

# Safe Driving and Mobile Phone Policy



Approved by:	Date: October 2023
Signed by:	Position:
Last reviewed: New Document	Next review due: September 2024

### Monitoring arrangements

This policy will be reviewed annually but may be reviewed earlier if deemed appropriate by the Chief Executive or Trustees.

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**1. Introduction**

It has been estimated that there are 6 million vehicles on the road for business reasons. The Department of Transport has suggested that half of those will be involved in an accident every year.

As a conscientious employer whose work involves travelling INCLUSION EDUCATION (to include School and College) (“the Charty”) is committed to reducing the risk of work-related road traffic crashes and collisions.

**2. Legislation**

We understand that the following legislation might apply to us:

- 2.1 Health and Safety at Work Act 1974
- 2.2 Management of Health and Safety at Work Regulations 1999
- 2.3 The Workplace (Health, Safety and Welfare) Regulations 1992
- 2.4 Road Traffic Acts supported by the Highway Code
- 2.5 UK Domestic Drivers’ Hours Rules
- 2.6 Tachograph Regulations
- 2.7 The Road Transport (Working Times) Regulations 2005
- 2.8 The Road Vehicles (Construction and Use) Regulations 1996
- 2.9 Corporate Manslaughter and Corporate Homicide Act 2007

**3. Policy**

3.1 This Driving and Phone Policy applies to all staff members and volunteers who drive in connection with Charity employment whether it is in their own vehicle, a fleet vehicle or a vehicle hired by the Charity.

3.2 This policy will be given to all staff members who drive on Charity business.

3.3 The purpose of this Policy is to set out how the Charity will ensure that all those who drive on Charity business are acting in line with both Health and Safety Law and Road Traffic Legislation.

3.4 This Driving Policy will be reviewed/updated as needed annually, and any changes made known to all driving staff.

3.5 All staff who drive on Charity business whether they use a Charity vehicle or their own, will be required to produce their Driving Licence every six months, or on request, to prove continued entitlement to drive the class of vehicles they are required to use. All drivers will be deemed to have consented to permit their employer to contact the DVLA to check for any endorsements every six months or if unsafe driving practices are suspected.

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3.6 Failure to produce the driving licence when requested may result in disciplinary action being taken.

3.7 Employees are required to inform their line manager of any Road Traffic Accidents (RTA) involving Charity vehicles as soon as it is safe to do so, whether any damage or not is sustained to the Charity vehicle. All staff are required to follow the procedures set out in paragraph 12 below.

3.8 All employees must inform their line manager of any driving penalties either received or pending within 5 working days of notification.

3.9 The employee driving the vehicle must:

- A: Never leave the vehicle during the authorised route.
- B: Call the parents using the Mobile Phone if the situation requires it.  
(CONTACT LIST PROVIDED BY THE SCHOOL).
- C: Never deviate from the authorised route.  
(IN AN EMERGENCY CALL THE SCHOOL AND ADVISE THEM OF THE PROBLEMS).
- D: Ensure that ALL seatbelts are serviceable as per annex A and B.
- E: Only use the authorised drop off and pick up areas.
- F: Park the vehicle on the school premises when not being used for learner transportation.
- G: Have a current DBS check.
- H: Have Attended the MIDAS training course.
- I: Remain in control of the vehicle at all times I.E., don't let learners move around the vehicle.
- J: Ensure that water and emergency rations are held in the vehicle at all times.

**4. Parking Tickets/Fines**

If parking tickets are given to any Charity vehicles whether or not they are being used for Charity business, the driver/keeper of the vehicle is to ensure that the office is informed as soon as reasonably practicable. Failure to do so may result in the employee being held liable for extra costs over and above the original fine.

**5 Drink and Drugs including medicine**

- 5.1 The Charity operates a zero-tolerance drink and drug driving policy.
- 5.2 All drivers must report any pending prosecutions and/or cautions immediately regardless of whose vehicle they were driving at the time. Failure to do so could result in disciplinary action.
- 5.3 Any driver prosecuted for such offences will be subject to the disciplinary procedure which may result in dismissal.
- 5.4 All employees are encouraged to report concerns about colleagues with regards to drink or drugs as soon as possible. This can be done anonymously if necessary.

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- 5.5 Any driver who believes that they may be over the drink drive limit must inform their line manager. They must not drive. They may be given alternative duties if available or be required to take annual leave. Should this become a regular occurrence, disciplinary action may take place.
- 5.6 Any driver found to be affected by illegal drug use will face disciplinary procedures as well as prosecution by the Police.
- 5.7 Any driver taking prescription or over the counter medicines must ensure that they are still fit to drive. Many prescription/over-the-counter medicines can have a serious effect on the ability to concentrate and can contribute to accidents. Such medication may include cold remedies, some cough medicines, pain relief – especially those including opiates, and antidepressants which may cause muscle spasms.
- 5.8 Any driver whose abilities are found to be impaired through drugs, whether legal or illegal, may be prosecuted.
- 5.9 Any driver who may be unfit to drive must inform their line manager immediately. They must not drive.

**6 Drivers' Responsibilities**

6.1 Drivers are legally responsible for the roadworthiness of their vehicles.

6.1.1 Any fines/penalty points will be attributed to the individual driving.

**6.1 Drivers of Charity vehicles are required to carry out basic maintenance, weekly and daily.**

- 1. 6.1.1 Basic maintenance refers to checking oil, tyres, water etc (weekly and daily check sheet such as annex a and b to this document – this check sheet is to be completed and retained).

6.2 Any defects identified must be reported immediately.

6.3 Verbal reporting of a defect is not acceptable. It must be reported on the check sheet.

6.4 All reported defects will be dealt with promptly. The Charity will not permit unroadworthy vehicles to be used.

**7 Grey Fleet**

7.1 Any employees driving their own vehicle on behalf of the Charity.

7.1.1 Are required to present their insurance certificate and MOT certificate (if applicable) on an annual basis.

7.1.2 The employee must ensure that their vehicle is insured for business use.

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7.2 Any employee driving their own vehicle must ensure that it is always kept in a safe and roadworthy condition. The management accept that employees may be without their vehicle when repairs are necessary to keep the vehicle in a safe and roadworthy condition. However, employees must give as much notice as possible so that alternative arrangements can be made.

## **8 Mobile Phones**

8.1 The mobile phone is now seen as an essential means of work communication. However, it is illegal to use a handheld mobile phone while in control of a vehicle, whether it is mobile or stationary i.e., in traffic. If caught, you can get an automatic fixed penalty notice which will get 3 penalty points on your licence and a fine of at least £100.

8.2 Your case could also go to court, and you could be disqualified from driving and get a maximum fine of £1,000.

8.3 A mobile phone should only be used when it is necessary, and you must use hands-free. Hands free phones sat navs and 2-way radios are allowed to be used when you're driving, but if the police think you're distracted and not in control of your vehicle you could still get stopped and penalised. If you are involved in an accident and there is a possibility that you were not concentrating due to phone use, for example, you may also be charged with 'driving without due care and attention', or worse.

8.4 Whenever possible, mobile phones should be switched off while driving and a message facility used. Messages should only be picked up and responded to when it is safe to do so.

8.5 Drivers must not dial out or send or read texts while in motion (this includes hands free kits.) They should find a safe place to stop before making any calls.

8.6 Where there is a passenger or 'drivers' mate' in the vehicle they should be responsible for all communication; however, all driver distractions must be kept to an absolute minimum.

8.7 Drivers must stop using a hands-free kit if it is faulty immediately.

8.8 Drivers should have their hands-free kit repaired or replaced as soon as possible. Drivers will not be permitted or encouraged to use a handheld mobile phone while they have no hands-free kit.

8.9 Any driver failing to adhere to the mobile phone policy will be subject to disciplinary proceedings.

## **9 Satellite Navigation Systems**

9.1 Satellite Navigation Systems can be a useful tool for drivers; however, they can also be a dangerous distraction.

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- 9.2 All destinations should be entered while the vehicle is stationary in a safe place. All drivers should stop if it is necessary to take their eyes off the road to check routes.
- 9.3 They should be positioned so as not to impair vision. They should not be positioned where they are likely to cause injuries in the event of a collision.
- 9.4 All vehicle distractions should be kept to a minimum and it is the responsibility of the driver to ensure that they are not likely to be distracted.

**10 Journey Planning**

- 10.1 The management will ensure that appointments are scheduled to a realistic timetable and are planned to consider the essential need for adequate rest periods. Any employee who feels that their timetables/schedules are unrealistic, and they need to take risks or break speed limits to complete, they must voice their concerns with their line manager as soon as possible.
- 10.2 The management will monitor weather conditions and will reschedule routed and/or appointments etc. if conditions become too dangerous for the drivers.
- 10.3 Drivers must ensure that their personal lives do not cause them to come to work tired. Driver fatigue is a well-known cause of accidents.

**11 Vehicle maintenance**

- 11.1 All drivers are required to carry out basic maintenance on the vehicle for which they are responsible.
- 11.2 In winter months, drivers are reminded that they must have a clear windscreen before setting off. Peering through a small section while the screen de-mists is not acceptable. Ensure that all your windows are clear/free of ice/snow etc. before moving off.
- 11.3 The management will ensure that all vehicles used on behalf of the Charity are regularly inspected and strictly maintained using at least the manufacturer’s recommended service schedules (and if applicable, in accordance with Operator licence requirements).

**12 Emergency Procedure’s**

- 12.1 Breakdown
  - 12.1.1 If possible, avoid stopping in dangerous places such as roundabouts and corners.
  - 12.1.2 Switch on your hazard lights.
  - 12.1.3 If it is safe to do so, drop your speed, continue driving and try to pull off the road completely, or onto a straight section of road.

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12.1.4 If you have to stop on a road, display your emergency triangle at least 45 metres behind your vehicle (don't do this on a motorway).

12.1.5 Do not attempt to fix your vehicle yourself by the roadside. Call your employer's designated breakdown service.

12.1.6 Switch off your engine and wait in a safe place, away from traffic.

## 12.2 Calling for help

If possible, use the nearest emergency phone. On motorways, blue and white marker posts show the direction of the nearest phone. The phones connect directly to the police control centre and are numbered so that you can be easily located. If using your mobile phone, refer to the blue rectangular Driver Location Signs, which detail the road number (e.g., M1), direction of travel and precise location.

## 12.3 Motorway breakdown procedures

If your vehicle develops a problem on the motorway:

12.3.1 leave at the next exit if possible and stop at the next service area.

12.3.2 if you must stop immediately, pull onto the hard shoulder, and stop with wheels turned to the left, away from traffic.

12.3.3 park as close to the left as possible and try to stop near an emergency phone.

12.3.4 put on your hazard lights and turn on side lights in poor visibility.

12.3.5 DO NOT use your warning triangle on the hard shoulder.

12.3.6 NEVER attempt repairs yourself.

## 12.4 Waiting for help

If you must stop on the hard shoulder:

12.4.1 get out of the vehicle.

12.4.2 make sure you and all passengers exit the vehicle on the left-hand side.

12.4.3 walk off the road – up the embankment if there is one or climb over the crash barrier into a field if possible.

12.4.4 NEVER try to cross lanes to the other side of a motorway.

## 12.5 Be prepared

12.5.1 Carry a charged mobile phone (switched off and out of reach while driving).

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12.5.2 Carry an emergency kit, including warm and high visibility clothing, a torch, water and a reflective triangle.

12.5.3 Call the office and the breakdown service and await instructions.

12.6 Accident

If a vehicle being used on Charity business is involved in an accident (RTA) the following steps are to be taken:

12.6.1 Stop your vehicle in a safe location.

12.6.2 DO NOT admit liability.

12.6.3 Call the emergency services if anyone is injured or if property is damaged.

12.6.4 If the police attend the scene, note the reporting officer's name, identity number and station.

12.6.5 Note information about the accident, exchange details with third parties and take the names and contact details of witnesses.

12.6.6 Third parties are obliged to give you their name, the vehicle registration number and insurance details under section 170 of the Road Traffic Act 1988.

12.6.7 If a camera is available, photograph the scene from different angles.

12.6.8 Take pictures of the vehicles involved and of the damage to your own and third party vehicles/property.

12.6.9 Contact your line manager/Inclusion School office as soon as you are able.

12.7 Employees must prioritise:

12.7.1 Their own and learners safety.

12.7.2 The safety of anyone else involved

12.7.3 The safety of other road users.

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**13 Severe Weather**

- 13.1 Winter can bring extremes of weather from dense fog to snowfall that closes major roads. The Charity will monitor weather conditions and will attempt to ensure so far as reasonably or operationally practicable that no-one is sent on a journey that may take them into a severe weather front.
- 13.2 The Charity will ensure that all vehicles supplied by the Charity have been properly maintained and prepared for bad weather.
- 13.3 It is incumbent on the drivers of all vehicles to make sure they have adequate cold-weather protection with them – warm coats, gloves, and blankets etc. in case they are stranded.
- 13.4 All drivers are reminded that if they are stranded by snow etc., they should remain in their vehicle unless instructed to leave by the emergency services.

**The management team fully endorse this policy and will ensure that it is implemented**

Annex A	Weekly vehicle checks
Annex B	Daily vehicle checks
Annex C	Home to School transport code of conduct

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