

ROYAL HOLLOWAY, UNIVERSITY OF LONDON

COLLEGE DRIVING AND VEHICLE SAFETY POLICY – INCLUDING MINIBUS SAFETY

Dr Richard Fisk
Health & Safety Adviser
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Part 1 – Driving on Behalf of the College

1.1 Introduction

In recognition of the potential hazards and risks to College employees, students and members of the public associated with driving, this Policy identifies the requirements for vehicles used on its roads, premises, and where applicable, the public highway. It also defines the standards required of persons driving on its behalf, including those with responsibility for ensuring the safety of vehicles, whether owned, hired or leased, together with those for passenger safety. It also specifies the requirements in respect of vehicles owned by members of staff and used on College business for which expenses are claimed. It is a driver's responsibility to operate any vehicle in a safe manner and to drive defensively to prevent injury and property damage.

The Policy is in four parts: Part 1 identifies driver safety standards, Part 2, covers miscellaneous provisions relating to driving, Part 3 Vehicle Safety and Maintenance and Part 4 the Safe Use of Minibuses. It is, therefore, necessary for those involved with the management, operation and use of vehicles to familiarise themselves fully with the relevant provisions of this Policy.

Reference is made on a number of occasions to the need for Risk Assessments. Such risk assessments may only be undertaken by College risk assessors, trained by a member(s) of the Health and Safety Office and using the methodology and form contained in the College *'Guide to Conducting 'General' Risk Assessments'* document.

Vehicles to which this Policy applies may be those propelled by petrol, diesel, electric, gas or other power sources. Where owned, hired or leased by the College they must be under the management (by title) of a member(s) of staff, normally the head of department, who will be responsible for ensuring that the provisions of this Policy are complied with. All such vehicles must be formally notified to the College Insurance Officer before first being brought into, and when taken out of use.

All drivers who use a College owned, hired, leased or lent vehicle(s) will complete a driver declaration form. Declaration forms can be accessed from the Finance Department webpage's at [http: www.rhul.ac.uk/finance/Docs/driver_declaration.doc](http://www.rhul.ac.uk/finance/Docs/driver_declaration.doc) or via the Insurance Officer. Only those authorised to drive and those authorised to be carried as passengers may ride in College vehicles on College business.

This Policy should not be considered as a definitive guide to workplace transport safety. Enquiries on content should be addressed to the Health & Safety Adviser and at the end is a list of organisations/publications which the reader may find of assistance.

1.2 Driving Licence Requirements

The driver of any vehicle shall hold a current UK driving licence (details of any exceptions to this in respect of foreign licence holders may be obtained from: www.dvla.gov.uk). More specific licence provisions are applicable to those who drive a minibus (and certain other vehicles). Details of these requirements may also be obtained from: www.dvla.gov.uk - see Section 4 of this Policy for further information on minibuses. Before driving a vehicle, managers must check that the proposed driver is entitled to do so under the provisions of their driving licence and undertake an annual check of it thereafter – see Parts 1.3 and 1.5 below.

Persons who do not hold a current driving licence are not permitted to drive any College vehicle, whether or not driven on the public highway.

1.3 Annual Check of Driving Licences

Managers shall undertake an annual review of the driving licence of each member of their staff who is authorised to drive a vehicle on behalf of the College. They will make a copy of the licence and ensure, in accordance with the provisions of this Policy, that the licence holder continues to be entitled to drive a College vehicle(s) and has no endorsements that would preclude them from doing so (see Section 1.5 below).

Any changes to licences in respect of endorsements must be notified to the Insurance Officer who will check that insurance cover is in place.

1.4 Driver Evaluation, (Induction) and Refresher Training

The Policy contains three classes of College driving evaluations which are explained below.

A Class I Evaluation: will establish those who are competent to drive on College roads, premises and the public highway in the immediate vicinity of the College; for further information, see Appendix 1.

In each department to which this Policy applies, a risk assessment shall be undertaken to establish the content of and frequency with which driver evaluations are to be undertaken. Before any person may drive a College vehicle their ability to do so safely must be evaluated. This will normally be an integral feature of the induction training process undertaken on the first day of employment.

For further information on Class 1 Evaluations, see Appendix 1.

A Class II Evaluation: will apply to those who drive a motor vehicle (but not a minibus), being owned, hired or leased by the College and used regularly* on the public highway. Subject to the need identified from risk assessment, such drivers may be required to successfully complete driver training undertaken by a specialist organisation.

Drivers may also use their own vehicles on College business and regularly* carry authorised passengers for such purposes, whether members of staff,

students, or persons undertaking duties on behalf of, or in connection with, duties associated with the College. In such cases, the driver may also be subject to driver training undertaken outside of the College. Such drivers must be insured for the use of their vehicle while on work-related duties, including the carrying of passengers; this use must be reflected in their certificate of insurance.

* The term 'regularly' shall mean: normal, customary, or usual; occurring at fixed or prearranged intervals; following a set rule or normal practice; everyday; habitually.

A Class III Evaluation: drivers shall have undertaken a course of training specifically for Minibus driving by an organisation approved by the College for such purposes. For provisions relating to Minibus training see Part 4, Section 4.12 (page 12).

Furthermore, arrangements will be implemented to ensure that safe standards of driving and vehicle safety checks are being adhered to and that relevant statutory provisions, including those referred to in this document, are being met. In addition, managers may identify the need, at intervals determined from the risk assessment process, to supplement the requirements contained in this Policy with training sessions/group meetings on vehicle road safety.

1.5 Driving Licence Endorsements

Licence holders are required to report immediately to their manager any endorsement to their driving licence. Current endorsements for short period disqualifications (56 days or less) and 12 or more points on a driving licence within 3 years as stated under the 'totting-up system (www.dvla.gov.uk) will preclude them immediately from driving any vehicle on behalf of the College. Furthermore, under the Road Traffic (New Drivers) Act 1995, a driving licence will be revoked if, within two years of their passing their driving text, a driver accrues six or more penalty points.

In addition to the above, any driver undertaking driving duties on behalf of the College having accrued six or more points on their driving licence must be notified by their manager to the College Insurance Officer. The Insurance Officer will liaise with insurers to establish whether cover will continue to be provided to that person.

Based on risk assessment findings, managers may establish more onerous standards to be appropriate in respect of licence endorsements held by those undertaking driving duties within area of responsibility. This will be particularly, but not exclusively, relevant where drivers transport passengers on behalf of the College. Contact should be made with the College Health & Safety Adviser in the event that advice is required.

Part 2 Miscellaneous Provisions Relating to Driving

2.1 Smoking

In accordance with the provisions of the Health Act 2006 and College Smoking Policy, smoking is prohibited in, or on, any College owned, hired or leased vehicle, including any other vehicle being used on College business in which passengers are being carried.

2.2 Alcohol and Drugs

The drinking of alcohol is strictly prohibited during any period of driving a College vehicle or driving on College business and drivers are reminded that alcohol can remain in the body for up to 24 hours. The concentration of alcohol remaining in the body is dependant on a number of factors and it is impossible to draw an accurate correlation between the amount of alcohol consumed and the blood-alcohol concentration. For this reason, alcohol should not be consumed within 24 hours prior to driving.

Any person found to be in contravention of this section of the Policy may be subject to College disciplinary procedures. Similar provisions apply to the consumption of drugs.

2.3 Eyesight/Illness/Taking Medicines and Driving

Drivers must be able to satisfy the eyesight requirements set out in the Highway Code. For further information, go to: www.dvla.gov.uk.

Drivers must not drive if ill or taking medicines, either of which might impair their judgement. If in doubt, they should arrange to discuss the matter with their GP or College Occupational Health Physician.

2.4 Insurance Cover – Notification to College Insurance Officer

Notification to the College's Insurance Officer must be made at least 3 days before a trip (other than for a local journey) takes place to ensure that adequate insurance cover is in place for the vehicle, the vehicle occupants, the authorised driver(s) and the activity.

Under the terms of the Motor Vehicles (Compulsory Insurance) (Information Centre & Compensation Body) Regulations 2003, the College is required to update its Motor Insurance Database (MID) with the details of all the vehicle(s) owned, hired/lent, used for College-related business. Managers must, therefore, ensure that the Insurance Officer is notified of all such vehicles.

Hired Vehicles

The College's Motor Vehicle Insurance Policy covers all vehicles hired in the British Isles, Northern Ireland, the Isle of Man, Island of Jersey, Isle of Guernsey and the Isle of Alderney. In addition, the Policy will cover vehicles hired within the UK and used in the European Union, Liechtenstein, Norway, Iceland, Croatia and Switzerland, giving the minimum cover as required by the law in these countries. The Insurance Officer must be advised of such hiring arrangements at the earliest opportunity.

The College's Insurance Policy does not, however, provide cover for vehicles hired outside the UK. In such countries, therefore, insurance must be taken out via the hiring company in the relevant country. Such insurance must be fully comprehensive.

2.5 Journey/Vehicle Risk Assessments

Where it is identified that there are possible hazards and associated potentially unacceptable risks associated with a journey which have the potential to cause harm to either the driver and/or passengers, a risk assessment must be undertaken in advance of the journey to establish the 'controls' identified to be necessary.

Risk assessments may only be undertaken by those who have received training provided by College Health and Safety Office staff, to undertake assessments in accordance with the College '*Guide to Conducting 'General' Risk Assessments*' document. See also the Health and Safety Executive publication: *Driving at Work – Managing Work-Related Road Safety (INDG 382)* – see Health and Safety Office website.

Many driving-related activities are similar in nature and the hazards and risks are essentially the same; for these it will be possible to undertake a generic risk assessment covering potentially multiple activities. However, for journeys such as those undertaken for field work or those involving travelling abroad, this may not be possible and a specific risk assessment will be necessary. Once completed, the control measures identified to be necessary must be implemented. In the event that assistance is required with undertaking a risk assessment, contact the Health & Safety Adviser or Deputy Health & Safety Adviser.

2.6 Journey Planning: Times and Distances

Journeys shall be planned to use the safest route for the type of vehicle used.

The scheduling of journeys should be undertaken, wherever possible, to avoid when most sleep-related accidents occur i.e. between 2 am and 6 am and between 2 pm and 4 pm. On no account must employees drive if they feel sleepy even if this might result in delaying originally planned schedules. Remember, the Highway Code states that drivers should take a 15 minute break every two hours; drivers will need to take this into account in their journey planning.

Where a vehicle is fitted with a tachograph, it should be checked by the manager responsible to ensure that drivers are adhering to the prescribed driving times.

2.7 Annual Check of Insurance Cover

Managers responsible for a vehicle(s) shall undertake an annual check of the insurance arrangements with the Insurance Officer, thereby ensuring that cover for all College vehicles, including those such as fork lift trucks etc., is in place.

2.8 Vehicles for which Special Licence and other Provisions are Applicable e.g. Minibuses.

See Section 3 below (for Minibuses) or contact the Insurance Officer for vehicles not covered in this Policy.

2.9 Speed Limits/Restrictions

When being driven on College roads, drivers must adhere to the speed limit (15mph) or, if identified to be lower for a specific vehicle, the speed limit for that vehicle. This requirement also applies to vehicles which are fitted with a speed governing device.

When driven on the public highway, speed limits, as displayed, must be observed at all times, the only exception to this being any vehicle which, in order to conform with relevant regulations, has its speed restricted to a lower rate.

2.10 Security of Vehicles

Any vehicle (whether on or off campus) not in use must have its engine turned off. Vehicles left unattended including those parked overnight or for prolonged periods, must have ignition keys removed and be locked. They must be parked with the handbrake secured and in a location that will not create a hazard/obstruction for other vehicle users or pedestrians; personal belongings must not be left unattended inside vehicles. In the case of a vehicle being electrically propelled, during charging, it must be kept in a secure location where unauthorised persons cannot gain access.

2.11 Mobile phone or other hand-held communication device

It is a statutory offence to use a mobile phone while driving (except where it is 'hands-free') and under no circumstances must the use of a hand-held phone or other hand-held communication device take place. Mobile phones are, however, extremely useful and subject to the findings of the relevant risk assessment, should be carried on all journeys off campus.

2.12 Driver Assistants

Where identified necessary from the risk assessment, principally because of the length of time of the journey undertaken, or the need to have an additional driver in the event of an emergency, a driver assistant may be identified to be necessary from the journey risk assessment.

2.13 Fines Incurred While Driving

Drivers are personally responsible for any fines incurred by them during the course of driving duties undertaken on behalf of the College, whether within or outside the United Kingdom. This applies to driving vehicles owned by the College, owned by the driver and used on College business, or hired or leased on behalf of the College.

The College accepts no responsibility for any other penalties incurred by the driver during the course of driving duties undertaken within, or outside, the UK.

2.14 Sustainability of Travel Undertaken on Behalf of the College

The College requires that those responsible for travel undertaken on behalf of the College take into account the environmental impact of journeys. No journey should be undertaken unless it is essential and wherever possible, public transport should be used. Where motor vehicles are to be used, drivers should always take the shortest route possible and drive with environmental considerations in mind, including adopting car sharing arrangements where they are possible.

2.15 4Wheel Drive Vehicles

These have different driving characteristics to other motor vehicles. Drivers are required to read the vehicles handbook and thoroughly familiarise themselves with its content. Subject to risk assessment, a driving appraisal may be identified necessary which may render the individual subject to the need for driver training undertaken away from the College.

Part 3 Vehicle Safety and Maintenance

3.1 Vehicle Maintenance

Vehicles must be maintained by a competent person/organisation in accordance with the manufacturer's recommended maintenance schedule. Records of such maintenance shall be retained by the manager responsible for the vehicle for its full operational life.

3.2 Daily/Weekly User Vehicle Safety Checks

The manager of each vehicle shall develop a daily/weekly safety check schedule. Based on the individual vehicle requirements, including the use to which it is put, the schedule will identify the daily and weekly checks to be undertaken before use and prior to use by each driver. Such checks will include, for example, ensuring that prescribed tyre tread depths are within legal limits and that its structural integrity is sound. It is the responsibility of the manager responsible for the vehicle to ensure that checks are undertaken and recorded and that records are retained for a period of at least six years.

3.3 Seat belts/risk assessments

Where vehicles are provided with seat belts, it is the responsibility of the vehicle driver to ensure that he/she uses it and that they are also used by all passengers. The only exception will be where a risk assessment identifies this is not practical and it has been endorsed by the College Health & Safety Adviser.

In the event that a vehicle is not provided with a seat belt (for the driver) or belt(s) for passenger(s), a risk assessment will be undertaken to determine whether there is a requirement for such provision. Where the risk assessment establishes that such provision is necessary, appropriate seat belts shall be fitted. In the event that further information is required, including reference to Health and Safety Executive and other authoritative documents, contact should be made with the College Health & Safety Adviser. See also 3.6 below.

3.4 Passenger Safety

It is the responsibility of the vehicle driver to ensure the safety of their passenger(s), taking all reasonable measures, including adhering to the relevant requirements contained in this Policy. They must drive at all times in a manner that will not cause unnecessary risk and draw to the attention of passengers the need to behave in a manner that will not cause distractions to the driver. In the event that any passenger is not prepared to comply with the College's vehicle safety requirements, the driver is authorised to refuse transport to that person.

3.5 Provisions Relating to Vehicles such as Fork Lift Trucks

The manager responsible for the vehicle shall ensure that the statutory provisions relating to, for example, a fork lift truck, including driver training and maintenance, are adhered to and that records of such training are held for the minimum periods stated elsewhere in this Policy. If in doubt on the formal requirements, contact should be made with the Health & Safety Adviser.

3.6 Vehicle Risk Assessment to Establish Suitability for Use

Manufacturers produce vehicles for a variety of purposes which may mean they are not necessarily 'safe' for the use intended on behalf of the College. Prior to use and whenever possible, prior to purchase, a risk assessment shall be undertaken to establish whether the vehicle is 'safe' for operation in its existing form or whether adaptations will be necessary. Examples of possible adaptations are the provision of seat belts, roll over protection and speed limitation.

3.7 Privately Owned Vehicles Used on College Business

Drivers of privately owned vehicles used on authorised College business, including those for which reimbursement of expenses are claimed, must possess a valid current driving licence. They must also possess a valid certificate of insurance for the use of the vehicle for business purposes which shall cover passengers conveyed for that purpose. Where necessary, and in accordance with statutory provisions, the vehicle must have a current MOT test certificate and in all respects be safe for use and meet all relevant statutory standards e.g. tyre tread depth. All vehicles must have displayed a current road fund licence. The vehicle must be serviced in accordance with the manufacturer's recommendations. These same provisions will apply to vehicles owned by volunteers.

3.8 Accident Reporting

Any accident involving a College vehicle, or a vehicle owned by a member of staff being used on its business which results in vehicle damage and/or injury to persons must be reported to the Insurance Officer immediately. In the event of injury to a person, the Police must be advised immediately; in each case a College Accident/Incident Report Form must be completed.

3.9 Visibility from the Driving Position

Drivers are responsible for maintaining a clear view of the road at all times, including the ability to reverse safely. The loading of a vehicle in such a way as to cause restricted vision is strictly prohibited.

Part 4 Minibus Safety

4.1 Introduction

This Section applies to those who operate minibuses and covers the duties of managers, drivers, group leaders and passengers. It is not the purpose of the document to provide definitive guidance on the legislative requirements relating to the use of minibuses. However, where there are essential requirements to be met, such as, for example, driving licences, a reference source is quoted below from which relevant information may be obtained.

Minibuses are defined as motor vehicles constructed or adapted to carry more than 8 but not more than 16 passengers, in addition to the driver. They must be operated at all times in accordance with the relevant statutory provisions and information contained in the Highway Code. The College requires that all reasonably practical measures must be taken to protect the driver, passengers and other road users from risk of injury.

A minibus operated in connection with any College activity must be used in accordance with the standards laid down in this document. These have been developed for the protection of staff and students and responsibility for their operation lies with each Head of Department, other than for the Student's Union for which the General Manager is the responsible officer. Each journey must be under the overall management of a member of staff who will be responsible for ensuring that the provisions contained in this and any relevant document, including statutory provisions, are complied with.

4.2 Risk Assessment

Managers are responsible for ensuring that written risk assessments are undertaken of all areas of potential risk associated with minibus use. They must be carried out by a person trained to undertake risk assessments by members of the Health and Safety Office using the methodology contained in the College '*Guide to Conducting 'General' Risk Assessments*' document. In accordance with College Policy, such assessments shall be recorded on the 'General' risk assessment form, actioned, and reviewed at the frequencies identified. A member of the Health and Safety Office can be available to assist with the risk assessment process.

Individual and Generic Risk Assessments

Risk assessments may be either of a specific, individual, or 'generic' nature. 'Individual' Risk Assessments must be conducted in accordance with the document and methodology referred to above. They will, for example, be undertaken in advance of an activity such as non-routine journeys including those within, and outside, the U.K. Such risk assessments must be approved by the person having delegated management responsibility for the event, including passenger safety.

'Generic' Risk Assessments will also be conducted in accordance with the methodology identified above. They will normally cover events which are routinely undertaken and broadly repetitive in nature and in which passengers and drivers are familiar with issues associated with the journey.

To be covered in each type of risk assessment will be issues such as the needs and behaviour of passengers, accident and emergency management arrangements/systems, including communication methods in cases of emergency. All risk assessments must be recorded, actioned and regularly reviewed and updated.

4.3 Legal Requirements

Every minibus must:

- Be correctly licensed
- Display a valid road fund licence tax disc
- Be adequately insured (check requirements with the Insurance Officer)
- Be well maintained (in accordance with the vehicle manufacturers recommendations)
- Have a valid MOT certificate (if more than 1 year old)
- Be maintained and serviced in accordance with, at least, the manufacturers recommendations

4.4 Road Fund Licence (also known as Vehicle Excise Duty or Car or Road Tax)

A number of factors will determine the taxation class of a vehicle such as whether it carries passengers or goods, its weight, its construction and the purpose for which it is used. Managers responsible for operating such vehicles should check with the DVLA whether their vehicle should be registered and taxed as a private/light goods vehicle or as a bus.

A valid tax disc must be displayed in the windscreen. The only exception relates to minibuses used only to carry people with disabilities.

4.5 Minibus Insurance

Managers responsible for vehicles must register each one with the Insurance Officer who will arrange appropriate insurance cover, including that for drivers and passengers. It will be necessary to specify all the uses to which each minibus is to be put. Managers will be provided with details of the insurance cover and must ensure that at all times they comply with the provisions of the insurance policy and any supplementary College requirements. A copy of the insurance certificate should be kept in the vehicle.

Managers must pay particular attention to any special restrictions placed on drivers/potential drivers such as driving licence eligibility and medical conditions, ensuring that these are adhered to.

4.6 Small Bus Permits

Small Bus permits must be displayed on all minibuses used by College staff or students, whether the buses are owned or hired. They can be obtained from local Traffic Commissioners. For the Egham area this will be:

The Traffic Commissioner
for the
South Eastern and Metropolitan Traffic Area
Ivy House
Ivy Terrace

Permits are transferable from one vehicle to another but the College must have enough permits to cover all vehicles being used at the same time. If a vehicle is operated under a Small Bus Permit and the permit is displayed on the vehicle, the College may make a charge to cover the running costs. Such costs may be charged directly or indirectly.

The Small Bus Permits system operates under Sections 19 or 22 of the Transport Act 1985 and is restricted to the UK.

4.7 Vehicle Purchase and Maintenance

When purchasing a new or second hand vehicle, managers must ensure that a qualified engineer confirms it to be roadworthy, safe and fit for its intended purpose. Any minibus used under a hire or lease agreement must be similarly roadworthy and safe.

Managers must ensure that each minibus is regularly serviced and maintained in accordance with a set schedule (as a minimum, that recommended by the manufacturer). Such arrangements will be in addition to driver's pre-journey checks.

Regular 'safety inspections' should be conducted and recorded as described in the Department of Transport (DfT) document '*A Guide to Maintaining the Roadworthiness – Commercial Goods and Passenger Carrying Vehicles*'. All records must be kept securely by the relevant manager who will identify the formal procedure for drivers to report any vehicle defects. Drivers are required to adhere to this defect reporting system and to complete a Pre-Drive Safety checklist developed by, or on behalf of, the manager responsible for the vehicle.

4.8 MOT Tests

Every minibus must have an annual MoT test certificate commencing from the first anniversary of its registration date. In the case of a minibus with 13 or more passenger seats, a class V test is required, conducted at designated testing stations or LGV stations. A minibus with 12 or less passenger seats requires only a normal car (Class IV) MoT certificate and can be tested at any garage with MoT facilities.

4.9 Vehicle Records

All records referred to in this document and listed below should be maintained by the manager (unless otherwise stated) for a period of at least six years.

- All documents relating to the vehicle
- Operating log, including booking the vehicle in and out of service
- Accident/Incident book, including faults reported and rectified
- List of authorised drivers
- Training and re-training forms
- Medical check details (retained by Occupational Health Physician)
- Emergency equipment form

- Details of driver vetting undertaken (retained in a secure/locked container)
- Contact names and details (including out-of-hours details) (retained in a secure/locked container)
- Maintenance/safety checks
- Service records

4.10 Minibus Drivers

Managers shall ensure that every minibus driver:

- Possesses the appropriate licence to drive a minibus
- Undergoes initial and periodic re-assessments of ability to drive a minibus
- Receives practical driver training, as necessary, under the conditions in which they are likely to drive a minibus(s)
- Understands his/her responsibilities
- Has a 'clean' driving licence – for provisions relating to endorsements see Section 1.5 , above
- Is medically fit to drive
- Drives for limited periods to avoid fatigue
- Is accompanied by a second driver who is also fully qualified and meets the same conditions as the first driver, on appropriate journeys
- Is accompanied by a passenger assistant where safety and passenger needs, as determined by a risk assessment, establish this to be necessary
- Carries at all times a means of identification (e.g. a driving licence)

In addition to the above may be any other conditions that may be imposed under any relevant statutory provision, the College and/or it's insurers.

4.11 Eligibility to Drive a Minibus – Driving Licence

Minibus drivers must be over the age of 21 and under 65 years of age and have held a full driving licence with the relevant categories for more than one year as required by the College's insurer. Those over the age of 18 may drive a minibus if they possess a Passenger Carrying Vehicle (PSV) licence. Drivers who qualified before 1 January 1997 may drive vehicles with up to 16 passenger seats provided it is not for hire or reward and that they have category D1 on their licence. Drivers who passed their test after 1 January 1997 will not have category D1 on their licence and will be required to take a separate minibus test.

This is a guide only to the driving licence requirements applicable to minibus drivers. For comprehensive details on driving licence requirements contact: www.dvla.gov.uk.

The manager responsible for the vehicle must ensure that any driver has a valid driving licence which must be checked annually and a record made of such checks. Drivers shall be required to report any changes to their licence, such as endorsements, immediately this takes place.

4.12 Driver Evaluation and Training

In recognition that driving a minibus is significantly different from driving a car, driver evaluation and where applicable training is essential. Prior to any person driving such a vehicle, an immediate evaluation must be undertaken. Other

provisions relating to Class III Evaluations, including MIDAS training (the Minibus Driver Awareness Scheme) may be found in Section 1.4.

Driver re-evaluation under the MIDAS scheme will take place at least once every four years. In the event of an incident such as a traffic offence (speeding) or being involved in a traffic accident and being identified as being blameworthy, then such an assessment must be undertaken at the earliest opportunity after the offence has occurred.

Exemptions to these requirements may only be granted by the Health & Safety Adviser.

4.13 Driver Responsibilities

Each driver is responsible for ensuring that their vehicle is roadworthy before it is taken onto a road. Failure to do so and the vehicle being found to be defective may affect the drivers licence. Furthermore, it is the driver's responsibility to ensure the safety and welfare of all passengers which includes ensuring that seat belts are used.

Drivers must ensure before each journey that:

- They plan the journey in order that it can be completed safely and comfortably taking into account passengers needs
- A pre-drive vehicle safety check is undertaken
- They are fit and able to drive
- They conduct a moving brake test

Drivers will be required to complete a College log book for the vehicle, identifying that they have conducted the necessary checks.

4.14 Use of Seat Belts

The College requires that drivers and all passengers wear seat belts on every journey. Signs to this effect must be displayed on all vehicles and drivers, couriers, or group leaders, are required to announce this when passengers join the vehicle.

Special provisions relate to children but the use of College vehicles for them is not intended. In the unlikely event that children are carried, the manager must ensure that the statutory provisions relating to seat belts are complied with.

4.15 International Journeys

Managers and drivers must ensure that they are aware of, and follow, all rules and regulations for international journeys, and for each of the countries that will be visited or driven through.

A tachograph must be fitted and used for international journeys (except in Eire) and drivers trained in their use; misuse could lead to prosecution or spot fines. Regulations relating to drivers hours shall be adhered to from the start of the journey in the U.K. Driving licence requirements and laws relating to drivers hours will vary in countries outside of the EU, as will requirements relating to

the emergency equipment that must be carried on the vehicle. In such cases, the manager/driver should consult either one of the UK motoring organisations or the country's Embassy or London consulate for further advice.

The manager or driver should also consult, through the Insurance Officer, with the College's insurer to ensure that appropriate insurance cover is in place for the journey and countries to be visited.

4.16 Documentation for International Journeys

Heads of Department and drivers shall ensure that all essential documentation for journeys abroad is carried throughout the journey. Such documentation will vary according to the country or countries visited and checks must be made in advance and, where necessary, advice obtained on precisely what is required. Advice should be sought as identified in n) above.

4.17 Speed Limits and Speed Limiters

Drivers must observe at all times the speed limits applicable to minibuses. The speed limits in the U.K. are as follows:

Single carriageway roads	50mph
Dual carriageways	60mph
Motorways	70mph
Motorways (when towing a trailer)	60mph

Minibuses used abroad must be fitted with a speed limiter.

4.18 Emergency Equipment

Vehicles must carry emergency equipment in accordance with the provisions of Regulation 7 of the Road Vehicles (Construction and Use) Regulations 1986. They must carry a British Standard fire extinguisher of water or foam with a minimum test rating of 8A or 21B. Where passengers are in wheelchairs, the vehicle should carry two fire extinguishers, one being carried in the passenger compartment. The vehicles driver and where applicable, passenger assistant, will be trained in their use.

A first aid box, clearly marked, must be held in the vehicle with its contents kept fully stocked. Prior to the trip taking place, the risk assessment will identify whether it is necessary for a qualified first aid attendant to be present.

Prior to each trip, the driver will ensure that fire extinguishers and first aid boxes are fully equipped and serviceable.

4.19 Luggage, Roof Racks and Trailers

Luggage must be safely and securely stored inside the vehicle and must not obstruct access to any doors, the isles or occupied seats. In the event of a sudden deceleration or crash, unsecured luggage and equipment may be thrown around inside the vehicle and could result in serious injury to passengers. Roof racks or boxes may be used; however, it is essential that they are loaded correctly in accordance with the vehicle manufacturer's recommendations and the maximum weight capacity of the roof rack. Drivers must be aware that an overloaded roof

rack will adversely affect the handling of the vehicle and may also present manual handling issues which will need to be addressed in accordance with the College Manual Handling Policy.

Lower speed limits apply to minibuses with a trailer. In the UK, on single carriageway roads this is 50 mph, and 60 mph on dual carriageways and motorways. Minibuses with trailers are prohibited from using the outside lane on motorways with three or more lanes.

Special provisions relate to the towing of trailers, details of which may be found at: www.dvla.gov.uk. Furthermore, drivers must be trained or experienced in towing before being permitted to drive a minibus with a trailer. It must be noted that a trailer may not be used on any minibus with rear facing doors which is carrying passengers unless there is an emergency door on the nearside of the vehicle as it is likely that the trailer will obstruct the rear doors in the event of a collision. A driver has responsibility for ensuring that when passengers are carried, access through the emergency rear exit is not restricted in any way by the trailer.

4.20 List of Passengers to be Left at College

A list of all vehicle occupants must, for every journey, be left at the College containing each passenger's name, address and the name and contact details of their next of kin. The list will normally be held by the College's Head of Security unless the head of department identifies it to be more practical to be held by another member of staff.

Auditing and Formal Status of the Policy

The duties prescribed in this Policy are designed to ensure the safety of staff, students and members of the public. Each department's compliance with the requirements of this Policy will be reviewed by members of the College Health and Safety Office during the health and safety audit process.

Acknowledgements and reference sources

The author is grateful to those organisations' whose publications have proven helpful in the production of this Policy, particularly, but not exclusively, the Health and Safety Executive, Royal Society for the Prevention of Accidents and DVLA.

The following is an indication of the range of references sources and publications available relating to driving, including the use of minibuses at home and abroad:

The Driver and Vehicle Licensing Agency – www.dvla.gov.uk

The Department of Transport (DfT) - Great Minster House, 76 Marsham Street, London SW1P 4DR.

Health and Safety Executive – www.hse.gov.uk.

Royal Society for the Prevention of Accidents – www.rospa.com.

Vehicle & Operator Services Agency – www.vosa.gov.uk

Specific documents include:

The Highway Code – HM Stationery Office
(Can also be viewed on www.highwaycode.gov.uk)

Driving for Work: Driver Assessment and Training – The Royal Society for the Prevention of Accidents

Minibus Safety A Code of Practice – Royal Society for the Prevention of Accidents

Driving at Work – Managing Work-Related Road Safety (INDG 382) - Health and Safety Executive

A Guide to Maintaining Roadworthiness –Commercial Goods and Passenger Carrying Vehicles - DfT

This Policy forms part of the College's Health and Safety Policy.

Appendix 1

Class 1 Driving Evaluations

Introduction

Driving duties undertaken during the course of employment take on a different legal context to those undertaken outside of the work environment. In the social, domestic and pleasure context, drivers are responsible for their own actions. However, when at work, the employer/employee relationship is governed by the provisions of the Health and Safety at Work etc. Act 1974 (and subordinate legislation) and common law, i.e. judge-made decisions. These provisions place an obligation on employers to establish that employees are 'competent' to undertake the duties for which they are engaged. This is on the basis that the employer is likely to be primarily responsible for any acts or omissions arising from the duties carried out by their employees that result in injury or death to persons and/or damage to property.

In the case of the draft College Driving Policy 'Class 1 Driving Evaluations', these have been identified necessary in view of the hazards and risks associated with driving on College premises and in its immediate vicinity. Such evaluations require managers to take measures they identify necessary to ensure that employees are competent to undertake their designated duties. They should, for example, assure themselves that staff take responsibility for their vehicle(s), including adhering to campus and local highway speed limits, are considerate of other road users, including pedestrians and where applicable, passengers carried in their vehicle.

There is no set format for evaluating competence and this should be determined from a departmental risk assessment(s) of work-related driving duties, the hazards identified and the control measures necessary based on the assessed level of risk(s). Examples of the potential hazards associated with driving College vehicles which may need to be taken into account in the risk assessment process, and form the basis of a driving evaluation, are:

- Knowledge of and ability to adhere to the campus speed limit of 15 mph;
- Capability to be mindful of passenger safety, such as issuing safety instructions, including the wearing of seat belts (where fitted) and taking appropriate measures to ensure these are complied with;
- The ability to take necessary measures to ensure the safety of loads carried, including not overloading a vehicle and securing a load where the risk presented identifies it to be necessary;
- The ability to adhere to the safety information, instruction and training provided at departmental level in relation to driving on its behalf;
- The ability to implement measures to ensure adherence to the identified carrying capacity of a particular vehicle (passenger and other loads);
- Competence in driving a vehicle(s) based on type and the actual circumstances of use;
- Ability to undertake specified vehicle safety inspections/checks and complete required documentation.

Evaluations may, for example, take the form of:

- A question and answer session
- Determination of practical driving skills
- The results of on-line training
- A tool-box talk followed by a question and answer session
- Such other methods as may be established from the risk assessment process

A person may be regarded as ‘competent’ to undertake evaluations where they are themselves a driver, hold a current driving licence and have sufficient knowledge and experience, on the basis of the driving duties to be undertaken, to identify the qualities required. Any person authorised to undertake the task will do so on behalf of their head of department/the College, in accordance with the findings of the relevant risk assessment and any other management standards. As such, the College will be responsible for the conduct of that person in undertaking such duties.

Dr Richard Fisk
 Health & Safety Adviser
 6/9/10

Signed by the College Principal, Professor Paul Layzell on 29 October 2010

In accordance with the College’s commitment to equality and diversity, this Policy has been written and screened to avoid discrimination and promote a positive approach to race, disability and gender issues. Comments on the content of this document should be directed to Mrs Leanie DuToit in the College Health and Safety Office.