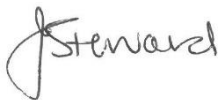





MINI BUS POLICY

Formally adopted by the Governing Body of Sheringham Community Primary & Nursery School	
On	20 th October 2022
Chair of Governors	
Head Teacher	
Last updated	20 th October 2022
Review	20 th October 2024

Be all that you can be...



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1. Introduction

A minibus is a motor vehicle constructed or adapted to carry more than 8, but not more than 16 seated passengers in addition to the driver.

This policy and guidance applies to all employees who drive a minibus whilst at work. It equally applies to those who drive minibuses only occasionally or for short distances, as well as those where this amounts for a significant part of their working hours. It covers additional requirements which relate specifically to minibus use over and above the requirements for general driving. It is therefore to be read and applied in conjunction with the main Driving for Work Compliance Code. (Appendix B)

The school expects employees to adhere to this policy in line with its obligations under equality legislation. Managers / Headteachers must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

Please note:

- Wherever reference is made in this policy to employees this also means volunteers, charity or agency staff who drive a minibus on school business.
- NCC provides insurance for minibus driving on the basis of its use being not for hire or reward only.

2. Responsibilities

2.1 Managers / Headteachers Responsibilities

Managers / Headteachers are responsible for ensuring:

- Risk assessments are in place for all minibus driving activities undertaken by their employees.
- Current employees who drive minibuses understand their individual responsibility to keep to the policy, and that any new employees are made aware of their responsibilities as part of their induction.
- 6 monthly checks of employees driving licences are undertaken to ensure they are valid.
- That the appropriate licence allowing them to drive minibuses is held.
- Ensure checks are carried out by the 'driver' on minibuses prior to use and that appropriate action taken for any problems identified – see the Minibus Checklist.
- Ensure MOT, safety inspection and servicing conditions are adhered to.
- Ensure driver hours activity logs are completed.

In practice these responsibilities may be carried out through directing others within the management chain of their service. However, managers / headteachers remain ultimately responsible for ensuring those persons with delegated responsibility carry out the requirements in full. The manager / headteacher will therefore need to actively monitor that the required actions are being undertaken on their behalf.

2.2 Employees Responsibilities

- Adhere to the requirements set out in this document.
- Carry out minibuses checks prior to use and taking appropriate action for any problems identified – see the Minibus Checklist.
- Complete the Driver Hours Activity log.
- Ensure a Permit 19 is displayed .

3. Minibus hire, loan or purchase (including trailers)

Before a minibus is hired, loaned or purchased it is recommended that Headteachers of LA schools consult with the Business Travel Team to ensure that their vehicle operations are going to stay both within the law and school policy on the use of vehicles for work. In addition, schools may also get better value using centrally negotiated rates for goods and services as well as being reassured that suppliers have been checked and comply with legal requirements. Enquiries may also be referred to technical experts, for example NCC's Fleet Engineers or Risk & Insurance.

4. Risk Assessment

A Risk Assessment for minibus use must be completed on an annual basis for all owned minibuses, and on individual occasions when vehicles are hired or borrowed. The guidance form Examples of risk and suggested control measures for Minibus Risk Assessment form F620 (Appendix A) will assist in this.

5. Authorisation to Drive Minibuses

The authorisation of drivers to operate the minibus is the responsibility of the Manager / Headteacher. When considering the suitability of persons for driving minibuses, they must comply with the Licensing Requirements for drivers of minibuses, as well as ensuring:

- The driver is able to certify they do not suffer from any physical defects, disabilities or illness that might impair their driving.
- All drivers of minibuses have passed the NCC Driver Development Training. Certain drivers, such as drivers of NCS Transport Ltd vehicles, will be exempt from having to undertake this training if they have already undertaken and passed

assessment / training through NCS procedures. Minibus drivers must renew their Driver Assessment / Development Training every three years.

- Employees operating minibuses with passenger / tail lifts must have undergone tail lift training. Suitable training can be sourced either through NCC Driver & Rider Development Team or through the NCC Mobile Libraries Department.

6. Checks before use

A pre-journey checklist must be completed each time, before a minibus is used. This is irrespective of whether the vehicle is owned, hired or borrowed. The driver should carry out the pre-journey checks, and it is also recommended that the person in charge of the vehicle should carry out additional checks at least once a fortnight.

A Pre-Journey Minibus Checklist (Appendix C) form is available. This concentrates on the vehicle itself.

A Minibus Journey checklist to assist with all the aspects of forthcoming journeys is also available.

7. Licensing Requirements for drivers of Minibuses

There has been confusion around the position on driving licences and who is able to drive a minibus. The following requirements apply to drive a minibus with up to 16 passenger seats using their current car driving licence. The driver:

- Is 21 or older
- Has had their driving licence for at least 2 years
- Meet the 'Group 2' medical standards if over 70 – (driver should check with their GP if unsure)
- Driver development training (NCC) is passed prior to driving (and refresher taken on a 3-yearly basis)

And,

- The journey is "not for hire or reward"
- The Gross Vehicle Weight (or Maximum Authorised Mass) of the minibus is not more than 3.5 tonnes - or 4.25 tonnes including specialist equipment for disabled passengers, for example a wheelchair ramp
- You are not towing a trailer

If the driver passed their driving test before 1997 then a minibus category would have been added to their licence automatically, if passed after 1997 it will not appear on your licence but is still valid if the above criteria apply. Further information can be found on the DVLA website

You need to be competent to drive for NCC, all drivers of minibuses must pass the NCC Driver Development Training and renew their assessment/development training every 3 years.

All LA schools must comply with this policy irrespective of any independent or differing advice they may receive.

8. Minibus Permits

In order to ensure consistent legal compliance and avoid the complexity of permit requirements, it is NCC policy that all minibuses (whether hired, owned or loaned) have a section 19 permit. The permit can be issued to an establishment / school and is not vehicle specific. An application form for a Permit needs to be completed. Application forms are available from NORSE.

9. MOT, Servicing, Maintenance and Safety Inspections

Minibuses require a MOT inspection one year after initial registration, and annually thereafter. Minibuses with up to 12 passenger seats (excluding the driver) require a Class IV MOT, the same as a car. Minibuses with more than 12 passenger seats (excluding the driver) require a Class V MOT. The tests are different so you need to make sure you have the right one.

The manufacturers recommended servicing and maintenance schedules must always be adhered to. The service documentation supplied with the vehicle will detail when (on a mileage and/or time basis) the vehicle should be serviced.

In addition, safety inspections (over and above the pre-journey checks) should be carried out to at least the Public service Vehicle (PSV) standard. These checks should be carried out by a competent person – normally a garage. The frequency of the safety checks will vary depending on annual mileage, but as a rough guide:

Up to 12,500 miles	every 10 weeks
12,500 – 20,000	every 9 weeks
20,000 – 40,000	every 8 weeks

Detailed information on these safety inspections can be found in 'Guide to Maintaining Roadworthiness' available on the Department for Transport's website, and the Community Transport Association's web site, both of which have valuable general advice and information for minibus use. Guidance can also be found on the VOSA website.

Passenger lifts and ramps must be inspected every 6 months and load tested in line with the Work Equipment Compliance Code P653.

10. Vehicle Standards

Minibuses must be maintained in a roadworthy condition as described in the main Driving for Work Compliance Code.

11. Breakdown Procedures

There must be a clearly defined procedure which must be followed in the event of a collision or breakdown. All drivers and passenger assistants / escorts should be made aware of and adhere to it. Guidance on what this should look like can be found in the guidance sheet 'Advice for Minibus Drivers'. Breakdown guidance should be kept in the vehicle.

12. Using a Minibus

12.1 Minibus /driver hours and Rest – UK driving only

A minibus is a vehicle with between 9 and 16 passenger seats in addition to the driver's seat.

The rules on drivers' hours for minibus operations are complex. To simplify the situation NCC has incorporated the regulations and its own instructions in the table below. These instructions apply to any person who is driving a minibus on NCC /School business including all employees, volunteers, subcontractors or agency staff.

Completion and retention of minibus drivers' hours records

NCC requires drivers to keep a full record of their driving activity either by log book or tachograph. Written and tachograph record may be requested by the enforcing authorities such as the police or Driver and Vehicle Standards Agency (DVSA).

Drivers who hold a DQC (Driver Qualification Card) must carry this in addition to their licence to drive a minibus for the authority /school. Drivers who hold a Tachograph Driver Card must also have this available if requested roadside.

Drivers must ensure your Permit 19 is displayed on the minibus you are driving. This is important. Inform your line manager /headteacher if the permit is not displayed before driving. You may not be legal on the public highway without the permit.

Drivers using a written record will find the driver's hour's record form (Appendix D) of use. A new sheet must be used for each week and current record sheets should be carried by the driver in case these are requested roadside. Managers / Headteachers must keep the completed records for a period of at least two years.

For drivers using written records, please refer to the table below for limits and periods of rest required.

Drivers opting to use the tachograph must comply with the current EU legislation on PCV tachograph rules and contact Fleet Management to download tachograph card and vehicle information.

Daily Driving	No more than 9 hours per day
Daily Work (excluding breaks)	<p>Length of working day A driver should work no more than 16 hours between the times of starting and finishing work (including work other than driving and off-duty periods during the working day).</p> <p>Daily rest periods A continuous rest of 10 hours must be taken between two consecutive working days.</p>
Breaks	<p>A person cannot drive for more than two hours without a break of 15 minutes</p> <p>After 4 ½ hours driving a driver must have a further 30 minutes break. (A break can be taken by a driver who is a passenger in a moving vehicle providing they are not performing any other duties and is able to obtain rest and refreshment)</p> <p>After 6 hours work a person must have a minimum of a 30 minute rest. If a rest has been taken due to driving time this may be counted.</p>

Weekly Driving	Maximum of 56 hours in a week
Driving in a two week Period	Maximum of 90 hours in two weeks
Working Week (Total / Working Time) And Night Work	<p>Limited to 48 hours average over a 17 week period. A maximum of 60 hours can be performed in a single week providing the average 48-hours is not exceeded.</p> <p>If night work is performed, working time must not exceed 10 hours in any 24-hour period. Night time is the period between 01.00 and 05.00 for passenger vehicles.</p>
Weekly rest	Weekly rest must be 45 continuous hours for drivers. This can be reduced to 24 hours for one week as long as the person has a break of 66 continuous hours in the second week.

Tiredness, fatigue and stress (be it from work, domestic or social circumstances) can affect safe driving. Drivers should take account of this and **not** drive if they believe they are unfit to do so.

12.2 Towing with a Minibus

Before attaching a trailer to the tow bar of a minibuss;

- Check the gross train weight of the minibuss, this sometimes is called the combination weight
- Check that you hold the correct licence to tow the trailer – D1 for trailers up to 750kgs, D1E for trailers over 750kgs
- If towing larger trailers (over 750kgs) the total weight of the trailer must not exceed the unloaded weight of the minibuss
- Ask if you are unsure of any of the weight information. Knowing these weights is important to ensure you are driving on the road safely and legally
- The correct licence is held

Once connected, check;

- That the minibuss emergency exits are not affected by the connecting trailer

Before the start of any journey, the driver of the minibuss needs to ensure that;

- The load is distributed evenly
- The trailer is not overloaded
- The load is secure
- The lights are undamaged and working correctly. The 7 or 13 core cable and plug are undamaged
- A breakaway cable or secondary coupling is used. Make sure this is undamaged and correctly connected
- The tyre pressures are correct and the tyres are undamaged and the tread depth is legal
- The wheel nuts / bolts are tightened to the correct torque (Tightness)
- The trailer is correctly coupled to the towball or pin
- The coupling height and nose weight is correct
- There are secure mudguards on the trailer
- That the correct number plate fitted (the same as the minibuss)

During the journey;

- Always keep within the legal speed limits, your capabilities and the road and weather conditions at the time
- If the trailer starts to snake or swerve, ease off the accelerator and reduce speed gently. This is an indication that you are going too fast or the trailer is wrongly loaded
- Do not break harshly on a bend as this will make the trailer unstable
- Reduce speed in plenty of time when approaching any hazard
- Remember on motorways you are not allowed in the third lane

A [minibuss towing flow guide](#) is available.

12.3 Roof Racks

Where a roof rack is fitted, care must be taken not to overload the minibuss and not to exceed the Gross Vehicle weight. Rack fixings must be checked regularly.

12.4 Speed Limits

Single carriageway roads where no lower limit applies	50 mph
Dual carriageways	60 mph
Motorways	70 mph
Motorways when towing a trailer	60 mph

12.5 Bus / motorway lanes

Minibuses are able to use designated bus lanes unless the word 'local' is included on the blue signage or the road markings. Minibuses fitted with a speed limiter, are not allowed in the right hand lane of a motorway with three or more lanes.

12.6 Parking

If a minibus is parked on the road at night, side and rear lights must be left on. They must also be parked on the nearside of the road unless in a designated parking area.

12.7 Passengers in Wheelchairs

National guidelines produced by the Department for Transport are contained in the code of Practice VSE87/1 "The Safety of Passengers in Wheelchairs on Buses". If you are likely to carry passengers in wheelchairs you will need to obtain a copy of this Code of Practice and abide by the guidance.

12.8 Driving a Minibus Abroad

Strict regulations govern the use of minibuses on international journeys. Operators of minibuses abroad will be subject to the laws of the countries they will be visiting, and these can vary depending on whether the country is part of the EU or not. If you are intending to drive a minibus abroad you must establish what regulations and laws will be applicable for the county you will be visiting.

As a minimum, to drive a minibus abroad, you must normally hold a full PCV Licence, Category D or D1 (obtained through examination). You will also be required to use a tachograph to record drivers hours. If you have any questions contact the Business Travel Team for clarification.

Appendix A - Minibus Risk Assessment form F620

Example and some suggestions for control measures for Minibus Driving Risk Assessment F620

Department: Section/Team: Location: Activity/Area:		Assessment Number: Assessment Date: Review Date:										
What are the hazards?	Who might be harmed and how?	Existing Risk controls	Assessment of Risk			Further Risk Controls required	Residual Risk			Action by whom	Action by when	Done
			L	C	RR		L	C	NRR			
The Driver	The driver, any passengers, other road users	Drivers must be named and authorised Licence complies with school driving requirements and checked every 6 months Drivers have undergone specified training Drivers aware of procedures for driving minibuses emergency situation response										

What are the hazards?	Who might be harmed	Existing Risk controls	Assessment of Risk	Further Risk Controls required	Residual Risk	Action by	Action by	Done
The Vehicle (list the registration numbers of vehicles covered by the assessment)	The driver, any passengers, other road users	Pre-journey checks carried out and recorded Additional safety checks and servicing carried out according to agreed schedules Section 19 Permit held and displayed on the vehicle Appropriate insurance cover in place Road fund licence is current Valid MOT certificate held Vehicle meets the Road Vehicles						

What are the hazards?	Who might be harmed	Existing Risk controls	Assessment of Risk			Further Risk Controls required	Residual Risk			Action by	Action by	Done
The Journey	The driver, any passengers, other road users	(Construction and Use) Regulations Preparation for journeys to include reminding drivers of guidance on safe practices for journeys Guidance to be followed on journey planning / routes / journey times and rest /stop breaks Driving the minibus abroad – regulations and laws applicable to the country visited will be established										
Passengers with special needs	The driver, other passengers	Appropriate number of escorts /										

What are the hazards?	Who might be harmed	Existing Risk controls	Assessment of Risk	Further Risk Controls required	Residual Risk	Action by	Action by	Done
		passenger assistants identified Vehicle meets the standards for transporting wheelchair passengers Vehicle has adequate equipment for securing wheelchairs and passengers						

(L-Likelihood C-Consequence RR-Risk NRR-New Risk Rating)

Assessor's name and signature:

Date:

Manager's name and signature:

Date:

Appendix B - Driving for Work Compliance Code.

1. Introduction – Equal Opportunities and Scope
2. What is 'driving for work?'
3. Driving Licence Changes – 8 June 2015
4. Responsibilities
5. Risk assessing driving for work
6. Managing the risk
7. Smoking in Vehicles
8. NCC Owned, Hired or Leased Vehicles
9. Reporting incidents
10. NCC Motor Insurance Policy
11. Driving Endorsements and Convictions
12. Other resources

1. Introduction – Equal Opportunities and Scope

This Code applies to any person who is driving on Council business including all Norfolk County Council (NCC) employees, volunteers, subcontractors or agency staff who drive or ride a vehicle, motorcycle or bicycle whilst at work. It applies to those who drive or ride only occasionally or for short distances, as well as those where travelling amounts for a significant part of their working hours. There are specific departmental policies and standards for drivers of certain vehicles such as the Fire Service, these must be referred to in addition to this Code where applicable. NCC has an 'O' Licence (goods vehicle operators licence) which it requires to operate its variety of fleet vehicles. Robust procedures are in place for fleet management and compliance with the requirements of this licence. However, Managers not involved in fleet operations need to be aware that running lighter vehicles such as vans or car-derived vans also have implications under this licence, whether run for a specific period or just for a day on a one off hire. Failure to comply with specific requirements could have serious implications for both drivers and managers, and breaches could compromise NCC's 'O' Licence. Therefore, before such a vehicle is purchased or hired a member of the Business Travel Team must be consulted.

NCC expects employees to adhere to this Code in line with NCC's obligations under equality legislation. Managers must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

Please note:

- Wherever reference is made in this Code to employees this also means volunteers, subcontractors or agency staff who drive or ride on NCC business.
- Where the insurance requirements detailed in this Compliance Code apply to the Norse Group they may apply alternative occupational road risk control measures to those detailed in this Compliance Code.

NCC believes Occupational Road Risk (ORR) is the joint responsibility of employer and employees. In line with our overall health and safety policy, NCC is committed to providing and maintaining safe and healthy working conditions for all employees and to provide the information, instruction, training and supervision required for this purpose. All employees should be made aware of their responsibilities under this policy and be directed to read this policy on PeopleNet where applicable. NCC's underlying strategy is to encourage a road safety culture where all road safety incidents are reported and investigated in line with P601 the Incident Reporting Policy.

2. What is 'driving for work?'

Driving for work is using any vehicle for NCC business. This may be your own car, motorbike or cycle, or a fleet vehicle / pool / hired vehicle, to travel to a different place other than your usual base for work or for any work purposes. It also includes driving minibuses to transport people using our services, and includes those using their own vehicles for the same purposes, as well as use of other NCC owned vehicles.

Commuting (travelling to/from your normal work base, or if peripatetic to the first / from the last work base you visit) falls outside the scope of this Code.

3. Driving Licence Changes – 8 June 2015

Since 8 June 2015, the paper counterpart to the photo card driving license is no longer issued by DVLA and is not valid. The counterpart was introduced to display driving licence details that could not be included on the photo card. (Only paper driving licences issued before the photo card was introduced in 1998 will remain valid and should not be destroyed).

As of 8 June 2015 new penalty points (endorsements) are electronically recorded, these will not be printed or written on either photo card licences or paper driving licences.

A free [View Driving Licence service](#) allows the licence holder to see their licence details, including what vehicles can be driven and their penalty points. The licence holder can access the DVLA Share Driving Licence service for free to obtain online information and download a summary of their licence record which can be printed or shared.

Where this policy requires driving licence checks to be carried out – managers and employees must use these arrangements.

4. Responsibilities

All managers and employees are expected to follow the procedures outlined in this Code in order to carry out their duties and outlined in the [Health and Safety Organisation and Responsibility Policy](#). For schools these are outlined in your schools Health and Safety Policy.

Additional specific responsibilities under this Code:

4.1. The Managing Director: is the responsible person under the authorities O Licence and as such must ensure all requirements of this licence are complied with.

4.2. Head of Highways (Community and Environmental Services): is the counter signatory for the authorities O Licence and as such holds a joint responsibility with the Managing Director to ensure all requirements of this licence are complied with.

4.3 Service Heads: and anyone with a management responsibility must ensure this policy is implemented in all services for which they have overall responsibility this will include ensuring:

- Only authorised people have access to and are permitted to drive NCC owned, hired or leased vehicles and that the movement of vehicles is controlled.
- 6 monthly checks are in place regarding the following:
 - that drivers hold a valid licence for the vehicle they drive
 - that vehicles are appropriately taxed, insured (including business use on private insurance)
 - that driving convictions are identified and appropriate action is taken accordingly.

Records of these checks are to be made on their annual and mid-year appraisal form and service heads must assure themselves all relevant records are being maintained.

- Appropriate risk assessments and safe systems of work are in place for vehicle operations as described by this policy.
- Employees have had appropriate training and information according to the training matrix attached to this policy, so as make sure they understand their individual responsibility to keep to the Code and the Highway Code.
- Any new employees are made aware of their responsibilities as part of their induction.
- Vehicles are loaded safely and within the limits.
- Vehicle operations comply with the relevant drivers' hours and working time regulations.
- Any vehicles under their control are roadworthy and properly maintained, and that employees are aware of the need to correctly maintain their vehicle / motorbike / cycle.
- Routine checks are carried out by the 'driver' on vehicles prior to use and that appropriate action taken for any problems identified – see General Vehicle Checklist and the Minibus Checklist where applicable
- Employees are aware of the need to report if they believe they are unfit to drive.
- Anyone driving a minibus adheres to the Operation of Minibuses Policy
- Where fleet operations are undertaken, driving is undertaken in accordance with fleet policies and the detail in the Driver and Supervisor Handbook.
- Where vehicles are hired, these are used in accordance with operational policies so as not to compromise the NCC's 'O' Licence

In practice these responsibilities may be carried out through directing others within the management chain of their service. However, Service Heads remain ultimately responsible for ensuring those persons with delegated responsibility carry out the

requirements in full. The Service Head will therefore need to actively monitor that the required actions are being undertaken on their behalf.

Any manager that has devolved responsibility for managing ORR must escalate any issue that cannot be resolved locally to their service head immediately.

4.4 Employees: will be responsible for all fines relating to speeding, parking and road traffic act offences they have committed. If prosecuted for a road traffic offence, employees will be responsible for legal costs, except in exceptional circumstances

Some offences (such as Drinking and Driving and Reckless or Dangerous Driving) could lead to disciplinary action, including dismissal. Employees **MUST** inform their Line Manager of any Road Traffic Offences and penalties received. Drivers holding vocational licences must also inform the Traffic Commissioner.

Employees must ensure they:

- Hold a valid licence for the vehicle they drive.
- Have authority to drive any vehicle they are using for NCC business.
- Tell their manager if they are charged or convicted of any offence including fixed penalty notices.
- Have completed the required training and have all the relevant information to use the vehicle and any equipment associated with it.
- The vehicle is loaded safely and within its limits. Follow the Highway Code.
- They comply with the relevant drivers' hours and working time regulations.
- The vehicle is roadworthy and they report any problems identified immediately – see General Vehicle checklist and Minibus checklist where applicable.
- Obtain 'business use' insurance cover if using their own vehicle for NCC business
- Tell the relevant authorities and their managers if their health or anything else affects their ability to drive.
- They submit all relevant paperwork to their manager twice yearly.
- They keep their training records up to date to prove they have received all relevant training relating to driving for work
- Know what to do in the event of an incident including reporting any incident arising in the course of work related driving.
- Follow the policy on the use of mobile phones whilst driving
- Meet the minimum eyesight standard required for driving. If glasses are needed they must be worn
- Show courtesy and consideration to other road users and not behave in an aggressive or inconsiderate manner whilst driving
- Escalate to their Service Head any occupational road risk issues they notice that cannot be resolved locally

If you are in any doubt about your responsibilities please speak to your line manager or the Business Travel Team.

5. Risk assessing driving for work

Risk assessments must be carried out in all areas of work where work-related driving poses an actual or potential risk. The risk assessment will involve identifying all potential dangers and the risks associated with specific work-related driving activities.

Factors to consider in carrying out this type of risk assessment include:

- The competence of the driver
- The driver's fitness and any medical conditions that could put them at risk
- The reliability and suitability of the vehicle
- Vehicle breakdowns
- Driving in poor weather
- Handling and securing loads
- Road conditions and journey routes
- The associated risks of working alone
- Driving in high risk locations
- Isolated parking facilities
- Driving unfamiliar vehicles
- Risks associated with carrying clients

Assessments of the risks associated with work-related driving should also take account of occupational health issues such as:

- Ergonomic factors
- Musculo-skeletal disorders
- Eyestrain
- Noise
- Vibration
- Strain

It should also consider aspects of vehicle security such as:

- Theft of both the vehicle and property from it
- Malicious damage
- Arson

A Risk Assessment for minibus use must be completed on an annual basis for all owned minibuses, and on individual occasions when vehicles are hired or borrowed.

For car / motorcycle / bicycle users, where the journeys are not arduous and only encounter usual every day driving risks, it may be appropriate to produce a Generic Assessment which shows the identified hazards and standard control measures that should be routinely used to reduce associated risks. [F655 Examples for driving for work risk assessment](#) available on PeopleNet will assist you in producing a Generic Risk Assessment. These can be reviewed on an annual basis where there have been

no significant changes (this could be reviewed with drivers on their annual appraisal for example).

Following a collision/incident a review of any relevant risk assessment in place must be undertaken as part of the investigation process to minimise the possibility of reoccurrence.

All drivers should assess the situation before beginning any journey. This should include assessing the condition of the vehicle, weather conditions and route, and their own fitness. The Drivers Risk Assessment Check List will assist with the pre-journey risk assessment process. Refer also to the 'General Vehicle checklist' and the 'Minibus Checklist' where applicable.

6. Managing the risk

There are a number of strategies which could be used to reduce risks associated with work-related driving. Drivers will need to meet the age and experience criteria set out in appendix (A) and have the appropriate entitlement for the category of vehicle on their licence as well as meet the driving convictions standards set out in appendix (B).

These could include considering:-

6.1 The journey: Could the task be achieved by phone? If not plan journeys ahead taking account of road type (for example, incident rates are lowest on motorways and dual carriageways), time of travel etc.

6.2 Driving standards and training: See Appendix B for the training matrix which details driver training requirements

Managers may refer any driver convicted of a traffic offence to undertake a Driver re-assessment or training.

6.3 Driver's checks and qualifications: Drivers may only drive vehicles for which they hold appropriate licences. Line managers must check and record details of driver's documentation, training records and risk assessments. The requirement is to record that an appropriate check has been made and that everything is in order, it is not required to keep copies of driver documentation.

6.4 Maintenance, Inspection and vehicle checks: Under the road traffic act, it is the driver's responsibility for making sure any vehicle they drive on public roads is roadworthy. If there is any doubt concerning a vehicle's roadworthiness, it should not be driven on public roads until the problem has been rectified.

Drivers of NCC owned hired or leased (excluding the lease car scheme) vehicles will be trained in checking vehicle roadworthiness and reporting all faults to the appropriate manager for rectification before commencing any journey. First use checks will be carried out (and recorded) by drivers on all such vehicles.

Vehicle check sheets (where applicable) will be monitored on occasions by Line Managers.

Vehicle maintenance must be carried out in line with the agreed schedules, manufacturer's recommendations and operator licence requirements.

Hired vehicles will be checked on collection/ delivery by the Line Manager or their nominee. Any faults will be notified to the hiring organisation immediately. It is the driver's responsibility to ensure the hire vehicle remains in excellent condition. The Line Manager will be responsible for ensuring that any faults are dealt with in the same way as for the organisation's regular fleet.

6.5 Wearing seatbelts: All drivers must wear seatbelts where fitted, and must ensure any passengers they carry also wear seatbelts as applicable.

When you're driving, you may only carry one person in each seat fitted with a seat belt. Refer to the Schools MI sheet 124/06 for detail on child restraints in vehicles. This guidance also details requirements for the use of child car seats for children under the age of 12 years or 135 cm.

6.6 Alcohol, drugs and prescribed medicines: The NCC drug and alcohol policy P319b available on PeopleNet must be followed by all employees. Driving on NCC business, whilst under the influence of alcohol or drugs is not allowed.

If a driver feels they are unfit to drive due to the effects of drugs, alcohol (or noxious fumes) they must inform management immediately and they must not attempt to drive.

Employees need to be aware of the effects of some prescribed drugs and/or alternative remedies and act upon the warnings given on the label or from a medical professional. They should inform their Line Manager/supervisor when necessary.

Be aware that alcohol takes time to leave your body. You may be unfit to drive in the evening after drinking at lunchtime, or in the morning after drinking the previous evening. Employees should present themselves for driving for work free of any undue influence from alcohol and /or substances.

Cases or incidents of alcohol and substance misuse will be managed following the policy available on PeopleNet.

6.7 First Aid Kits: The risk assessment of first aid needs (P608 First Aid at Work Policy) should be followed to determine whether those who travel long distances or are mobile for most of the working period should carry a personal first aid box.

Where this is deemed the case, the kits in their vehicles should be kept stocked with a backup supply from the work base as described in the Code.

6.8 Mobile phones: It is a specific offence to use a hand held phone, or similar device when driving. Doing so may result in a driver having their licence endorsed with penalty points and receipt of a fine. Drivers are still at risk of prosecution for failure to have proper control of their vehicle if they use a hands free phone whilst driving or have a three way conversation via a passenger they are carrying using a mobile phone on their behalf.

Drivers who hold vocational licences e.g. HGV, PCV are at risk of licence suspension if found not to have proper control of their vehicle as described above.

It is therefore NCC policy that mobile phones, including through the use of hands free devices (or third parties as described above) are **not** used by employees whilst driving unless it has been proven to be absolutely necessary and the risks of doing so are authorised by a Senior Manager for the service area. The decision to allow the use of mobile phones whilst driving must be recorded in a risk assessment. The risk assessment must consider whether other methods of working are feasible and whether the use of the phone whilst driving is really needed. There will be very few circumstances in NCC where a risk assessment will identify that the use of hands free kit / Bluetooth phone whilst driving is appropriate considering the known risk. Therefore it is anticipated that the only employees who should use a mobile phone for work purposes whilst driving, are those who are responding to an emergency where life safety could be affected.

When driving, mobile phones must be on silent or switched off and not used until the vehicle is parked in a safe, legal and convenient place. This applies to hand held, hands free and any other devices. Mobile phones must only be used when the vehicle is stationary, the engine turned off and the keys removed from the ignition. Avoid taking calls on a hands free phone, if you must, say you are driving and will ring them back when you are able to stop. Risk assess the dangers of answering an incoming call before starting any journey.

Where someone who is driving needs to be contacted, staff will leave a brief message or ask them to call back for details. They will not, under any circumstances, speak to someone who is driving at the time of the call. If a driver answers the phone and it is obvious the vehicle is being driven, the driver must be asked to stop when convenient and call back. The call should be terminated at once.

Managers must not ask or expect drivers to make or receive calls whilst driving. Employers may be prosecuted if they require or condone employees using mobile phones whilst driving and a collision occurs. If it is essential to contact employees whilst driving, consider a message taking service.

Managers must investigate all instances of employees using mobile phones whilst driving and consider the appropriate action in line with the disciplinary procedure and guidance.

6.9 Drivers hours and rest: Tiredness, fatigue and stress (be it from work, domestic or social circumstances) can affect safe driving. Drivers should take account of this and not drive if they believe they are unfit to do so.

Where employees have to travel a long distance to a work location at the beginning of the day or the journey is likely to take more than two hours – therefore requiring the driver to leave home in the early hours of the morning, consider making the journey the night before and staying overnight. Similarly, at the end of a work period at a location a considerable distance away, consideration should be given to staying overnight – to avoid driving a long distance home when tired.

Drivers covered by EU Drivers Hours regulations must comply with the relevant rules set out in the current EU standard. Advice is available from the Fleet Engineer

Drivers not covered by Drivers Hours regulations should take a minimum 15 minute break every 2 hours.

Drivers must report scheduling issues due to problems on route as soon as they arise. Management must respond to any such reports in a timely way.

6.10 Carrying Clients: Whilst driving for work employees must only carry passengers legitimate to NCC business.

There may be a requirement for some employees to transport service users in their own /lease cars. For those using their own cars, there is no need for special Insurance cover but they do need to tell their Insurance Company that their vehicle will be used for work purposes. Adding 'business use' to a policy, should not attract additional charges and will cover passengers.

Whether an employee uses their own car or a NCC / hired minibus, it is important to carry out a Risk Assessment for these duties, to determine the circumstances under which the task can be carried out safely. This should include what is known of any previous history of challenging or inappropriate behaviour of the person(s) to be transported. Those transporting young children need to ensure child protection issues are included within the risk assessment. Specific behaviour management plans should be in place where there is a foreseeable risk of a passenger showing signs of disruptive / challenging behaviour.

If a passenger shows signs of disruptive / challenging behaviour before the journey commences then the driver should not leave until they are certain the journey can be completed safely. In the event that your passenger(s) become disruptive during a journey which could put themselves or others at risk, you should stop your vehicle at the nearest place of safety to either deal with the situation or call for assistance if not able to calm proceedings yourself. All reasonable steps must be taken to avoid leaving any passenger unaccompanied and in no circumstances should a passenger be left in a situation where they would be at risk.

6.11 Carrying Equipment / Materials: Employees may often be required to carry equipment / materials connected with their work. Any equipment / materials must be properly secured (e.g. in the boot), Employees should not carry heavy, large, or awkward items in their cars that they cannot manage to move safely or cannot properly secure. A manual handling risk assessment may need to be conducted (See PeopleNet Guidance) regarding the transfer of heavy items to or from a vehicle.

Generally, employees should not be expected to carry any potentially hazardous equipment / substances in their own vehicles. Where carried in Council vehicles, a risk assessment must be carried out and controls put in place in line with the policy on hazardous substances available on PeopleNet. Further advice on this subject is also available from the Fleet Management Team.

No additional equipment is permitted to be/may be used or fitted to the organisation's vehicles without written authority of a Fleet Engineer.

6.12 Breakdown/ Emergency Assistance for NCC Owned, Leased or Hired Vehicles

Drivers must follow the procedure laid down in their Drivers Handbook where provided.

Drivers will summon assistance from the breakdown/recovery organisation – contact details are found in the vehicle.

Drivers must contact their work base (or follow the departmental arrangements) immediately to report any problem and seek guidance.

6.13 Speed: NCC does not accept breaking speed limits as an acceptable business risk. Managers must investigate any employee known to be habitually using inappropriate speed and consider the appropriate action in line with the disciplinary procedure and guidance.

6.14 Towing and Loading: Line Managers will be responsible for ensuring all drivers towing or loading have suitable and sufficient training to undertake these tasks legally and safely.

Any towing and/or loading training will be recorded on their Driver and/or Training records.

Loads carried on roof racks will be checked for weight so as not to exceed the loading limit of the rack or vehicle.

7. Smoking in Vehicles

The law does not allow smoking in vehicles which are used in the course of work, unless used primarily for private purposes. This means that smoking is not permitted at any time in NCC owned vehicles or in any lease vehicles which are mainly used for work.

However, a review of lease car private and work mileage indicates that more private mileage is undertaken in lease cars than work related mileage, so it has therefore been presumed that the majority of lease cars are used primarily for private purposes. NCC employees who smoke and use NCC lease cars that are mainly used for private purposes, or their own cars when travelling on NCC business:

- Must not smoke when carrying passengers (colleagues or service users)
- Are strongly encouraged not to smoke when driving – this may impair proper control of the vehicle.

It is the responsibility of employees to ensure that the private versus work mileage test is applied and the relevant requirements complied with. You may personally receive a fixed penalty notice and fine for smoking in a prohibited vehicle.

8. NCC Owned, Hired or Leased Vehicles

8.1 Vehicle details: The location of the following will be recorded and kept up to date as relevant depending on the vehicle status:

- V5 (registration document) vehicle details,
- purchase details,
- damage,
- repair costs,
- MOT details,
- economy,
- fitted extras,
- servicing periods,
- servicing costs,
- running costs,
- disposal,
- incident history,
- parts history,
- driver(s),
- insurance,
- road tax renewal date and
- any other specifics required by the Business Travel team.

Records of vehicles maintenance must be kept in line with the law and any undertakings given by NCC (and no less than 15 months inclusive)

8.2 Vehicle hire (including trailers), loan or purchase: Vehicles can only be hired through Business Travel Team.

Before a vehicle is purchased or loaned to the authority a Fleet Engineer must be consulted.

9. Reporting incidents

Employees must report all incidents (including near misses and injury to an animal not carried in the vehicle including - horses, cattle, ass, mules, sheep, pigs, goats, dogs.) to their Line Manager at the earliest opportunity. These should be recorded on the NCC reporting system as for all work related incidents. Line Managers must investigate all work related reports and this includes any incidents associated with work related driving.

A copy of the Motor Advice Claim form for NCC owned, hired or leased vehicles will be kept in all such vehicles at all times and used in the event of any incident.

10. NCC Motor Insurance Policy

NCC's motor insurance policy provides comprehensive cover for all NCC's owned, leased and hired vehicles. The vehicles are covered against loss or damage or liabilities to third parties and passengers. This cover extends to provide indemnity against claims for loss or damage to the insured vehicles by accidental or malicious means, fire, theft or attempted theft. There is no cover for third party vehicles driven by our own drivers under the insurance policy, nor is there any insurance cover on employees private vehicles when used for NCC business.

The policy cover is for business use only, except for car lease vehicles and some listed ICT Services and Norse group vehicles, where the cover is extended for social, domestic and pleasure purposes.

Details of any vehicles owned by NCC, or leased or hired for business use must be reported to the Insurance Section to ensure that motor insurance cover is in place. The details required to ensure insurance is placed for the vehicle are as follows:

- Make & Model
- Registration
- Date from which you require insurance cover

This detail must be received prior to the date that insurance is required.

For further details on insurance cover and procedures please contact the Risk and Insurance Underwriting Team on 01603 224375

11. Driving Endorsements and Convictions

Where an employee has been convicted of a driving offence, managers must investigate the matter and take appropriate action in line with the disciplinary procedure and guidance.

NCC encourages all drivers to take part in any Restorative Justice Schemes as an alternative to prosecution (e.g. National Driver Alertness Scheme & National Speed Awareness Scheme).

Where necessary, drivers will be temporarily relieved of driving duties and where appropriate and practicable offered alternative work within the organisation for example when a manager feels there is any reasonable doubt about an individual's ability to continue to drive. Managers can seek advice from HR direct or a member of the Business Travel Team.

Holders of vocational licences who are convicted of a driving offence must notify the traffic commissioner of the details including the organisation they drive for. In such cases managers must ensure that drivers have met these obligations.

Where a named driver or family member is eligible to drive a lease car and penalty points are accrued the Car Lease Manager must be informed immediately.

Drivers who have serious driving convictions or those who are persistent offenders will not be permitted to drive an NCC insured vehicle. The standards to be applied can be found in the following table. This applies only to current convictions; spent convictions will not be taken into account.

Serious driving convictions are defined as:

VEHICLE TYPE	DRIVER	ENDORSEMENT / CONVICTION
Passenger Carrying Vehicle (Defined as minibuses, coaches, buses, Fire Appliances and people carriers used on NCC business that are not part of the NCC lease car scheme)	<ul style="list-style-type: none"> - Employees - Non employees such as volunteers, hirers - Any driver 	Over 7 points Over 6 points Any offence for which the driver was disqualified and the endorsement remains as current on the licence
Pool cars	<ul style="list-style-type: none"> - Existing driver employees - Existing employees newly required to drive on NCC business 	No points restrictions Any offence for which the driver was disqualified and the endorsement remains as current on the licence
ALL OTHER VEHICLES (including lease cars)	<ul style="list-style-type: none"> - Existing driver employees - Existing employees newly required to drive on NCC business - Non-employees, such as named drivers on lease cars, or contract drivers - Prospective employees required to drive on NCC business 	No points restrictions Any offence for which the driver was disqualified and the endorsement remains as current on the licence Over 6 points, or any offence for which that driver was disqualified and the endorsement remains as current on the licence Over 6 points, or any offence for which the driver was disqualified and the endorsement remains as current on the licence

Drivers will not be insured to drive for the full term the current endorsement/conviction remains in force (e.g. 4 or 11 years as above, excluding 'totting-up' offences for which a period of 3 years applies).

For more information on endorsement codes visit <https://www.gov.uk/penalty-points-endorsements/overview>

Appendix A – Age and Experience Criteria

	EMPLOYEES	VOLUNTEERS AND CONTRACT DRIVERS	NAMED DRIVERS AND FAMILY	THIRD PARTY HIRERS
LEASED CARS (insurance rating of 10 or above)				
Minimum age Minimum experience	17 a) Full Licence b) Passed Driver Development Training	n/a n/a	25 a) Full Licence b) Passed Driver Development Training (for named drivers who are also NCC employees only)	n/a n/a
POOL CARS				
Minimum age Minimum experience	17 Full Licence	n/a	n/a	n/a
LEASED CARS (Insurance rating of 9 or under)				
Minimum age Minimum experience	17 a) Full Licence b) Passed Driver Development Training	n/a n/a	17 a) Full Licence b) Family members may drive on a provisional licence if accompanied by lease driver who has held a full licence for 3 years and is over 21 c) Passed Driver Development Training (for named drivers who are also NCC employees <u>only</u> .)	n/a n/a
OTHER CARS (including people carriers such as Ford Galaxy)				
Minimum age Minimum experience	17 a) Full Licence b) Passed NCC/Dept training	17 a) Full Licence b) Passed NCC/Dept training	n/a n/a	n/a n/a
MINIBUSES/PASSENGER VANS – EXCLUDING HIRE OR REWARD (Some Examples of passenger vans include VW KT35's, Transit Toraus, Peugeot Experts & Camper Vans)				
Minimum age Maximum age Minimum experience	21 n/a a) Full Licence b) 3 years driving c) D1 entitlement d) Passed NCC/Dept training	21 n/a a) Full Licence b) 3 years driving c) D1 entitlement d) Passed NCC/Dept training	n/a n/a n/a	21 70 a) Full Licence b) 3 years driving
BUSES/COACHES & MINIBUSES USED FOR HIRE OR REWARD				
Minimum age Minimum experience	21 a) Full Licence b) PCV Licence c) D1 entitlement d) Passed NCC/Dept training	21 a) Full Licence b) PCV Licence c) D1 entitlement d) Passed NCC/Dept training	n/a n/a	n/a n/a
LIGHT GOODS (up to 3500kg)				
Minimum age Minimum experience	17 a) Full Licence b) Passed NCC/Dept training	17 a) Full Licence b) Passed NCC/Dept training	n/a n/a	n/a n/a
MEDIUM GOODS (3500kg – 7500kg with trailer up to 750kg)				
Minimum age Minimum experience	18 a) Full Licence b) C1 entitlement c) Passed NCC/Dept training	18 a) Full Licence b) C1 entitlement c) Passed NCC/Dept training	n/a n/a	n/a n/a
LARGE GOODS (Over 7500kg)				
Minimum age Minimum experience	21 a) Full Licence b) LGV licence c) C entitlement d) Passed NCC/Dept training	21 a) Full Licence b) LGV Licence c) C entitlement d) Passed NCC/Dept training	n/a n/a	n/a n/a

For all classes of vehicle, employees may drive on a provisional licence if accompanied by a suitably qualified driver.

Any employee wanting to use another employee's lease vehicle for work purposes would need to be a named driver, and would be subject to the same requirements as lease car drivers, i.e. licence checks and driver assessments. The driver would also be responsible for the policy excess in the event of an incident whilst they were using the vehicle. Any driver of a lease car not approved and named and who has not followed the above criteria will not be insured to drive.

Appendix B – Training Needs Matrix

	Skills	Knowledge	Behaviour	Comments
Private Motor Bike	Following an individual Risk Assessment Managers may, as part of the control measures, request a Driver Training/Assessment session	Written Information on Managing Occupational Road Risks, Safe Loading of vehicles and pre user checks. This information is available on The Business Travel Team website	E-learning Driving for work	Risk Assessment must be reviewed annually or more often where there have been changes. E-learning must be repeated on a three yearly basis.
Work provided Motor Bike	A driving assessment (every 6 years)	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
Private, Pool Car Or Van	Following an individual Risk Assessment Managers may, as part of the control measures, request a Driver Training/Assessment session	Written information on Managing Occupational Road Risks, Safe Loading of vehicles and pre user checks. This information is available on The Business Travel Team website	E-learning Driving for work	Risk Assessment must be reviewed annually or more often where there have been changes. E-learning must be repeated on a three yearly basis.
	Skills	Knowledge	Behaviour	Comments
Lease Car	A driving assessment (every 6 years)	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
Work provided MPV (Car up to 8 seats)	A driving assessment (every 6 years)	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
Work provided Car Derived Van* (please see the note below)	Following an individual Risk Assessment Managers may, as part of the control measures, request a Driver Training/Assessment session	Written information on the use of vehicles, Occupational Road Risks and NCC policies and procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
	Skills	Knowledge	Behaviour	Comments
Work provided Van** (please see the note below)	A driving assessment (every 6 years)	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
Work provided Van Towing	A driving assessment (every 3 years). This assessment also covers driving a van.	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.
Work provided Mini Bus	A driving assessment (every 6 Years). This assessment also covers driving a van and car derived van.	1. Duty of Care presentation (done as part of the driving assessment). 2. Written information on the use of vehicles, Occupational Road Risks plus NCC policies & procedures. This information is available on The Business Travel Team website	E-learning on 1. Eco safe driving 2. Driving for work	Six monthly driving licence checks carried out by the Line Manager or departmental nominee. E-learning must be repeated on a three yearly basis.

	Skills	Knowledge	Behaviour	Comments
Work provided LGV	A driving assessment (every 3 Years). This assessment also covers driving a van.	Attend Certificate of Professional Competence (CPC) course modules relevant to the role.	Attend Certificate of Professional Competence (CPC) course modules relevant to the individual's role.	Six monthly driving licence checks carried out by the Line Manager or departmental nominee.
Agricultural Tractor	Driver Assessment by a qualified operator	Briefing by line manager and if required complete the City and Guilds MO1 qualification	Supervision by a qualified operator / manager	Six monthly driving licence checks carried out by the Line Manager or departmental nominee.

Please note for any type of motor vehicle not included in this Training Needs Matrix please take advice from the Road Safety Team.

*A Car Derived Van is a vehicle constructed as a derivative of a car with a Maximum Authorised Mass (MAM) not over 2 tonnes (check with the vehicle manufacture if you are unsure).

**A Van is a vehicle constructed primarily to carry goods with a MAM of not more than 3.5 tonnes.

Appendix C - Pre-Journey Minibus Checklist C620

This form must be completed each time, before a minibus is used. Any problems identified must be reported to your line manager immediately and appropriate action taken before the minibus is used.

Vehicle Registration Number:						
Enter date of inspection	date	date	date	date	date	date
Section 19 permit displayed in vehicle						
Tax disc valid and displayed						
Operating log reviewed for faults						
Tyres – Checked for wear and pressures						
Wheels – Security of wheel nuts						
Engine oil and brake fluid – check levels						
Fuel and water – Sufficient for journey						
All windows clean						
Lights – Including stop lamps and indicators						
Windscreen wipers and washers						
Bodywork – No dangerous parts						
Mirrors – Positioned correctly, not damaged						
Brakes – Check when vehicle is stationary and						
Horn in working order						
Seatbelts in good condition, working properly						
First aid box- Present and well stocked						
Fire extinguisher present and within date						
Torch – Present and in working order						
Mobile phone – available for driver						
Warning triangle						
Reflective jackets						
Cloth for cleaning windows						
A blanket						
Drinking water						
Spare bulbs						
Maps						
Spare fuses - know where the fuse box is and						
Initials of person making the checks						
Ensure back doors are unlocked						

