	Passengers being injured in the case of an RTA or Driver being injured during RTA by own passengers.	1	4	4				
8.	Driver injured by unsecured goods held on back seat or back parcel shelf, during an RTA	1	4	4				

	Stage 1	Stage 4	Stage 5			Stage 6	Stage 7		
	List significant hazards and effects.	Describe hazard control measures in place.	Likelihood	Severity	Risk rating	Identify any further controls required.	Likelihood	Severity	Risk rating
9.	Driver having an accident in an un-roadworthy / unsuitable vehicle	1. When using own/leased car, this must meet the current Road Traffic Legislative Standards. 2. Fleet vehicles to be checked and maintained in accordance with any WBC maintenance specifications 3. Annual checking of Insurance and MOT certificates by Line Manager (or external agency) if own vehicle used for work purposes (either essential or casual user).	1	4	4				
10.	Stress, Impact upon driver / passenger welfare during vehicle breakdown.	1.WBC owned, leased and hired vehicles covered by Corporate breakdown insurance cover. 2. Essential / casual users advised to arrange own personal breakdown cover. 3. Carrying out a pre journey vehicle check i.e. battery check, oil etc as advised by the Royal Society for the Prevention of Accidents (ROSPA)	2	2	4				
11.	Stress, Impact upon driver if Vehicle broken into.	Driver to ensure vehicle is fully locked, windows left fully closed and any valuable items stowed into the boot (or rear of van).	2	2	4				
12.	Possible Drowsiness, lack of concentration leading to RTA, if excessively long journey undertaken.	Use of website journey planners to accurately assess journey duration & plan overnight stops if necessary.	1	4	4				

Record of Risk Assessment	Continuation sheet. Use this page to continue with the Risk Assessment	Date:
	Upon completion, copy and discuss these findings with the Line Manager or their nominated representative.	

Stage 1		Stage 4			Stage 5			Stage 6			Stage 7		
List significant hazards and effects.		Describe hazard control measures in place.			Likelihood	Severity	Risk rating	Identify any further controls required.			Likelihood	Severity	Risk rating
13.	Possible Drowsiness, lack of concentration leading to RTA, if driving for long periods without adequate rest breaks	Planning of journey. Consideration given to other means of transport being more suitable, consider sharing driving, overnight stay etc and taking 10 - 15 minute rest breaks after 2 hours of continuous driving.			1	4	4						
14.	Increased likelihood of RTA because of bad weather.	Check of route / weather by media. Allow more time for journey or re-arrange when better weather expected.			1	4	4						
15.	Being struck by passing motorists if vehicle broken down.	Wear High Visibility Vest (PPE) whilst attending vehicle e.g. wheel change due to puncture, especially at night, if positioned on the roadside + Use of warning Triangle (if available).			1	4	4						

Stage 2: Indicate if additional assessments req.	Mobility Assistance <input type="checkbox"/>	DSE <input type="checkbox"/>	COSHH <input type="checkbox"/>	PPE <input type="checkbox"/>	Noise <input type="checkbox"/>	Fire <input type="checkbox"/>	Asbestos <input type="checkbox"/>	Other;
Stage 3: Indicate who could be harmed as a consequence of any of the above hazards?	WBC staff <input checked="" type="checkbox"/>	Public <input checked="" type="checkbox"/>	Cleaners / Security <input type="checkbox"/>	Contractors <input type="checkbox"/>	Other ↓			
	Pregnant person(s) <input checked="" type="checkbox"/>	Disabled <input checked="" type="checkbox"/>	Young Persons (under 18) <input type="checkbox"/>	Children (under 16) <input type="checkbox"/>				

Stage 8 Approval	Forward and discuss this Assessment with line manager. Ensure any further controls will reduce the risk to reasonably practicable level. Date risk assessment agreed / actioned:
	Line Manager Signature:
Stage 9:	

Record of Risk Assessment	Continuation sheet. Use this page to continue with the Risk Assessment	Date:
	Upon completion, copy and discuss these findings with the Line Manager or their nominated representative.	

Distribution	Verify all stages complete and distribution implemented. Line Manager Signature:		Date verified and distributed:	
---------------------	--	--	--------------------------------	--

1 st Review Date:	Signed:	3 rd Review Date:	Signed:
2 nd Review Date:	Signed:	4 th Review Date:	Signed:

Likelihood		Severity	
4	Almost certain	4	Substantial: Major RIDDOR
3	Likely	3	Moderate: over 3-day injury
2	Unlikely	2	Minor: Non RIDDOR
1	Highly unlikely	1	Trivial: No significant injury

Severity	4	4 Moderate	8 Substantial	12 Intolerable	16 Intolerable
	3	3 Tolerable	6 Moderate	9 Substantial	12 Intolerable
	2	2 Trivial	4 Tolerable	6 Moderate	8 substantial
	1	1 Trivial	2 Trivial	3 Tolerable	4 Moderate
			1	2	3
Likelihood					

Risk classification in action	
Intolerable	Cease this work immediately. Make task/area safe. Inform Service Head now.
Substantial	Not tolerable. Allocate suitable resources directly. Seek professional advice.
Moderate	Start or continue to monitor to ensure existing controls are maintained.
Tolerable	Resume, but continue to monitor to ensure existing controls are maintained.
Trivial	No further action required (i.e. existing safety controls are satisfactory).

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Work Related Road Safety Standard/Procedure

Reference: *
Version No: Draft 1
Issue Date: Nov 2009
Classification: *

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Change History

Version	Date	Description	Change ID

Related Documents

Reference	Title	Tier
	* Policy	
Appendix B	* Corporate Homicide and Manslaughter Act April 2008	
Procedure A	* licence verification	
Procedure B	* driver risk assessment/ * driver practical training assessment /* on line e-learning package / module * driver training flow chart	

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DRAFT

1. Purpose

- 1.1. Long term aims are to reduce the incidence and costs in both human and financial terms of work related road safety, through good management policy and clear practical guidance.
 - 1.1.1. To encourage a positive attitude towards safe traveling at work.
 - 1.1.2. To help managers and staff assess travel-related risks and take steps to control them.
 - 1.1.3. To clarify the responsibilities and expectations required of individuals and those with shared responsibilities for anyone who travels in association with their work.
 - 1.1.4. To monitor the effectiveness of the policy.
 - 1.1.5. To reduce the costs and other effects of crashes and offences and protect staff and assets.

2. Applicability

- 2.1. West Berkshire Council values its workforce and will endeavor to manage and control work related road safety through raising awareness and by good management practice.
- 2.2. This procedure applies to the driving and riding of vehicles by all employees, volunteers and elected members and covers arrangements for private, leased and council owned vehicles, including off road use.
- 2.3. The term 'vehicle' refers to; cars, vans, refuse trucks, lorries, low loaders, rider operated lift trucks, ride on mowers, road sweepers, mini buses, motor cycles, mopeds, quads, trikes, tractors, scooters, bicycles or any vehicle owned, leased or hired in for the purposes of carrying out the business of the Council.
- 2.4. The term 'employer' includes West Berkshire Council elected members, line managers, supervisors and anyone with a role of responsibility or authority over another.
- 2.5. The term 'employee' includes all West Berkshire Council staff, volunteer, temporary and casual staff; and should also be applied to people contracted to undertake Council business.
- 2.6. Minibuses and people carriers used to transport pupils, service users etc are covered by the Councils 'Guidelines for Minibus Operations'. See Appendix F.
- 2.7. No vehicle owned or leased by the Council shall be hired or lent to any group or individual for a fee or a running cost contribution, for any purpose that does not form the business of West Berkshire Council. This will not exclude leased car drivers from using their allocated vehicles for social , domestic and pleasure use.
- 2.8. No vehicle owned or leased by the Council can be used at any time for business use which does not form part of the business of the Council. Personal business of the employee concerned for employment with any other organization, or for the purposes of the business of any other organization, is prohibited under the terms of our Insurance cover, and, as such would render the Insurance cover invalid.

3. Roles and Responsibilities

West Berkshire Council recognizes that traveling at work ranges from very occasional journeys through to vocational driving. Managers and staff should apply the guidance contained in the appendices as appropriate for the individual and the type of journeys they undertake.

- 3.1. The Head of Highways and Transport has responsibility for ensuring that this procedure is kept up to date.
- 3.2. All Heads of Service are responsible for ensuring that their staff and volunteers operate in accordance with these agreed procedures.
- 3.3. All Council staff and elected members are responsible for familiarizing themselves with, and ensuring that they comply with this standard.
- 3.4. Support and Advice – All Corporate Safe Driving practices will be covered under the Road Risk Induction for ALL employees. This is provided by the Traffic and Road Safety Team within the Highways and Transport Service.

4. Corporate Safe Driving Practices

In general, the procedures are not intended to be prescriptive, but to provide guidance, information and advice to managers and employees. It will assist them, flexibly and sensibly to recognize, reduce and deal with the risks surrounding employees and volunteers whilst traveling on council business. It will also help West Berkshire Council meet a range of statutory requirements.

- 4.1. The following Corporate Safer Driving practices have been developed and will be delivered as part of the Road Risk Induction for ALL employer/ employees
 - Fitness to Drive – Vehicle and Driver/ Rider
 - Speed whilst driving
 - Use of Mobile Phone whilst driving
 - Drinking and driving
 - Drugs and driving
 - Seat Belts
 - Age – Related Young Driver: 17-24 years Older Driver: 65+ years
 - Parking whilst on Council Business
- 4.2. These will be updated and/ or added to as appropriate, as a result of changes in legislation and /or any relevant best practice guidance that becomes available.
- 4.3. Brief summaries of the eight safe Driving Practices are set out in Section 5.

4.4. The Safe Driving Practice instructions laid out in Section 5 should be complied with in full, by all employer/ employees whether vehicles are council supplied or privately owned and used in the course of their employment with West Berkshire Council.

5. Guidance – Brief Summary

5.1. Fitness to Drive/ Ride: Vehicle & Driver/ Rider

- No employer/ employee shall drive when unfit through illness or any other reason.
- Consideration needs to be made to provide a FREE eye-sight test for any driver, who doesn't already qualify under the VDU scheme.
- No employer/ employee shall be tasked with or permitted to schedule work that cannot be done within a normal working day, taking all circumstances into consideration.
- Relevant legal limitations on hours of work, including 'Drivers Hours' will be complied with, even where a specific legal restriction does not apply to the class of vehicle, the spirit of the regulations will be applied.
- No vehicle should be overloaded, either in terms of size of load or weight. All loads carried (passengers, animate or inanimate objects) must be secured at all times.
- Riders of cycles and powered 2-wheelers should wear appropriate protective equipment. This includes crash / cycle helmets and protective/ high visibility outer garments to reduce the risk of injury. Any 'loads' carried should fit into a secured container and not require the rider to hold it in place.
- Employer/ employees who are required to drive/ ride on Council business must hold the appropriate licence for the vehicle being driven. Overseas issued licenses (other than EU licences) must be exchanged for a UK licence within 1 year of arrival **into the UK**. All licences will be verified in accordance with the licence verification procedure.
- All employees will be required to complete an on-line risk assessment to identify potential risks faced or pose when driving. A suitable support programme will be identified to reduce risk and raise awareness of driving/ riding dangers as set out in the Driver Training Procedure.

5.2. Speed whilst Driving

All employer/ employees drivers/ riders should at all times comply with the speed limit in force on the public highway.

- Whilst complying with all legal speed limits, drivers/ riders should always drive at the speed that is appropriate for the conditions at the time and that will allow them to stop safely within the distance they can see to be clear.
- Work will not be scheduled that can only be completed by exceeding safe speeds.

- Drivers/ riders and supervisors will not undertake or sanction planned duties that will require or pressurize a driver/ rider to exceed legal limits for the vehicle or route.

5.3. Use of Mobile phone whilst driving

No employer/ employee will use a mobile telephone or any similar piece of telecommunications equipment (whether hand held or hands free) whilst driving. They should;

- switch off the phone before the start of the journey
- use voice mail or divert calls so the message can be left while the phone is switched off
- never make or receive calls or text messages whilst driving
- check for messages and deal with any calls, once parked safely with the engine switched off

5.4. Drinking and Driving

No employer / employees should drive while they exceed the legal limit for alcohol.

5.5. Drugs and Driving – including illegal, prescribed and over the counter medicines

No employer/employees should take illegal drugs

No employer/ employee should operate road vehicles of any sort whilst affected by legally taken drugs such as prescribed or over the counter medicines.

5.6. Seatbelts

All employer/ employees must wear a seatbelt if one is available, unless a 'Certificate of Exemption' is produced and verified. The law affects the front seats of all vehicles including vans, coaches, buses and goods vehicles where seatbelts are fitted and the rear seats of cars and small minibuses where seatbelts are fitted.

- Every occupant of the vehicle, front and rear must use their seat belt for all journeys regardless of the journey distance.
- Do not carry more passengers than the vehicle is designed to carry.
- When children are transported in a vehicle, a suitable child restraint system under current legislation guidelines will be followed.

5.7. Age –Related

- Drivers aged 17-20 must have held a full licence for a minimum of 1 year. Strict limits on the type of vehicles to be operated for this age group are in place and any minibus or passenger transport vehicle must not be used by anyone under 21 years of age. There is an additional excess of £500 for each and every loss on top of the existing policy excess and the Fleet Risk Manager and Insurance Officer Limit must be consulted if a car above groups 1-6 on the 20 group database is to be used. The

employees Head of Service will be required to approve the use of any vehicle for this age group.

- Drivers aged 21-25 years are required to either have a full D1 license or undertake a test before driving a minibus. There is an additional excess of £250 for each and every loss on top of the existing policy excess.

5.8. Parking whilst on Council Business

- Drivers must comply with relevant parking restrictions
- There is no exemption from the waiting or loading restrictions applying in the road.
- Officers and Members should always purchase a suitable ticket or display a relevant permit. Non – compliance resulting in a fine can **not** be claimed as a travel expense.
- Vehicles associated with inspecting or carrying out works on the highways should be identified with flashing amber lights and signed to comply with Chapter 8 (Traffic Signs Manual).
- All employer/ employees will comply with any parking restriction applied to that site by the owner/ operator when parking on council premises or visiting any other premises.

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<h1>Driver/ Rider Training Standard/ Procedure</h1>	Reference:	*
	Version No:	1
	Issue Date:	Nov 2009
	Classification:	*

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Related Documents

Reference	Title	Tier
	Policy	
	Work Related Road Safety Procedure	
Appendix A	Driver training flow chart	

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DRAFT

1. Purpose

- 1.1. To meet the changes in legislation (Corporate Homicide and Manslaughter Act 2008) and to promote best practice.
- 1.2. To encourage a positive attitude towards safe traveling at work.
- 1.3. To help managers and staff assess travel-related risks and take steps to control them.
- 1.4. To clarify the responsibilities and expectations required of individuals and those with shared responsibilities for anyone who travels in association with their work.
- 1.5. To monitor the effectiveness of the policy.
- 1.6. To reduce the costs and other effects of crashes and offences.

2. Applicability

- 2.1. This procedure applies to the driving and riding of vehicles by all employer/ employees and covers arrangements for private, staff leased and council general fleet vehicles, including off road use.
- 2.2. The term 'vehicle' refers to: cars, vans, lorries, low loaders, rider operated lift trucks, ride on mowers, road sweepers, mini buses, motor cycles, mopeds, quads, trikes, tractors, scooters & bicycles etc.
- 2.3. The term 'employer' includes West Berkshire Council, line managers and supervisors and anyone with a management role, given, assumed or any other authority over another.
- 2.4. The term 'employee' includes all West Berkshire Council staff, elected members, volunteer, temporary and casual staff; and should also be applied to people contracted to undertake Council business.
- 2.5. Under any of the above categories, all terminology is cross-referenced. Likewise there is no differentiation between single and plural, male or female, etc
- 2.6. Minibuses and people carriers used to transport pupils, service users etc are covered by the Councils 'Guidelines for the Safe Operation of Minibuses'

3. Roles and Responsibilities

- 3.1. The Head of Highways and Transport has responsibility for ensuring that this procedure is kept up to date.
- 3.2. Heads of Service are responsible for ensuring that the procedure is applied by all staff in their service
- 3.3. All staff are responsible for familiarizing themselves and ensuring that they comply with the procedure.

4. Risk assessment

- 4.1. The Council operates an on-line Work Related Road Risk Assessment profiler. This software provides a statistically validated risk assessment of attitude, hazard perception, behaviour, knowledge and exposure. It will identify those “high risk” individuals who are more likely to be involved in a crash. This application can be completed through any web enabled computer, the average completion time is 40mins.
- 4.2. All staff that drive on Council business will be required to undertake this test.
- 4.3. Identification of individual risk levels will be done through two separate methods:
 - Driver profiling
 - Competency based assessment
- 4.4. There are three possible outcomes that will identify suitable support and education via a traffic light system
 - Green – low risk: recheck in 18 months
 - Amber – medium risk: recheck in 12 months / medium risk (Fleet) & medium/high risk (Non Fleet): e-learning course (Drive Smarter or IRC)
 - Red – medium/high (Fleet) & high (Fleet / Non Fleet) risk: Driver/ rider practical training

5. E-learning driver/ rider educational support

- 5.1. The e-learning resource is designed to address recent changes to Corporate Manslaughter legislation, and it will:
 - Raise awareness of driving dangers
 - Promote long-term behaviour change where required
 - Reduce the risks our employer/ employees may face and may pose – when driving
- 5.2. Where an individual is assessed as an AMBER - Medium risk (General Fleet/ Lease Car drivers) outcome from Risk assessment the employees will be required to complete the following programme:
 - Year 1 – one module per month over a 12 month period
 - Year 2/3 – quarterly refresher

6. Driver Practical Training

- 6.1. Where an individual is assessed as a RED – medium/high (Commercial Fleet & Lease Car drivers) & high (Commercial Fleet/ Lease car drivers & Grey Fleet) risk outcomes from Risk assessment the employees will be required to complete the following programme:

- Practical driver assessment – Details should be obtained from the Senior Transport Services Officer (Risk Management) within the Highways and Transport Service.

7. Safe and Fuel Efficient Driving – as required (Local Transport Plan 3)

- 7.1. The main emphasis of the training will be on accident prevention and fuel reduction A SAFED training course will cover all aspects of vehicle management from vehicle checks through to better driving techniques (10-18% reduction in fuel costs)
- 7.2. A One day course (2 persons) – improves the drivers knowledge of the vehicle and the road. This training will be a requirement for drivers assessed as a RED – medium/high risk. The cost of this training will be borne by the employee's service.

8. Travel / mileage claim form

- 8.1. Employees are required to sign an expenses claim form with the statement, "For any mileage claimed I hold a current driving licence and have insurance valid for business purposes". No payment can be made without this form.

9. Failure to comply with this procedure

- 9.1. Employees who drive their own vehicles on council business must have "business use" insurance cover in place. Employees must not drive their cars on WBC's business unless cover is in force.
- 9.2. Employees' own Insurers may refuse to pay claims if an accident occurs whilst driving on WBC business unless this cover is in force.
- 9.3. Any employee who refuses to make their documents available will not be allowed to drive on council business. Refusal to comply may lead to disciplinary or other action to remedy the situation if not being able to drive has a significant impact upon their ability to fulfil their contract of employment
- 9.4. In such cases mileage claims will not be authorised for payment until the documents have been verified.

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Licence and Insurance Verification Procedure	Reference:	*
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Related Documents

Reference	Title	Tier
	<i>Car Allowances – Advice Note for Managers</i>	

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6.	Insurance	4
7.	Servicing	5
8.	MOT.....	5

1. Purpose

1.1. Employees who drive on Council business must be appropriately insured, hold a valid driving licence, ensure that their car is roadworthy, and have a valid MOT where required.

1.2. The Council's business includes all journeys apart from travel to and from the employees normal place of work. For example attendance at a training course in another Council building, eg Shaw House does count as business use.

1.3. This procedure sets out the requirement for managers to make annual checks of documentation.

2. Applicability

2.1. This procedure applies to all employees who drive on Council business. This includes:

- Leased car drivers
- Staff and Members using their own cars
- Staff and volunteers using the General Fleet vehicles, eg minibuses managed by the Council's Highways and Transport Service.

3. Failure to comply with this procedure

3.1. Employees who drive their own vehicles on council business must have "**business use**" insurance cover in place. Employees must not drive their cars on WBC's business unless cover is in force.

3.2. Employees who do drive on Council business without business use insurance cover in place, will be driving illegally, will be open to prosecution and their Insurers will refuse to pay claims if an accident occurs. In such circumstances they will also be subject to disciplinary action by the Council.

3.3. Any employee who refuses to make their documents available will not be allowed to drive on council business. Any refusal to comply with this policy will lead to disciplinary action to remedy the situation if not being able to drive has an impact upon their ability to fulfil their contract of employment, eg essential car users or staff who travel regularly but do not qualify as essential car users.

4. Roles and Responsibilities

4.1. The Head of Service has overall responsibility for ensuring the procedure is managed appropriately in accordance with these agreed standards.

4.2. Line managers are responsible for;

4.2.1. checking with relevant employees on an annual basis that they hold the correct documentation. In the case of new employees these checks should be carried out when they start employment with the Council.

4.3. Managers should ask employees to produce the following original documentation:

- Driving licence (both parts)
- Insurance certificate
- MOT certificate if the car is more than three years old

4.4. All employees who use their own cars on Council business are responsible for familiarising themselves with, and ensuring that they comply with, the requirements set out in this procedure.

5. Driving Licences

5.1. Employees must hold the appropriate driving licence for the vehicle being driven.

5.2. If an employee is driving on a licence issued overseas (other than EU Nationals) this must be exchanged for a UK licence within 1 year of arrival in the UK. It is illegal to drive in the UK after this period unless the licence has been exchanged.

5.3. Managers must check the counterpart licence as well to ensure that the address is the same as that known to WBC

5.4. Employees must declare any endorsements on their licences to their insurers and managers should ask them if they have done so. Insurers can refute claims if information like this has not been disclosed.

5.5. Employees who have leased cars must disclose any driving convictions and endorsements to the Insurance Team in the Finance Service.

5.6. Employees and volunteers who drive any of the Council's fleet of vehicles managed by Highways and Transport must declare any driving convictions and endorsements to the Transport Services Manager in the Highways and Transport Service.

6. Insurance

6.1. Employees who use their own vehicles for any business travel must have full business use cover on their insurance policy. Without this cover an employee must not drive on WBC business. Home to normal place of work travel is not classed as business travel. Any other travel related to work is classed as business use.

6.2. Mileage and Lump Sum allowances paid to employees who drive their own cars on business are designed to cover any additional expense which the insurance company may charge for "business use" cover.

6.3. Managers must check the insurance certificate to ensure that it is in the name of the employee and the address matches that known to WBC.

7. Servicing

7.1. It is the responsibility of employees to ensure that they adhere to the servicing schedule for their vehicle and maintain it in a roadworthy condition.

8. MOT

8.1. The first MOT is required once a vehicle is three years old. The MOT certificate is not a guarantee of the general mechanical condition of a vehicle.

8.2. The line manager must check to ensure that a valid MOT certificate is in place for all private vehicles that are used for Council business.

8.3. The Lease Car Scheme Administrator will ensure that MOT certificates are in place for lease cars.

8.4. The Transport Services Manager in the Highways and Transport Service will ensure that MOT certificates are in place for General Fleet vehicles.

Check List for Managers

Name of employee	
Job title/Service Unit	
Name of line manager	

The following Documents have been checked:

	Documents	Checked by	Date
1	Driving licence (including counterpart); <ul style="list-style-type: none"> • Valid for driving in United Kingdom • Matches name and address known to West Berkshire Council 		
2	Insurance certificate; <ul style="list-style-type: none"> • Includes business use for the vehicle being used by the employee • Name and address on certificate matches that shown on driving licence 		
3	Current MOT (where car is more than 3 years old)		

<p>Statement of compliance by the employee / driver</p> <p>I confirm that I have a valid driving licence and that I have informed my line manager of any endorsements.</p> <p>I confirm that where I use a car, other than one provided by the Council, that the car is serviced and maintained in accordance with the law and manufacturers instructions</p> <p>I confirm that, where appropriate, I have obtained a valid MOT test certificate.</p> <p>I confirm that where I use a car, other than one provided by the Council, that I have insurance in place that includes business use.</p> <p>I confirm that where I have a car provided through the Council's leased car scheme, that I do not allow any other named driver, eg spouse to use it in connection with their employment, but only for social and domestic purposes.</p>
Signed by
Dated

Signed (line manager)	
Dated	

THIS FORM MUST BE RETAINED BY THE HEAD OF SERVICE FOR AUDIT PURPOSES.

Transport Services Team



Policy and Guidelines on the safe operation of minibuses

27th January 2010
1st August 2010 (revised)

CONTENTS

Please note:

This is a formal and very detailed document intended for the use of Members, Directors and Senior Managers

A more concise 'quick reference' in the form of a driver's guide accompanies this Policy & Procedure which is written to provide a much easier read document for transport commissioners, Managers, drivers & passenger assistants

note to group, I will index the document when final changes are made

INTRODUCTION

The responsibility placed upon us when conveying passengers in a minibus is very great, we become responsible for other peoples lives. They are deserving of our best efforts to ensure that their journey, whether of a hundred miles or just across town, is as safe as possible. The guidance given in the following pages is intended to assist all those with such a responsibility to make the right judgements. It cannot replace good judgement, but does provide some rules to follow and a framework, which encourages good practice and helps the sensible exercise of responsibility.

If you have any doubts about good practice contained in this document you should consult your Manager in the first instance or alternatively contact the Council's Senior Transport Services Officer (Risk Management). Each Directorate remains responsible for ensuring compliance with the Council's minibus safety procedures and practice. These will be monitored and enforced by the Council's Senior Transport Services Officer (Risk Management). However, the contents of these guidelines represent a minimum corporate standard to be applied in the operation of minibuses.

Please take whatever measures you can to review your practice in minibus operation, and plan for safety in the short, medium and long term. The investment of time and other resources will be amply repaid through an unblemished safety record.

These guidelines, whilst written especially for minibuses (9-16 passenger seats), also covers the use of multi purpose vehicles (People Carriers).

In addition to these guidelines, all aspects of West Berkshire Council's Work Related Road Policy MUST be adhered to at all times. These guidelines are an appendix to the main WRRS Policy

1. **WHAT IS A MINIBUS AND WHO MAY DRIVE ONE?**

1.1 Definition

A minibus is defined as a vehicle, which has been constructed or adapted to carry more than 8, but no more than 16 seated passengers in addition to the driver. The gross vehicle weight should not be more than 5000 kg. Although a people carrier is not legally defined as a minibus, these guidelines also include the use of people carriers.

1.2 Licensing and Insurance

The legal requirements are that any person who is aged 21 or over, and obtained a car licence prior to 1 January 1997, may drive a minibus as defined above, provided the vehicle is not being operated for hire or reward .

Anyone who passed a car driving test after 1 January 1997 will be licensed to drive category B vehicles only, which will cover vehicles up to 3.5 tonnes with not more than 8 passengers. An additional test and medical report will be required to gain a D1 licence, which covers minibuses. Drivers who passed the test before 1 January 1997 will be automatically granted the right to drive Category D1 vehicles and will not need to take the new test.

West Berkshire Council drivers must also be authorised by their Manager to drive a minibus. To drive a minibus in mainland Europe for hire or reward the driver must have a full PCV category licence.

1.3 Competence

The fact that a person conforms with the Council's requirements does not make them safe or competent to drive a minibus. Therefore, **all** minibus drivers must undergo MiDAS (Minibus Driver Awareness Scheme) minibus driver training and assessment, organised through the West Berkshire Council, Transport Services Team, prior to their authorisation. Minibus drivers must be retrained & assessed every 4 years, or after any accident deemed their fault.

1.4 Standards and Safety

Within the Council there are drivers employed specifically to drive minibuses and others who drive minibuses as an adjunct to their normal duties. In both cases, the same high standards and basic competence are expected as drivers are entrusted with the lives of their passengers. Passengers may be school pupils, Community Care clients, or other West Berkshire Council employees. The first consideration of the driver and the driver's supervisor or manager must be passenger safety.

1.5 Guidance for Drivers and Managers

These Guidelines are designed to inform, guide and advise drivers and those responsible for them. Please refer to it regularly. If you have any queries make use of the contact details given. Drivers and managers are responsible for the minibus in law, and should follow guidance provided for them.

By following such guidance, the law will be complied with, passengers will be treated properly, and accidents will be avoided.

MINIBUSES ARE IN GENERAL A SAFE AND CONVENIENT FORM OF TRANSPORT, WHICH GIVES USERS THE ABILITY TO EXTEND THEIR ACTIVITIES AND AN EXTRA DEGREE OF FREEDOM. USE THEM WITH CARE.

2 **DAY TO DAY MINIBUS OPERATION**

2.1 Managers' Responsibilities

There is a responsibility on those who manage drivers of minibuses to ensure that the driver is assessed in their competence to drive, meets current West Berkshire Council Work Related Road Safety (WRRS) Policy, meets appropriate health standards and conforms with insurance requirements. The manager should also check that proper precautions have been taken for the passenger's safety and well being. Managers are responsible in this way for both regular trips on a set route or one off trips and visits, such as excursions, educational visits or holidays. Where trips are of a regular, repetitious nature, the Manager should reassess the arrangements regularly. One off trips must be considered as they arise, taking into account the length and time of the journey, the number of drivers on longer trips, safe driving hours, regular breaks for passenger and driver comfort. If the trip takes place after the usual working day, special attention must be given to the issue of driver fatigue. Also, escorts may be needed on short or long journeys, depending on the type of passenger carried, and Managers are responsible for ensuring they are available when needed. **Managers must ensure driving licences are checked in accordance with West Berkshire Council's WRRS Policy.** Management responsibilities extend to heads of establishments, headteachers and school governing bodies, community groups and voluntary organisations, or any West Berkshire Council employee who authorises a minibus journey. Headteachers' and governors' are advised to refer to the Safety Guidelines for School Visits for further guidance. The Manager must always consider the need to undertake manual handling risk assessments and training for any loading/unloading operations.

2.2 Drivers Responsibilities

Drivers are responsible for carrying out safety checks before a minibus is used following current West Berkshire Council 'Nil Defect' system. If they are not competent to carry out these checks, or if the checks give cause for concern about the vehicles safety, they must not take it on the road and should seek guidance from their Manager. Drivers must be satisfied that their passengers are safe in every respect before embarking on a journey. This includes travelling with proper supervision/escorts where they are needed, the proper fitting of seat belts and restraints, wheelchairs secured to proper points, and the operation of ancillary equipment such as passenger lifts, which they must be trained to use, or which trained escorts may operate.

Where longer journeys are undertaken, drivers must ensure that they are not driving too many hours without proper breaks, and that if necessary a relief driver is available. The driver should not be distracted from his/her task, and if the type of passenger carried means this is likely, then an escort should be carried. Smoking is prohibited in any minibus as is the consumption, use, or transportation of drugs (unless medically authorised) or alcohol.

Drivers must notify DVLA Swansea and their Manager about any medical condition or defect that might affect their driving and restrictions applied by DVLA, including courses of prescribed medicine and eyesight. Details of any such condition or defect should be referred to the Council's Senior Transport Services Officer (Risk Management), Personnel, and Occupational Health & Safety. They should immediately inform their Manager if charged with any motoring offence, even if in their own car, motorcycle, or any other vehicle.

2.3 Passengers' Responsibilities

Drivers should expect responsible behaviour from passengers. For example, passengers are expected to remain in their seat, wear the seat belt, not cause any disturbance or distract the driver, and follow reasonable instructions from the driver to ensure the safety and comfort of themselves and other passengers. Where passenger's behaviour repeatedly causes problems for drivers and escorts, the driver's Manager must be informed and consideration given to whether the passenger should be conveyed by minibus in the future, or whether special supervision arrangements are needed. Some passengers on West Berkshire Council minibuses, such as young children or people with learning disabilities can only be expected to have a limited understanding of their responsibilities as a passenger. Whilst an escort must be travelling with such passengers, it should be explained to them, so far as possible, what their responsibilities are as a passenger.

2.4 Vehicle Log Sheet

A log must be maintained for each minibus giving details of the driver, journey and mileage. This enables Managers to monitor vehicle use, and provide drivers with a clear record of their driving activities. A log entry should be completed for every journey. At times when it is mandatory to use a tachograph (for continental journeys) this should be noted in the log. Minibuses must not be used on the continent unless a tachograph is fitted. For advice and guidance on driving abroad, please contact the Council's Senior Transport Services Officer (Risk Management).

2.5 Vehicle Checks and Maintenance

Vehicles must be checked by the first person using the vehicle each day. The check will be in the form of a Vehicle 'Nil-Defect' Check, the form will be signed by the driver to show no defects are found and will be passed to the driver's manager at the end of the day. Vehicle Defect Forms should then be returned to Transport Services Team and in the event of a defect being found the vehicle must not be used until the defect is cleared.

If a moving traffic offence is caused, say, by a brake light bulb being broken it is the driver at the time that has committed the offence. Documentary evidence that a daily check was carried out may save the driver a fine and possible 3 penalty points on their licence.

In order to ensure that vehicles are safely used on the highway it is imperative that they are maintained to the very highest standards. This should be carried out through West Berkshire Council Transport Services Team commercial vehicle repairer. There should be no compromise on servicing. Low quality servicing, maintenance or repairs may compromise safety and cost more in the long run.

Minibuses being operated under Section 19 Permit regulations require additional safety inspections to be carried out, every 4-12 weeks depending upon circumstances. If you have any doubts about service or safety inspection intervals please consult the Council's Senior Transport Services Officer (Risk Management).

Always ensure that the correct class of MOT is obtained. Not all Class IV garages can carry out a Class V test (that prescribed for a minibus). Again, if in doubt, consult the Council's Senior Transport Services Officer (Risk Management).

2.6 Minibus Permit

What is a minibus permit? – Under the Transport Act 1985 Section 19, VOSA (Vehicle & Operator Standards Agency), through West Berkshire Council Transport Services Team can issue a minibus permit and vehicle disc. This Act must be strictly adhered to, the disc displayed and the vehicle equipped with a fire extinguisher, first aid kit and marked as to comply with the Road Vehicles Construction and Use Regulations 1986. The disc only permits use of the vehicle for purposes related to the Council's responsibilities to the Community of West Berkshire. If the vehicle is being used for other purposes (e.g. by an organisation such as a local Scout Group), and a payment is being made by or on behalf of passengers, the user organisation must supply its own S.19 permit, which can usually be obtained from the organisations parent body or from the VOSA. The West Berkshire Council permit must be removed from the vehicle for the duration of use by such external organisations, and the need for them to obtain their own permit should be specifically drawn to their attention.

The permit allows the vehicle operator to levy a charge to recoup running costs provided there is no profit element in the charge.

A charge is made for the permit, please contact the Council's Senior Transport Services Officer (Risk Management) for further details. Only one minibus can be used at any one time under a single permit, although the permit is not specific to the vehicle but to the "operating body". Where establishments run more than one minibus, they will need an extra permit or permits. If an extra vehicle is borrowed or hired it will require a permit.

The permit is always a requirement and the disc must be displayed in the vehicle.

A S.19 permit is needed to achieve exemption from the UK requirement for the driver to hold a PSV licence and the operator to hold a commercial 'Operators' licence.

It must be stressed that this is an important part of transport legislation. If you are in any doubt at all about the carriage of passengers, charging and whether hire or reward exists, please consult the Council's Senior Transport Services Officer (Risk Management).

2.7 Defect Reporting

Each vehicle must be equipped with a defect reporting book/pad. They must be completed every day the vehicle is in use and could provide the means to ensure that daily checks are being carried out.

A defect report must be completed even if the report shows a nil return. This is called a "NIL Defect Reporting system". Completed reports must be handed to the person responsible for the vehicle, either for filing if a nil report or for onward transmission to the repairer with a copy being retained.

2.8 Fire Prevention and First Aid Kit

Each vehicle must be equipped with two (one is the minimum requirement) extinguishers with BS Kite mark, and with an adequate first aid kit. If in doubt about what should be included in the first aid kit, consult the Health & Safety Adviser. The extinguisher must be in plain view for ease of access in an emergency. The minibus must not be used if an extinguisher is not fitted. Additional extinguishers are required if passengers who use wheelchairs are carried.

2.9 Vehicle Load and Towing

Passengers

No vehicle must carry more than one passenger per seat, irrespective of the age of the passengers. The stated passenger capacity of the vehicle must not be exceeded, and standing passengers are not permitted. Passenger seats must be forward facing with an appropriate seat belt.

Luggage

There are many recorded cases of passengers being injured by unsecured luggage in the event of sudden braking, an emergency stop or an accident. All luggage and authorised equipment must therefore be stored safely and securely with particular attention paid to heavy items such as jacks and tools. Care must also be taken to ensure that luggage does not block the vehicle gangways, hindering emergency evacuation. If luggage or equipment is to be carried regularly, the following options should be considered.

- Reduce the seating capacity to create a luggage area within the vehicle with appropriate fixings for securing luggage equipment. It is strongly advised that where seating is removed to facilitate dedicated luggage space, seats from the extreme rear of the vehicle are removed, as this is a recognised 'crush area' where body shell intrusion is more likely in the event of a rear end accident.
- Fit a roof rack or luggage box, fitted and loaded in accordance with the manufacturer recommendations. A roof load must be evenly distributed, must not exceed the height of the rack and weigh no more than 200 lbs (91 kgs). Fixings should be regularly checked.

Towing

The use of a trailer is an alternative means of carrying luggage or equipment, but there are restrictions, which must be observed when the vehicle is towing. Unless the vehicle has a separate nearside door to the passenger compartment which is available to all passengers (other than the front door), passengers must not be carried when towing a trailer, since the towing fixtures impede emergency exit through the rear doors. The only exception is for front seat passengers whose exit would not be impeded. Separate speed restrictions also apply when towing a trailer.

Use of second vehicle for luggage

Where a large amount of luggage is to be carried, it is advisable to run a second vehicle to carry it.

2.10 Gross Vehicle Weight

This is normally stated on a plate affixed to the doorstep riser of the vehicle. This figure, which is the maximum permitted load combination for passengers and luggage, must not be exceeded at any time. If in doubt, you may wish to drive to a recognised weighbridge for a test weighing, (West Berkshire Council, Transport Services Team, can advise on the location of suitable weighbridges).

2.11 Excise Licence Fee

In certain cases where only disabled passengers are carried (including one escort and one driver as able bodied) it is possible to obtain a zero rated excise licence. Should this method be adopted, at no time must the vehicle be used to carry able bodied passengers (nor is it even legal for the driver to just drive to the shops with the vehicle unloaded).

Very careful consideration must be given to seeking a nil excise licence. In most circumstances it will not be appropriate and will hinder proper use of the vehicle.

2.12 Seating

Forward facing seats with seat belts are a statutory requirement for all passengers. All passengers must travel in forward facing seats.

2.13 Reversing Vehicles

The reversing of vehicles is an important part of driving a vehicle and is potentially the most hazardous. In order to protect the driver from unnecessary accidents and for the protection of any person in the vicinity of the vehicle the following procedures must be adopted:-

- Ensure that the vehicle is fitted with reversing beepers.
- When reversing, ensure that the Passenger Assistant or a member of staff stands outside the vehicle at the rear and in view of the driver.

- The driver should wind down his/her window in order to be able to hear the person outside the vehicle.
- It is good practice to issue the Passenger Assistant or member of staff with a whistle in order to alert the driver of any apparent danger.

2.14 Speed Limits

Minibus over 3 tons (3050 kg) unladen weight, not towing trailers, and capable of carrying 9 or more passengers:

-	Motorway	62 mph
-	Unrestricted dual carriageway	60 mph *
-	Unrestricted single carriageway	50 mph *

* **Provided that lower limits are not in force**

2.15 Conveying Passengers who use Wheelchairs

- (a) All persons required to assist in the transportation of wheelchair passengers **must** be trained in the safe operation relating to the carriage of wheelchair users. This training is available from the Transport Services Team.
- (b) It is important that only staff who are competent assist wheelchair passengers, whilst boarding, travelling in, or alighting from a vehicle. Drivers should ensure that all wheelchair movement is carried out by themselves, or their Passenger Assistant. This is the only way to be sure of passenger safety. All staff working on a wheelchair minibus must be trained - accessible MiDAS (drivers), Safe Transportation of Wheelchairs (Passenger Assistants)
- (c) Drivers must ensure that there is sufficient space to locate wheelchairs in the minibus. For full size wheelchairs, a minimum space of 1300mm long by 700mm wide is required. Legislation (VSE 87/1) and Best Practice (MDA 2001 / 2003 / 2005) **must** be followed at all times
- (d) Wheelchairs must not block exits, as this would contravene the safety regulations laid down in the Minibus Regulations.
- (e) Wheelchairs must not be located in such a way as to block any gangway.
- (f) All wheelchairs must have their tyres fully inflated, their brakes applied and be securely anchored to floor tracking, preferably by means of 4-point webbing restraints, or by Quatro restraints. In addition, a means of securing the wheelchair occupant in the vehicle must be used by using two or three point harnesses on the floor tracking. Electric wheelchairs must only be anchored by the use of 4-point webbing restraints. (Metal Clamps **must not** be used for **any** wheelchair). Please consult Senior Transport Services Officer (Risk Management) regarding the appropriate system to be used for securing different types of wheelchairs.
- (g) Passengers must be secured in wheelchairs, preferably by means of a lap and diagonal seat belt attached to the floor tracking. As appropriate to the passenger, an inertia reel full harness or static harness may be used.

- (h) If in doubt how to secure a wheelchair bound passenger, consult the Council's Senior Transport Services Officer (Risk Management). **DO NOT TAKE RISKS** – it is the driver's responsibility to ensure the safety and security of passengers.
- (i) Similarly, if a passenger in a wheelchair refuses to wear a seat belt and/or have the wheelchair secured appropriately to the vehicle, consult your Manager/Supervisor or the Council's Senior Transport Services Officer (Risk Management). **Wheelchair passengers must not be transported without the appropriate restraint of both the wheelchair and the occupant.**

2.16 The Safe Use of Passenger Lifts

- (a) All persons required to operate passenger lifts **must** be trained in manual handling and in the safe operations of passenger lifts.
- (b) The engine must be switched off when the passenger lift is being operated,
- (c) Wheelchairs placed on the passenger lift must have their brakes applied and must be facing into the vehicle.
- (d) Care should be taken to ensure that clients do not have their feet at the edge of the platform where it meets with the floor of the vehicle.
- (e) When the platform is returned to the "Parked" position make absolutely sure that it is secure.
- (f) Electric wheelchairs must have engaged neutral and should be wheeled manually on to the lift platform and whilst being maneuvered within the minibus.
- (g) The lift platform must have the safety stop raised.
- (h) This equipment can be dangerous if not operated correctly and must only be used by staff who have been given proper instruction.
- (i) The carriage of electrically powered mobility scooters is strictly forbidden. Please refer to the Council's Senior Transport Services Officer (Risk Management) for guidance.

In order that the Council can satisfy themselves that passengers are assisted on and off vehicles safely, and competent persons correctly use associated equipment, it is an essential requirement that all staff using accessible minibuses undertake the Council's "Safe Transportation of Wheelchairs" training course. This course covers passenger assistance techniques, disability awareness, the use of passenger lifts, and the safe transportation of passengers. Additionally, drivers need to have undertaken the wheelchair accessible version of the MiDAS course

2.17 Insurance Cover

Insurance cover may be obtained for any minibus operated by a Council establishment either through the West Berkshire Council scheme or from other commercial insurance companies. Details of cost of the West Berkshire Council's scheme may be obtained on application. The Council reserves the right to refuse insurance on any vehicle it deems unsuitable or unroadworthy. DO NOT assume that a vehicle is insured through the Council's policy unless you have made specific arrangements through West Berkshire Transport Services Team or the Insurance Section.

- (a) **What Insurance cover do I have?** – If the vehicle is insured as part of the Council's Insurance Section then vehicles are comprehensively covered.
- (b) **Does the insurance cover minibuses hired in, or not owned, by the school or establishment?** – No. However, vehicles hired from the West Berkshire Council Transport Services Team are fully insured and costs are included within any hire charge. Vehicles borrowed from other Council establishments **may** be covered by insurance, but you must check.
- (c) Other Insurance Arrangements

Where schools or other establishments have made their own minibus insurance arrangements it is strongly recommended that fully comprehensive insurance is purchased. The use of the vehicle by other organisations (youth organisations, charities etc.) might not be permitted under other policies, and there may be other restrictions on vehicle use. If the vehicle is to be used abroad you are advised to check whether this will involve extra costs or any restrictive terms before purchasing the policy. Whilst excesses and exclusions from the policy may save you money in the short term, consider how they could prove more costly in the event of an accident, and whether the immediate saving warrants the risk.

3 **DRIVERS, ESCORTS AND PASSENGERS**

3.1 Driver Assessment and Training

Driver Training for minibus drivers, in the form of MiDAS (Minibus Driver Awareness Scheme) is Council policy. The training reduces risk for West Berkshire Council, enhances driver abilities, driver (and Manager) confidence, and provide an extra degree of assurance and safety for passengers. A minibus driver who has had training to drive such a vehicle will be a safer driver with a better understanding of the particular driving characteristics of a minibus as distinct from the car they are used to driving. The training of minibus drivers by qualified MiDAS instructors with minibus experience will highlight any driving faults, bad habits or potentially dangerous practices. In order to ensure the highest standards of safety for drivers and passengers, those driving minibuses & people carriers on Council business, **must** undertake training and assessment. Managers should monitor the performance and safety record of all who drive minibuses, whether it is their main task or an "extra". If there is any doubt about a driver's competence, regardless of the type of licence they hold and their previous record, steps

must be taken to investigate. Information concerning driver's accident records whilst working for the Council is held by the Insurance team at West Berkshire Council. Training for non-driving staff is also available and 'Safe Transportation of Wheelchairs' is essential for Passenger Assistants working on wheelchair accessible minibuses

3.2 The Availability of Assessment and Training

Advice and arrangements for minibus driver & passenger assistant training should be made by contacting:

West Berkshire Council
Senior Transport Services Officer (Risk Management)
Faraday Rd Council Offices
Newbury
RG14 2AF
01635-519106

Advice can also be given on legislation and the law, conveyance of wheelchairs, passenger lift operation and emergency evacuation procedures. If you are in any doubt about any aspect of operating or driving a minibus, please contact the Council's Senior Transport Services Officer (Risk Management).

There is a charge for the training, which is conducted on-road & in a classroom by a qualified minibus instructor. Training and assessment can be designed to meet the particular needs of individuals and establishments. Please contact West Berkshire Council Transport Services Team for details.

3.3 Driving Abroad

There are extra considerations involved in driving a minibus on the continent. West Berkshire Council Transport Services Team must be contacted and given details of any such journeys.

3.4 Tachograph Training

The use of a tachograph is a legal requirement for continental driving. West Berkshire Transport Services Team should be contacted to discuss the fitting and use of a tachograph. West Berkshire Transport Services Team can offer training in tachograph operation.

3.5 Authorised Minibus Drivers Records

All Council establishments must maintain a record of all staff who have undertaken minibus driver training and assessment. The need for such drivers should be regularly reviewed and if extra drivers are needed through increased minibus use or staff turnover, arrangements should be made through Transport Services Team for their training. Drivers who are not on the establishment's qualified driver list (or that of another establishment) **must not** be allowed to drive a minibus.

3.6 Health Requirements of Minibus Drivers

All staff to be authorised as minibus drivers must have completed a health questionnaire, undertake an eyesight test and meet all statutory requirements relating thereto, both on their initial training and on subsequent training. All employees who drive minibuses must inform their Manager about any medical condition, temporary or permanent, which may

affect their performance as a driver, so that the Occupational Health Service can be consulted for advice as to their continued capability to drive.

The types of medical condition for which DVLA (Swansea) may impose restrictions include neurological disorders like epilepsy, Parkinson's Disease, brain surgery, cardiovascular disorders like angina, heart attack, pacemaker insertion, diabetes, insulin dependant, or diet/tablet controlled, psychiatric disorders like psychosis or severe mental handicap, alcohol misuse and dependency, drug misuse and dependency, visual disorders.

In particular, insulin dependent diabetics **must not** drive minibuses.

All applicants, for whatever category of vehicle, **must** be able to read in good daylight a number plate at 20.5 metres (67 feet), and, if glasses or corrective lenses are required to do so, these **must** be worn while driving. In addition, minibus drivers must have:

- a visual acuity of at least 6/9 in the better eye; and
- a visual acuity of at least 6/12 in the worse eye; and
- if these are achieved by correction the uncorrected visual acuity in each eye **must** be less than 3/60.

Drivers **must not** have uncontrolled diplopia (double vision) or an abnormal binocular field of vision.

In certain circumstances, the Council's Senior Transport Services Officer (Risk Management) or Health & Safety Adviser, may require an employee to refrain from driving a minibus until their standard of medical fitness is formally established.

3.7 Alcohol/Drugs Policy

Alcohol, illegal drugs and certain prescription drugs plus some over the counter drugs, pain killers, hay fever and cold remedies etc, will affect driver ability, putting their safety and that of their passengers and other road users at risk.

Therefore, everyone driving Council vehicles, or driving on Council business, will adhere to the following:

Alcohol

- (a) No alcohol to be consumed during the working day.
- (b) No alcohol to be present in your system when driving. Be careful about alcohol consumed during the previous evening. IF IN DOUBT, DON'T DRIVE. YOU COULD PUT YOURSELF AND OTHERS AT RISK AND LOSE YOUR LICENCE.

Drugs

- (a) The possession and use of illegal/controlled drugs is a criminal offence. No one should drive if under the influence of drugs or if drugs remain in the system.
- (b) Certain prescribed and over the counter drugs can affect driver performance. Check with your doctor if you are unsure and obtain clearance to drive in writing.

Failure to adhere to this policy will result in disciplinary action being taken.

3.8 Supervision of Passengers and the Use of Passenger Assistants (Escorts)

The Council owes a duty of care to all passengers conveyed in the minibuses it operates, whether children, old people, able bodied, those with physical and/or learning difficulties. Passengers in some (or all) of those categories will require a greater than normal level of supervision to ensure that they do not become a danger to themselves or others when travelling in a minibus. It is the responsibility of the manager/supervisor at the planning stage to identify whether the nature of the passenger group requires the presence of an escort in addition to the driver. This judgement must be made for all journeys, short or long, regular or one off. Managers must take the following points into account when assessing the need for a Passenger Assistant: -

- Will passengers require assistance in boarding or alighting ?
- Is there the possibility of them vacating their seat or releasing their restraint during the journey?
- Are any of the passengers likely to upset or annoy others?
- Are any passengers likely to require assistance with health problems or medication?
- Are any of the passengers prone to over emotional, bizarre or otherwise unpredictable behaviour?

- Do they require someone to collect them from their front door (and return them there)?
- Might the driver be distracted from their task without a Passenger Assistant?
- Is there any reason to believe that an escort is required to ensure passenger comfort and safety?

As part of a risk assessment, Passenger Assistants (Escorts) must be provided if any of the answers to the above questions are “YES” and if any of the criteria below is met:-

- (a) Passengers are likely to have a seizure whilst travelling in the minibus.
- (b) Passengers with mobility problems are travelling on the minibus, either in or out of a wheelchair.
- (c) Passengers who exhibit a degree of challenging behaviour that could be a risk to other travelling on the minibus.
- (d) The minibus is conveying children.

Passenger Assistants should be seated in the main body of the vehicle during transit to provide the best view of all passengers. They must be familiar with passengers who have specific medical needs or challenging behaviour, and must have received appropriate training to respond to passenger’s needs and fulfill their duties. Passenger Assistants can be persons specifically appointed for the purpose or any other suitably trained & competent employee.

3.9 Unauthorised Passengers

Only authorised passengers (as determined by the operating Directorate or establishment) should be conveyed on minibuses. If there is any doubt about who may be conveyed, the Council's Senior Transport Services Officer (Risk Management) should be consulted.

3.10 Transport of Children in Minibuses

The following guidelines are designed to ensure that no child is placed in a vulnerable situation whilst travelling in minibuses:

- (a) Child seat & seat belt legislation must be followed at all times although it should be noted that the 2007 car seat legislation does not apply to minibuses (9-16 passenger seats). Further advice can be obtained from the Council's Senior Transport Services Officer (Risk Management).
- (b) Any child who refuses to remain in their appropriate child seat/restraint, must travel with an escort, who must ensure that the child remains in the restraint for their own safety. Any further problems must be referred to the appropriate Manager, with an option to refuse transport in future.

- (c) Seat belt adjusters must be used where fitted (e.g. 'Generation' belts).
- (d) Training in the correct use of child safety restraints is available. Please contact West Berkshire Transport Services Team.
- (e) No child under 12 is allowed to travel in the front seats of a minibus.
- (f) All Council staff used to transport children and vulnerable adults', **must** have passed CRB & ISA register checks. Similar checks should be made on drivers who are not Council employees e.g. agency staff, volunteers etc.
- (g) On no account must children share a seat under the old "3 for 2" rule when travelling on a minibus. Each child must sit in their own seat, using the appropriate restraints.

3.11 Oxygen

Where a passenger requires access to oxygen, it is permissible for oxygen cylinders to be carried provided they are securely clamped in an upright position, and that any valves or feedlines are closed off and cannot be damaged. A Transport Emergency (TREM) card must be carried on the vehicle at all times to inform the driver, escort and the emergency services and the vehicle must display appropriate signage. Full details are contained in West Berkshire Council's 'Transportation of Oxygen' policy document and further information & advice is available from the Council's Senior Transport Services Officer (Risk Management).

3.12 Driving Convictions

Drivers must inform their manager and the Council's Transport Services Manager immediately if charged with any motoring offence, regardless of whether the offence was committed in their own vehicle, a Council vehicle or any other vehicle. Similarly, any previous convictions should be made known to the Manager before a new/prospective minibus driver is allowed to drive a minibus.

If a driver is convicted, with the licence endorsed and penalty points imposed, the manager must consider whether the nature and severity of the offence pose any risk to minibus passengers. It may be appropriate to reconsider that individual's position, and at the very least arrange for their minibus driving skills to be reassessed. The Council's Senior Transport Services Officer (Risk Management) must be consulted before a decision is made about allowing a convicted driver to continue driving a minibus.

If, on conviction, a minibus driver is disqualified from driving then clearly they must desist from all driving with immediate effect.

On disqualification of up to six months duration, drivers will be banned from driving a Council minibus for a period of two years from the end of the disqualification period. They must undergo minibus driver training and assessment before driving a Council minibus again.

Where a disqualification is for a period of more than six months, the driver will be banned from driving a Council minibus for a period of five years from the end of the disqualification. They must undergo minibus driver training and assessment before driving a Council minibus again.

Before a disqualified driver is allowed to drive a minibus again, take care to ensure that there are not restrictions on the category of vehicle they are allowed to drive subsequent to the offence.

The imposition of these bans over and above the disqualification period is not arbitrary, but conforms with the potential pattern of re-offending for serious driving offences. Given the enormous responsibility of conveying passengers in a minibus, the Council's prime concern must be passenger safety. Conviction for a serious driving offence must give cause to doubt an individual's judgement and driving ability. Such doubt can only be dispelled after a reasonable period of time has elapsed in which the driver has demonstrated that they are not likely to re-offend.

If any driver accumulates 6 or more penalty points on their license they should be immediately referred to the Council's Transport Services Manager. The Council's Transport Services Manager has the right to ask an employee of any Directorate to undertake the Council's driving assessment and any relevant training. Where, in the opinion of Council's Transport Services Manager, there poses a significant risk to allow an employee to continue driving Council vehicles, a Council permit may be revoked. This will be communicated in writing to the employee's line Manager.

4 PLANNING FOR REGULAR JOURNEYS AND SPECIAL TRIPS

4.1 Approval

Approval of minibus use, whether for regular journeys such as those undertaken Community Care, or for "one off" use, such as a school visit, must be given by the appropriate level of management in the Directorate or establishment concerned. This management responsibility must be consciously and consistently exercised as an error in judgement could lead to severe consequences. Where minibuses are used on regular routes, such as the collection of clients, regular reviews of usage should be instituted. Points that managers must consider in approving and reviewing minibus use are shown in the following checklist:

- Is the driver suitably authorised/trained/experienced/qualified/responsible to drive the vehicle.
- Is an escort required?
- Is a safer/cheaper/more appropriate alternative to the minibus available?
- Does the driver conform to Council insurance requirements?
- Is the driver's health sufficiently good to drive a vehicle with passengers? Has the driver's health been checked recently, including eyesight?
- Has the driver's licence been checked & validated recently?
- Is the vehicle in good order, appropriately licensed with the proper class of MOT and is it insured?

- Is the vehicle suitable to carry the type of passenger to be conveyed? e.g. able bodied, people with disabilities, wheelchairs, special restraints, passenger lifts fitted, stretcher facilities etc. ?
- How will luggage/equipment be carried?
- Have driver's hours and rest periods been taken into account?
- Is a tachograph required (continental trips)?
- Will the gross vehicle mass be exceeded?
- Is there a valid minibus permit in the vehicle?
- Is approval required from any other source, e.g. appropriate Manager, school governors, parents, carers?
- It is recommended that prior to approval being given a journey Risk Assessment should be completed.
- For schools, the appropriate 'off-site activity' forms have been approved

4.2 Regular Short Journeys

The shortest safe route should be taken which takes in all necessary stopping points e.g. client's houses. Consideration should be given to short term hazards such as road works which may justify a route change or detour. If possible (and necessary) take note of useful facilities en route such as public toilets, doctor's surgery, public telephones for use in emergency. It would be advisable for the driver to drive the route without passengers first, both to become familiar with it and identify landmarks, facilities and potential hazards and to time the journey.

4.3 Longer Journeys and "One Off" Trips

In planning for longer journeys a preliminary visit and proper route planning are vital. The length of the journey (and thus the need for breaks/second drivers) can be assessed, stopping points with toilets identified for comfort breaks, parking locations found and alternatives listed. Potential problems or dangers can also be identified. For short or long journeys, regular or otherwise, a list of passengers with the name of the driver/escorts should be made and retained off the vehicle, with a copy for the driver. For both short and long journeys sufficient time should be allowed so the driver is not tempted to rush.

4.4 Driver's Hours

Managers and drivers of minibuses should pay close attention to driver's hours and rest periods. EU regulations, although not compulsory for most Council minibuses in the UK, it is strongly recommended that they should be adhered to. The departure time of journeys, particular longer ones is also an important consideration. For example, it may be better to leave early on Saturday morning on a long journey than depart Friday night after a full day's work. **Where journeys are likely to last longer than 2 hours, or the working day including driving time exceeds 8 hours, a second driver MUST be taken to share the work and reduce the risk of driver fatigue.**

4.5 Comfort Breaks

Where journeys of more than 2 hours are undertaken, a comfort break of at least 15 minutes should be planned to allow passengers and driver to use toilets, take refreshments and simply get out of the vehicle for a short term. The venue(s) should be identified when planning the trip. Where passengers have special needs, extra care should be taken in identifying suitable facilities, e.g. a disabled toilet, parking facilities which allow sufficient room for a passenger lift to be used etc. Passengers needs may dictate that a break is necessary on a shorter journey, and this should be considered at the planning stage. Comfort breaks may also be linked with driver's hours (see above).

4.6 Passenger Assistants (Escorts) and Passenger Supervision

As described above, it is a managerial responsibility to ensure that suitability trained Passenger Assistants (Escorts) are provided where necessary, to ensure that passengers needs are met, that drivers are not distracted from their task, and assistance in embarking and disembarking is available. In certain circumstances, the person acting as the Passenger Assistant (Escort) may also be a second driver. The use of Passenger Assistants should be considered in the circumstances as described at 3.8.

4.7 Expect the Unexpected

It is worthwhile to anticipate the worst and plan your procedures for dealing with problems large and small. The risk management approach will help you with this, whether your journey is short or long, regular or a "one off". Some suggested scenarios you may wish to plan are listed below.

- Ensure your mobile phone is fully charged and you have credit.
- What will you do if the driver is unwell? (longer journeys)
- Have you sufficient funds to pay for an alternative means of transport or accommodation in the event of breakdown or driver illness? (longer journeys)
- Do you know where the nearest hospital/medical facilities are located?
- In the event of problems, whom should you contact at home? (longer journeys)
- What if a passenger's medication is lost?
- A passenger cannot be found when it is time to depart.
- The keys of the vehicle are lost.
- A passenger suffers a major asthma attack.
- A passenger suffers an epileptic fit.
- Do you know how to obtain emergency help for the vehicle?
- Do you carry spare vehicle light bulbs and a warning triangle?

4.8 Comfort Kit

The following items may be useful on longer journeys, particularly where children are being conveyed. (In addition to a first aid kit)

- Disinfectant
- Sick bags
- Cloth & towel
- Tissues
- Rug/Thermal wrap
- Plastic gloves and apron
- Container/bottle of fresh water

- Pen and paper
- Torch
- Reflective waistcoat
- Plastic bucket
- Mobile phone
- Spare packed lunch
- Spare clothing

4.9 Trips Outside the UK

Please remember to consult West Berkshire Council Transport Services Team if a minibus is to be taken abroad. In particular you should be aware that any journey involving the use of a vehicle for hire or reward necessitates a driver who has passed a DSA Driving Test to drive passenger-carrying vehicles. The definition of hire or reward is very wide and includes almost any payment by or on behalf of passengers. This would certainly include any use of a Council minibus. Special insurance arrangements must be made, and a tachograph must be fitted for continental driving. Please note that additional vehicle recovery arrangements are also required.

To drive a minibus in mainland Europe for hire or reward, the driver must hold a D1 category licence without the 'not for hire/reward' restriction. If in doubt about the bona fides of any trip contact West Berkshire Council Transport Services Team or the Council's Insurance Section.

For journeys which take place within European Union Member States it is advisable to obtain an Own Amount Certificate (available from the D.O.T. International Road Freight Office, Westgate House, Westgate Road, Newcastle-Upon-Tyne NE1 1TW).

For journeys to non EU countries who are party to the ASOR agreement (Norway, Switzerland and Turkey) a Passenger Waybill and a passenger list must be carried (available from the confederation of Passenger Transport, Sardinia House, 52 Lincoln Inn Fields, London WC2A 2LZ).

Travel to all other countries is covered either by bilateral agreements between the UK and the country in question, or by that country's domestic licensing laws. Advice should be sought from the relevant country's embassy, tourist office or from the Department for Transport.

5 **BREAKDOWN AND ACCIDENT**

GUIDELINES IN THE EVENT OF A BREAKDOWN

5.1 Breakdown on Ordinary Carriageways

- (a) Move the vehicle as far to the left as possible. Switch on the hazard lights.
- (b) If you attempt to find a telephone, do not leave passengers alone in the vehicle. If you are transporting clients that cannot go with you, i.e. due to their physical or behavioural problems, you must be travelling with an escort.

If you break down, follow the contact information with the vehicle

- (c) If someone stops to offer help, stay inside the vehicle with the doors locked. Open the window sufficiently to ask them to go to the nearest telephone and notify the police or rescue service for you. Do not get into the car with a stranger or attempt to hitch a lift.
- (d) If a mechanic or the police arrive and are not in uniform or are in an unmarked vehicle, ask to see some form of identification before getting out of the vehicle.
- (e) Deploy warning triangles or cones if it is safe to do so.

5.2 Breakdown on the Motorways

The general procedures are the same as the guidelines for ordinary carriageways. However, extra hazards exist on the motorway.

If the vehicle breaks down on the motorway, or a serious fault develops, put your hazard warning lights on and pull over to the hard shoulder as quickly and as far off the carriageway as possible. If possible angle the front of your vehicle slightly inwards, which helps to indicate you have broken down. Once on the hard shoulder, try to coast to a telephone box. These are one mile apart along all stretches of motorway. Never reverse on the hard shoulder or attempt to cross the central reservation. This is illegal, highly dangerous and pointless, as the telephones on motorways should be in the same position of either side.

Make it clear to the person you are calling whether you are alone or with passengers when making a call for help. If alone stand behind the telephone facing oncoming traffic. You will see anyone approaching and it will be less obvious if you are a woman on your own.

Afterwards, return to the vehicle, lock all doors except for the front passenger door and wait by the side of your vehicle on the embankment behind the crash barrier. All people should wait by the side of the vehicle on the embankment, well away from the roadway and behind the crash barrier. If you are carrying potentially vulnerable passengers, e.g. wheelchair users or elderly people, inform the emergency services immediately.

5.3 Guidelines in the Event of an Accident

If you are involved in an accident and you are not injured, see whether anybody is badly injured. If medical attention is required, ensure help is summoned immediately. Do not remove injured people from a vehicle unless they are in danger. Loosen tight clothing, especially around the neck and make sure they are warm. Do not give them anything to eat or drink.

Try to reduce the risk of further collisions if possible by moving the vehicle/s off the road or warning on coming traffic of a hazard. Do not put yourself at risk by standing on the carriageway.

You are legally obliged to stop after a collision with a person, vehicle, dog, livestock or property. Please take all necessary details if other driver involved, i.e. make and registration of the vehicle, name and address of the driver, name of insurers and certificate number if known. You must, if required to do so by a person having reasonable grounds, provide the same information. If, having stopped, the exchange of information is not completed for any reason, the driver should report the accident to the

police as soon as possible. If possible, obtain names and addresses of witnesses, sketch plans or even photographs, may be of value. Do not admit liability. If you are involved in an accident with an unoccupied car, leave a note on the car with your work telephone number. If you are in any doubt as to whether any incident should be reported to the police, please contact the Council's Transport Services Team.

Drivers must not continue to drive a vehicle after an accident resulting in damage to the construction of the vehicle until the vehicle has been inspected. If in doubt, do not drive it.

Immediate inspection is required if the damage is thought to have affected the steering, suspension, brake components, lights or passenger/driver safety. An inspection as soon as is operationally feasible must be arranged for any other damage, no matter how slight the problems may appear. If in doubt, do not drive.

If the vehicle cannot be driven, follow the guidelines – In the event of a breakdown.

All accidents, however minor, must be reported to the appropriate supervisor/manager immediately. An accident report form should be completed as soon as possible, including police incident numbers and police officers' details. Failure to report an accident may prejudice the position of the Council and affect its right to claim under its motor insurance policy. West Berkshire's Transport Team and Insurance Team must be notified and a WebRisk entry must be made.

5.4 Notification of Delays

If as a result of any unforeseen circumstances, such as accident or breakdown, there will be a significant delay before passengers reach their destination, then arrangements must be made to inform those awaiting their arrival. These may be spouses, parents, carers or friends. The driver or escort should contact the manager/supervisor or any pre-arranged emergency number with as much information as possible including the new projected arrival time. It is always advisable to have arranged an emergency contact for any trips taking place outside working hours (see Section 4, Planning Trips).

5.5 Accident, Injury and Illness

It is possible that in the course of a minibus journey that a passenger, escort or driver might become ill, be injured or killed. Plans should be in place to manage these eventualities at establishment and Directorate level. The plans should allow for: -

- Next of kin informed in a caring and sensitive manner.
- Necessary support available to ensure the best interests of the sick or injured.
- Support for next of kin if traumatised.
- Careful handling of media enquiries.
- Involvement of senior staff as required.
- Provision of information for all interested parties. This may require the use of special telephone/fax numbers.

- Provision of support for accident victims/next of kin after the event.
- Debriefing of employees or volunteers involved

5.6 First Aid and First Aid Equipment

All drivers and escorts must be trained in emergency first aid as a minimum, although this would not preclude such persons being trained as qualified first aiders if this was deemed appropriate.

The contents of First Aid Boxes are subject to change, and the Health and Safety Adviser should be consulted if there is doubt about what should or should not be included.

6 AVOIDING DANGEROUS SITUATIONS

Individuals at risk when in sole charge of a vehicle.

The following list of 'dos and don'ts' is intended to assist you, not so much in your role as a driver, but as an individual who may be at risk of assault or theft, particularly when driving a minibus without passengers or a second person.

- Always carry an up to date map and know where you are going before setting off. This avoids the need to ask for directions from strangers.
- Never give lifts to anyone except authorised passengers.
- Beware of other drivers signaling faults on the vehicle to you. This may be a ploy to get you to pull over. Drive on slowly until it is safe to stop and check yourself.
- If you think you are being followed, do not make eye contact. Slow down, lock your door and shut your windows. Drive to a police station or a busy area with lots of people.
- Where possible, travel on main or well-used roads and by day. If you have to make a journey after dark, try to tell someone of the destination and estimated time of arrival.
- Try not to park in poorly lit streets, and always as close to your destination as possible. In a multi-storey car park, find a space close to the exit, near to the ground level and away from pillars. When returning, have your keys ready so that you can get in quickly.
- Never put a bag, handbag or valuable goods on the passenger seat when travelling in town. You could have it snatched at traffic lights.
- Always lock the vehicle before leaving it and when returning, look around the vehicle from a suitable distance to ensure that no one is hiding behind it.
- If you see another driver in difficulty, do not stop. Drive to the nearest telephone and report what you have seen to the police.
- Road rage has become an increasingly common phenomenon in recent years. If another road user acts in an intimidatory fashion, continue the journey as calmly as possible and only pull over if there is a danger of loss of control of the vehicle. If one

has to pull over try to do so only when there are plenty of people around. Mobile phones are a useful ally to road users in such circumstances and the Police should be notified as soon as possible when they occur.

7 **MINIBUS CONSTRUCTION AND SPECIFICATION – ACQUIRING NEW OR REPLACEMENT VEHICLES**

When acquiring a vehicle, or a vehicle is due for replacement users should contact West Berkshire Council Transport Services Team for advice and guidance on vehicle specification. There are also a number of issues, which the user must take into account which do not relate to vehicle type or equipment. If you acquire the wrong vehicle for your needs, there may be costs, not just in financial terms, but in compromised safety and long-term inconvenience.

- 7.1 Seat belts must conform to the requirements of the Construction and Use Regulations 1986 and to the usage legislation of 2006. They should be of the lap and diagonal type, and preferably with height adjusters, particularly where children are to be conveyed. (Such as the 'Generation' belt.) Belts should be fitted to proper anchorage points, usually on the vehicle floor or chassis. Where belts are an integral part of special seating you must ensure that the seating is properly anchored (see below). All new and replacement vehicles acquired must have seat belts fitted.
- 7.2 Seating should be anchored to the floor by at least four (maximum 6) 10mm bolts. Where integral belts are fitted to seats stronger mountings will be required. Spacing may need to be varied for passengers who exhibit challenging behaviour. The size of passengers may also influence seat size and spacing. **Sideways facing seating must not be fitted**
- 7.3 Conveying Wheelchairs requires sufficient space to locate them behind fitted passenger seats. Full size wheelchairs require a minimum space of 1300mm long by 700mm wide. They must not be located in the aisle or block exits. Floor tracking should be fitted so wheelchairs can be secured by wheelchair restraint equipment. 'Side of vehicle' tracking should only be used as a means of securing empty, folded wheelchairs or equipment such as walking frames and items should be attached using Unwins 'red straps'. Passengers should be secured to wheelchairs by appropriate passenger restraint equipment such as a fixed harness or a split inertia reel.
- 7.4 WTORS Wheelchair Tie-down & Occupant Restraint Systems. All wheelchairs & wheelchair passengers must be restrained using the appropriate WTORS for their circumstances. This will have been established by a formal wheelchair transportation risk assessment From 2011 WBC will be operating under the National Wheelchair Passport Scheme, an enhanced Risk Assessment to national standards where all wheelchairs being transported will be 'tagged' to show they are safe to be transported and also the correct method & equipment required to do so.

7.5 Passenger Lifts are required if passengers using wheelchairs or other wise incapable of gaining access to the vehicle are carried. Care should be taken over the size of the tail lift, as it may need to accommodate wheelchairs or varying sizes. LOLER 98 legislation demands that passenger lifts are inspected every 6 months and weight tested every 12 months. West Berkshire Council Transport Services Team can advise on the inspection services available.

7.6 Luggage Storage – where luggage is to be carried more than occasionally a dedicated luggage area should be designed in the vehicle with a cage or other means of securing luggage.

7.7 Budget

What is the budget available for the vehicle? Will the money available meet the specification you need, including additional equipment e.g. wheelchair WTORS equipment? If not, are there possible sources of additional funding? Under specification may saddle you with a white elephant. Have you sufficient funding for the lease period or if purchasing then the life of the vehicle.

7.8 Purchase/Lease/Hire

Which is the best option for your needs and cash flow? What is included in the lease/hire package (e.g. maintenance, insurance, upgrades etc)? Can you secure a good discount through cash purchase? Can you obtain a higher specification vehicle through leasing? If purchasing what is the payback period if paying by instalments? If lease or hire, what is the agreement period? Have you checked to ensure you will conform with Council Financial Regulations and standing orders?

7.9 Donated Vehicles

Are the safety and other specification acceptable? Does the vehicle meet your needs? Can you negotiate the specification with the donating organisation or group? Who will own the vehicle? Who is responsible for running costs? Are there any restrictions on use? Have you discussed the vehicle type and specification with the Transport Services Team? Who insures the vehicle? How will the vehicle be disposed of?

7.10 Second Hand Vehicles

What is the expected vehicle life? Has the vehicle been checked by Transport Services Team? Have defects been identified? How much will it cost to correct them? The vehicle may be a bargain, but does it meet your needs and is it safe?

7.11 Future Use

The vehicle may meet your current needs but do you have a changing client group? What will your needs be in 3 years time? Can the vehicle be adapted? Can it accept wheelchair tracking? How do you expect to dispose of the vehicle?

8 **USE OF COUNCIL VEHICLES BY VOLUNTARY ORGANISATIONS**

8.1 Insurance Issues

Before any hiring or lending of a minibus ensure the insurance allows for such activity

8.2 Drivers

When lending the vehicle to a not-for-profit organisation you must be satisfied that the driver is competent and fit to drive. The drivers should have undergone the minibus driver training provided by West Berkshire Council Transport Services Team. You should always check the driver's licence before handing the vehicle over, and ensure that you know who will be driving at all times.

8.3 Information for Borrowers

Provide the borrower with full information about emergency telephone numbers and who to contact in the event of an accident or incident. Borrowers must be aware of all conditions they must fulfill. A vehicle handover checklist is recommended and a period of familiarisation with the vehicle, where you accompany the driver on a 'test' run is advisable. This may also give you some insight as to the driver's competence.

8.4 Loaning Vehicles to Other Council Users

Where a minibus is borrowed by another Council establishment, for example a school minibus is loaned to another school, the same procedures and checks should be followed as when the vehicle is loaned to a voluntary organisation.

- (a) The driver should have undertaken the Council's driver training course.
- (b) No changes should be made to the vehicle. For example, seating, seat belts or other internal fixtures must not be removed.
- (c) Drivers should be warned against overloading the vehicle either with extra passengers or luggage.
- (d) Drivers must undertake (in writing) to pay for any loss or damage to the vehicle which occurred whilst they were using it that it is not covered by insurance.
- (e) Permission must be given to fit a roof rack or tow a trailer.
- (f) The vehicle must not be used for hire or reward by the individual, nor should he/she levy any charges on passengers.

Written by:
STEVE DOEL
West Berkshire Council
Senior Transport Services Officer (Risk Management)

01635-519106
sdoel@westberks.gov.uk

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No.	Action	Category	Progress	Target completion
1	A written policy statement on fleet and driver risk management should be prepared and issued across the organisation.	A	Drafted and approved by Corporate Board, and issued through to Heads of Service	done
2	The organisation should demonstrate commitment from the most senior levels of management to the development of a fleet and driver risk management policy and to the attainment of high standards of fleet and driver risk management.	B		
3	A senior manager or director should be nominated to take ownership of, and actively champion, a fleet and driver risk management programme.	B		
4	The organisation should consider promoting safe driving through the use or subscription to any of the national campaigns such as Brake's 'Pledge to drive safely', DoT's 'Think! Road Safety', 'Well driven?' or similar schemes.	C		
5	When assessing an individual's suitability to drive a vehicle, consideration must be given to the person's previous experience, general safety attitude and suitability for the driving task.	B		
6	Robust procedures should be in place throughout the organisation to ensure all vehicle users hold (as a minimum) a full, current driving licence, which is appropriate for the class of vehicle to be driven.	A	Checking procedure in place. An annual Internal Audit will be carried out to ensure this is being complied with	Done
7	A 'form of authorisation' should be considered for implementation within the organisation in order to effectively manage its driving staff.	B		
8	Basic/ induction training on work-related road safety should be provided to all driving staff.	A		
9	Additional/ advanced driver training should be considered for ALL employees required to drive for work, within 1 year of appointment.	B		
10	As a priority, additional / advanced driver training should be provided to all of the following categories of drivers: high mileage drivers; young drivers (under 25); inexperienced drivers (licensed less than 1 year); foreign nationals new to UK driving; and minibuses / multi-seat vehicle drivers.	B		
11	Drivers should be provided with a handbook which gives advice and information on safe driving road safety.	B		
12	All line managers across the organisation must conduct initial checks of the driving licence of all their employees, and any non-employees, required to drive on work-related business.	A		
13	Licence checks by line managers should be repeated at least once every 12 months.	B		
14	All line managers should be made aware that photocopies should not be accepted, and that only original licence documents should be checked.	B		
15	All managers should be made aware that new licences, after 1st Jan 97, with full car entitlement (Group B), only allow the holder to drive vehicles with no more than 8 passenger seats.	B		
16	All managers should be made aware that new licences, after 1st Jan 97, also prohibit drivers from towing large trailers.	B		
17	The organisation should ensure that reporting systems are in place so that licence endorsements for more serious offences (i.e. those attracting 8 or more penalty points such as drink driving and reckless/dangerous driving) are routinely notified to the Fleet Manager / Insurance Manager.	B		
18	A written procedure should be drafted, agreed and circulated which provides guidance on actions for managers to follow in the event that vehicle users, including non-employees, accumulate a significant number of penalty points.	B		
19	If a number of penalty points have accumulated, driver training should be considered as a possible course of remedial action.	B		
20	Pre-employment medical checks should be undertaken to establish employees' fitness to drive.	A		
21	Vehicle users should be required to have an eyesight test every two years (or sooner if they suspect they have a problem).	A		
22	Vehicle users should be routinely made aware of their responsibility to report to their manager any medical condition (including deteriorating eyesight), which affects their ability or fitness to drive.	B		
23	Vehicle users, including non-employees, should be required to complete a medical declaration on an annual basis.	B		
24	A written policy should be drafted, agreed and circulated covering vehicle use and prescribed medication, alcohol consumption, or the possession and use of illegal/controlled drugs.	A	Done as part of 1 above	
25	Where employees have a choice on make and model of personal issue vehicles (e.g. 'company cars'), written guidelines setting out safety features that must be included should be produced.	B		
26	Where employees have a choice on make and model of vehicle, they should be provided with guidance on where to access information on crash test results i.e. The European Road Assessment Programme (EuroRAP) and Thatcham.	B		
27	Vehicle users should be routinely instructed that they should never leave an unlocked vehicle unattended.	B		
28	Consideration should be given to registering high value vehicles and high value mobile plant with any local vehicle registration / police schemes.	C		
29	Consideration should be given to ensuring that the organisations high value vehicles are fitted with tracker systems, and that the organisations basic vehicle specification is amended to specify the requirement.	C		
30	The organisation should ensure that minimum security standards are in place for its depots and other premises where numbers of vehicles are parked overnight. The following risk control / security measures should be considered: premises enclosed by a full perimeter fence and locked gates; security personnel on-site and controlling access / egress from the site; parking areas and site access / egress covered by CCTV; and parking areas protected by external lighting.	B		
31	Documented procedures should be implemented for the recording and monitoring of the provision of specific vehicles to specifically named drivers, including date and time of issue and return.	C		
32	The risks associated with work-related driving should be formally assessed by the organisation in line with legal requirements.	A	Done as part of 1 above	Done
33	The risks associated with vehicle related work activity should be formally assessed by the organisation in line with legal requirements.	A		
34	Guidance should be drafted, agreed and issued to vehicle users giving advice on journey planning and other risk management precautions.	B		
35	All vehicle users should be issued with information on the action to take in the event of an accident.	B		
36	Reporting lines and responsibilities should be developed within the organisation to ensure that vehicle accident reports are always provided in a timely manner to the relevant line manager, Fleet Manager and, where appropriate, the Risk and Insurance Manager.	B		

37	Managers should be required to actively follow-up on all vehicle accident reports, interviewing the driver and where necessary inspecting the vehicle and/ or scene of the accident.	B	
38	Information relating to vehicle accidents should be routinely reported and considered within the council. It should be analysed and used to identify trends in location, accident type, drivers' etc, as well as to direct risk management initiatives.	B	
A	These are actions which are considered to be most critical because they relate directly to matters of compliance with legal responsibilities or reduction of the risk in areas of high exposure. Also included in this category are actions considered to be essential to the introduction of a culture of risk management and risk improvement. They should be considered immediately and implemented as soon as possible.		
B	These are matters which relate to accepted standards, codes of practice and legal requirements. Their adoption will be very important to the overall risk management programme and attainment of best practice. They should receive prompt attention and introduction phased to be complete over a 12 month period.		
C	These are actions which represent or suggest minor improvements to existing procedures. These are also actions that would be in line with best practice advice. They should receive your consideration and if accepted adopted as soon as practicable.		