



Driving at Work Policy and Procedure

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A = Approved D = Draft

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Associated Documentation

- Driving at Work Guidance Document
- Carbon Management Plan
- Fleet Strategy
- Code of Conduct
- Disciplinary Policy and Procedure
- Performance Management Policy
- Risk Management Procedures
- Pre and Post Employment Checks Policy
- Environmental Policy
- Excess Mileage, Travel Time and Accommodation Policy
- Medical Standards for Fitness to Drive Policy
- Guidance for Managers – Driving Referrals
- Lease Car Policy

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Staff Summary

• Standardisation of driver expectations and procedures
• Introduction of Driver Training Passport
• Accident Reporting and Management Procedures
• CCTV and Innovation
• Driving licence checks
• Streamline Training and Referral guidance

STAFF SUMMARY

The very nature of an Emergency Service lead the public to associate Ambulance Employees and volunteers with a high standard of driving skill and road behaviour. Driving for work carries an element of risk, the aim of this policy and its associated guidance is to raise awareness of these risks and lessen the chances of injury to employees, patients and other road users. Trust personnel generally fulfil these expectations; however, there have been occasions where these standards have not been achieved. These higher expectations apply not just to the driver and their actions, but also to the behaviour and actions of those travelling as attendants or passengers. Any Trust vehicle involved in a collision results in disruption to the operation of the Trust, an unacceptable personal injury risk to employees and other road users, delay in responding to calls, considerable money and materials being wasted in repairing damage, unnecessary 'down time' whilst vehicles are being repaired as well as damage to the public's perception of the Ambulance Service and an increased insurance premium.

All staff, which drives on Trust business, are expected to have read, understood and comply with the policy and associated guidance.

2.0 INTRODUCTION

2.1 Yorkshire Ambulance Service NHS Trust (YAS) acknowledges the inherent risks that driving poses to individual road users, pedestrians, employees, the organisation, the provision of their services, and to the NHS overall and is committed to reducing these risks as far as reasonably practicable.

- 2.2 This document and its associated guidance should be read in conjunction with the Carbon Management Plan and Lease Car Policy.
- 2.3 Working together with staff, YAS is committed to developing and implementing an effective risk management system to reduce the number and consequences of Road Traffic Collisions (RTC's) by ensuring:
- Staff are competent and medically fit to drive the required class of vehicle appropriate to their role.
 - All YAS staff are aware that they **must** report incidents and the procedures and processes involved including what is expected in the event of involvement in a Trust vehicle incident.
 - All YAS vehicles are fit for purpose and maintained in a safe and fit condition.
 - YAS staff are aware of the importance of vehicle checks, reporting vehicle defects and breakdowns and the potential risks of not reporting.
 - All YAS staff are aware of the implications of vehicle collisions, and the importance of incident management, claims management and accident reduction.
 - Staff are aware they **must** inform their Line Manager if they receive **any points** to their DVLA Driving licence. This is a legal requirement and failure to comply could result in claims involving the individual being void and that individual becoming personally liable (licence checks will be carried out additionally by the Trust).
 - All YAS staff are aware of their role and responsibilities.
- 2.4 This policy incorporates and ensures the Trust follows the applicable legislation:
- Health and Safety at Work Act 1974
 - The Road Vehicles Lighting regulations 1989 (Amended 2005)
 - Road Traffic Act 1988 (Amended 1995)
 - Motor Vehicle Regulations 2010

- New Drivers Act (Appended to Road Traffic Act 1995)
- The Traffic Sign Regulations and General Directions 1994

3.0 PURPOSE

3.1 The purpose of this policy is to:

- Set out the required high standards of driving within YAS NHS Trust to reach its service users as quickly and safely as possible. 'Quickly' refers to Emergency Responses.
- Ensure a standard approach to the driving development of staff throughout YAS NHS Trust.
- Minimise the number of Road Traffic Collisions (RTCs) and accident damage involving YAS vehicles. Drawing attention to certain aspects of driving and vehicle care will result in reduced accidents and lessen risk to patients, other road users and Trust personnel.
- Ensure vehicles operated by the YAS are fit for purpose and maintained to a safe standard.
- Promote, maintain and improve the professional image of YAS staff and vehicles providing response and transportation.
- Outline to staff and management their legal requirements and responsibilities with regard to emergency and non-emergency driving to deliver a consistent approach across all areas and directorates. This includes an individual's responsibility to advise any changes to their medical status or the taking of any medications that may affect their ability with regards to driving emergency and non-emergency vehicles.
- To ensure that Trust personnel are aware of the processes and policies concerned with causing, being involved in, and managing vehicle incidents.

4.0 SCOPE

4.1 This policy applies to all YAS employees, volunteers, approved volunteers, bank workers and agency staff carrying out their duties, and is supplementary to any other

policies. The policy will clearly identify those areas that only concern staff trained to be emergency drivers.

- 4.2 The policy provides knowledge and guidance to enable YAS employees, volunteers, approved volunteers, bank workers and agency staff to understand the expectations of the Trust where driving at work is concerned.
- 4.3 The policy covers the management of vehicle-related incidents and the processes in place to reduce vehicle accidents and support staff in meeting expectations.
- 4.4 The policy management pathway has been set at 9 months in order for the Trust to achieve and improvement in driving standards, reduce accident rates, and limit risks to staff, patients, public and other road users. This rolling management period will be reviewed after 1 year. It should be noted that the review period may be increased to ensure more staff are assisted and more risks are mitigated.

5.0 EQUALITY AND HUMAN RIGHTS IMPACT AND ASSESMENTS

- 5.1 This policy embraces Diversity, Dignity and Inclusion in line with emerging Human Rights guidance. YAS recognise, acknowledge and value difference across all people and their backgrounds. We will treat everyone with courtesy and consideration and ensure that no one is belittled, excluded or disadvantaged in any way shape or form.

6.0 DEFINITIONS

- 6.1 “Emergency Response Driving” is required where an emergency is considered to be an event that needs immediate preventative action to avoid a risk to life or health.
- 6.2 “Patient Carrying Vehicles” are vehicles operated within or on behalf of YAS, which have the capability of carrying patients.
- 6.3 “Satisfactory Driving Licence (DVLA LICENCE)” – to drive a vehicle you must:
- Hold the appropriate DVLA driving licence for the vehicle being driven.
 - Meet driver minimum requirements.
 - Meet the legal eyesight standards.
 - < 12 points within a 3-year period (‘totting up penalty points’).
 - < 6 points within 2 years of passing your driving test (New Drivers Act).

- 6.4 “NHSTA/NHSTD” - National Health Service Training Authority & National Health Service Training Directorate.
- 6.5 “Third Party Contracting” is a voluntary arrangement in which the Trust pays for a contractor to assist in delivering its services. For example, a Voluntary Aid Society (e.g. St John’s Ambulance, Red Cross) or Third Party repairers and contractors that may be requested to move/ relocate and test drive Trust vehicles with the authority of Fleet Services.
- 6.6 “Approved Volunteers” from Basics, MARS, Care Team and voluntary aid societies are individuals who have successfully completed an approved emergency driver training programme and are permitted by the Trust to respond to emergencies using visual and audible devices.
- 6.7 “High Speed Register” is an electronic register held by the Trust, managed by the Education and Training Department that contains details of employees and approved Volunteers permitted to undertake Emergency Response driving.
- 6.8 “Careless Driving” - careless driving is an offence under Section 3 of the Road Traffic Act 1988:

“If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place he/she is guilty of an offence.”

A person is to be regarded as driving without due care and attention if (and only if) the way he/she drives falls below what would be expected of a competent and careful driver.

- 6.9 “Dangerous Driving” - dangerous driving is an offence under Section 2 of the Road Traffic Act 1988.

“A person who drives a mechanically propelled vehicle dangerously on a road or other public place is guilty of an offence.”

A person is to be regarded as driving dangerously if (and only if) the way he/she drives, falls below what would be expected of a competent and careful driver, in what would be obvious to a competent and careful driver that driving in that way would be dangerous.

A person is also to be regarded as driving dangerously if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.

“Dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining what would be expected of, or obvious to, a competent and careful driver in a particular case, regards shall be had not only to the circumstances of which he/she could be expected to be aware, but also to any circumstances shown to have been within the knowledge of the accused.

In determining the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.

- 6.10 “Satisfactory Driving Assessment” is an assessment against the new Department for Transport ‘High Speed’ competencies supported by the Driver Training Advisory Group, where each competency is scored 3 or more.
- 6.11 “True Speed Limit” is defined as the maximum speed at which it is safe and possible to proceed having due regard to the prevailing road, weather and traffic conditions, the handling characteristics and limitations of the vehicle being driven and, finally, the abilities of the driver.
- 6.12 As with the current Official Highway Code where the words **must** or **must not** are used within this document, they refer to a specific legal requirement. Failure to do so would mean the driver is committing a criminal offence or a deviation from Trust policy and would be open to prosecution or internal action, or both.

The wording **shall** or **shall not**, and **do** or **do not** refers to advice to be followed to maintain the required standards. Failure to do so could be used to assist in determining accountability should an incident, collision or complaint occurs.

7.0 IMPLEMENTATION PLAN

- 7.1 The latest approved version of this Policy will be posted on the Trust Intranet site for all members of staff to view. New members of staff will be signposted to how to find and access this guidance during Trust Induction. This policy will also be communicated by:

- Operational updates.

- Locality and management meetings.
- Pre-live poster campaign.
- Road show awareness.

8.0 ROLES AND RESPONSIBILITIES

8.1 The Trust Board:

Shall adhere to the principles outlined in the UK Corporate Governance Code (2012). The Board recognises its accountabilities and provides leadership within a framework of practical and effective controls which enables operational road risk to be assessed and managed. The Board sets the strategic aims and ensures that resources are in place to meet its objectives.

8.2 Chief Executive:

Shall have overall responsibility for ensuring compliance with Health and Safety legislation.

Shall ensure that this policy and its associated guidance is reviewed every 2 years or in the light of any failure of the system and/or changes in statutory legislation.

Shall ensure that adequate resources are made available to implement the policy and its associated guidance and carry out any remedial action or amendments to these documents.

8.3 Fleet Department:

Shall ensure vehicles are procured, maintained and repaired as detailed in the current Fleet Strategy. The Trust's motor insurer will identify a suitable accident damage repair provider; however, for minor repairs this may be the Fleet Department.

Must ensure that any known vehicle risks that have the potential to cause accident or injury are rectified and managed and communicated accordingly in line with the risk.

Must ensure that all incidents reported are brought to the attention of Trust insurers, and will ensure notification of any Trust losses are timely and accurate in their content

Shall report any data quality concerns with Datix reports to the Risk and Assurance Team for rectification and training.

Shall ensure that Trust departments who manage road staff are aware of incidents concerning their staff, and will provide high level data to aid the management of staff and incidents.

Shall when required, request and remove and download vehicle external CCTV footage where available for the purpose of insurance liability settlement, and driving standard concerns.

Shall work with Trust insurers to ensure the timely and appropriate settlement of vehicle Motor Claims.

8.4 **Executive Directors/Operational Locality Managers:**

Shall ensure the effective dissemination of the Driving at Work Policy and its associated guidance to all staff within their directorate/locality.

Shall actively promote the highest standard of driving behaviour and driving best practice within their localities and take positive action when presented with areas of concern.

Shall assist when required in stage 1 of the YAS Driving Licence point's allocation with the support of Driver Training and VARG.

8.5 **Line Managers:**

Shall ensure staff members receive appropriate help and advice to ensure their vehicles are safe.

Shall (where appropriate) undertake periodic checks of vehicle documents which are conducted to monitor compliance of staff that use their own vehicles for work purposes.

Shall ensure that all staff understand their responsibilities to ensure their vehicles are legal, safe and well maintained.

Shall be involved with the monitoring, reporting and investigating of any work-related accident involving a staff member whilst driving for work.

Shall conduct a thorough investigation when damage has been caused to any Trust vehicle (leased or owned), that they are responsible for, and that has not been

reported previously. This investigation must aim to identify the driver and the cause of the damage.

When informed or made aware of staff medical issues or concerns that may impact on their ability to drive safely, they will seek the correct professional pathway for advice including HR, Trust's Occupational Health Facility and/or Driver Training Department.

Shall assist in stage 1 of the YAS Driving passport point allocation with the support of Driver Training and VARG.

8.6 **Employees:**

Shall be responsible for making themselves fully aware of the policy and its associated guidance.

Shall cooperate with monitoring, reporting and investigation procedures in the event of a vehicle-related incident and be prepared to submit a more detailed account of any they were involved in, on request.

Shall ensure their personal insurance policy includes business cover for the amount and type of business mileage they undertake if utilising a personal owned vehicle.

Shall inform their line manager immediately if they become aware of a medical condition which may affect their ability to drive safely.

Shall inform their line manager if they are taking any medication which may affect their ability to drive safely.

Shall ensure that all vehicle visual checks are completed at the start of shift.

Shall ensure vehicle defects or breakdowns that are identified are reported to the Fleet and Estates Helpdesk on 0300 330 5418.

Shall also complete the vehicle defect book in the vehicle and ensure that it is reflective of the fault they have reported. This process is in addition to the reporting to ensure staff, patients and vehicles are safe for use, and are allocated the correct and most appropriate repair action for the fault.

Shall report all vehicle-related incidents to the Datix helpline as soon as possible or no later than the end of their shift. Failure to do so, without justification, could result in formal action being taken as indicated in the Driving at Work Policy Guidance.

Shall report all road safety issues including fixed penalty notices, summons and convictions in accordance with the Trusts Disciplinary Policy and Procedure.

8.7 Vehicle Accident Reduction Group (VARG)

Responsibilities of the VARG can be found in the TOR Terms of reference for the Vehicle Accident Reduction Group.

9.0 LEGAL RESPONSIBILITIES

9.1 When driving under normal road conditions all employees and volunteers driving on Trust business must comply with all aspects of the Road Traffic Act 1988 and ensure that, at all times, they drive with care and consideration for other road users. At no time must the vehicle be driven recklessly, or in a manner, or at a speed, likely to cause danger to another road user (including those near to but not on the road).

9.2 Emergency vehicle response driving within the Trust is a regular occurrence for those clinical front line staff that have completed and successfully passed, the Institute of Health and Care Development (IHCD) D1/D2 Driver Training Programme. When deployed on an emergency call, the driver should attempt to make good progress using their training, experience and professional judgement to assess road, traffic and weather conditions at all times, claiming exemptions where appropriate, with the aim of producing a safe but progressive drive. There is no automatic right to claim an exemption from Road Traffic Legislation, and the driver must be able to claim, or demonstrate a reasonable approach by justifying the need for exemption, if required to do so by the Police or member of the Trust.

9.3 All employees and volunteers required to drive on Trust business must maintain a sound knowledge of the current edition of the Highway Code. The Highway Code is issued with the authority of Parliament under the Road Traffic Act. Whilst failure to observe advice within the Highway Code does not render that person to criminal proceedings, any failure to adhere to the Codes principles, by an individual, can be used to establish or negate liability in civil or criminal proceedings.

10.0 EDUCATION AND TRAINING

10.1 All employees driving under emergency conditions on behalf of the Trust are required to satisfactorily complete an approved emergency driver training programme prior to being operationally deployed. For ambulance driving under emergency conditions an IHCD Driver 2 for staff qualified pre-Jan 2106 or DTAG CERAD Level 3 for staff qualified from Jan 2016. For RRV driving under emergency conditions a CERAD Level 3 will be required or 9 months post-CERAD operational emergency driving experience.

- 10.2 All employees driving patient-carrying vehicles under non-emergency conditions are required to undertake the Trust basic driving course prior to undertaking driving duties. An IHCD Driver 1 for staff qualified pre-Jan 2106 or DTAG AAD Level 2 for staff qualified from Jan 2016.
- 10.3 All approved volunteers as specified at section 6.6 that are required to drive under emergency conditions on behalf of the Trust must attain and qualify in accredited and validated programme in accordance with national requirements to demonstrate competence prior to being operationally deployed.
- 10.4 All volunteers who are required to carry patients, such as Volunteer Car Drivers, will receive a driving assessment prior to commencement of service by a Trust driving assessor or driving instructor.
- 10.5 Employees who were employed prior to 1986 and received training under the former NHSTA and/or NHSTD, who cannot provide evidence of obtaining an approved driver training qualification will be required to undertake a competency assessment to gain entry onto the 'High Speed' Register and thereafter 5-yearly assessments as per section 6.7.
- 10.6 Driving assessments deemed unsatisfactory against the 'High Speed' competencies will result in a suspension of high speed driving duties and a remedial action plan created that is mutually agreed and training delivered. Reinstatement of high speed driving duties will be subject to a satisfactory reassessment and retraining. **See Appendix 1 for procedure.**
- 10.7 Regular assessments every 5 years should be completed by an accredited driving assessor or driving instructor to those staff undertaking 'High Speed' emergency response driving to ensure competency is maintained. This assessment may be called for earlier following an incident investigation recommendation. A satisfactory assessment is required to remain in the 'High Speed' Register. Currently this is not legal requirement and may only be completed post-incident.
- 10.8 Only those employees and Approved Volunteers on the 'High Speed' Register are permitted to undertake emergency response 'High Speed' driving. All must hold the IHCD Driver 1 or 2 or DTAG Level 2 or 3 for appropriate level of expected driving duties.

- 10.9 All voluntary ambulance services (e.g. St John's Ambulance, Red Cross etc.) acting on behalf of the Trust will be required to complete regular driving and health assessments for all their drivers at least every 5 years to ensure their competency. These requirements must be documented in all service level agreements with these organisations.
- 10.10 All Fleet Services staff, managers, and other staff expected to drive service vehicles will complete an authorised Driver Record which will be reviewed by line management and the Driver Training Department and placed on staff record. **Appendix 2.**
- 10.11 A summary table of education and training requirements against employee/volunteer status can be found at **Appendix 3.**
- 10.12 The Education & Training department operates an appeals process, which can be accessed through the normal educational operating procedures.

11.0 POLICY REVIEW

- 11.1 The latest approved version of this Policy and associated guidance will be posted on the Trust Intranet site for all members of staff to view. New members of staff will be given instruction in how to find and access this during Trust Induction.
- 11.2 The policy and its associated guidance will be reviewed every 2 years and/or following any significant operational, structural or legislative changes in accordance with the Trust's review of other Health and Safety policies, noting that the 9-month rolling management period will be reviewed after 1 year,

12.0 MONITORING COMPLIANCE

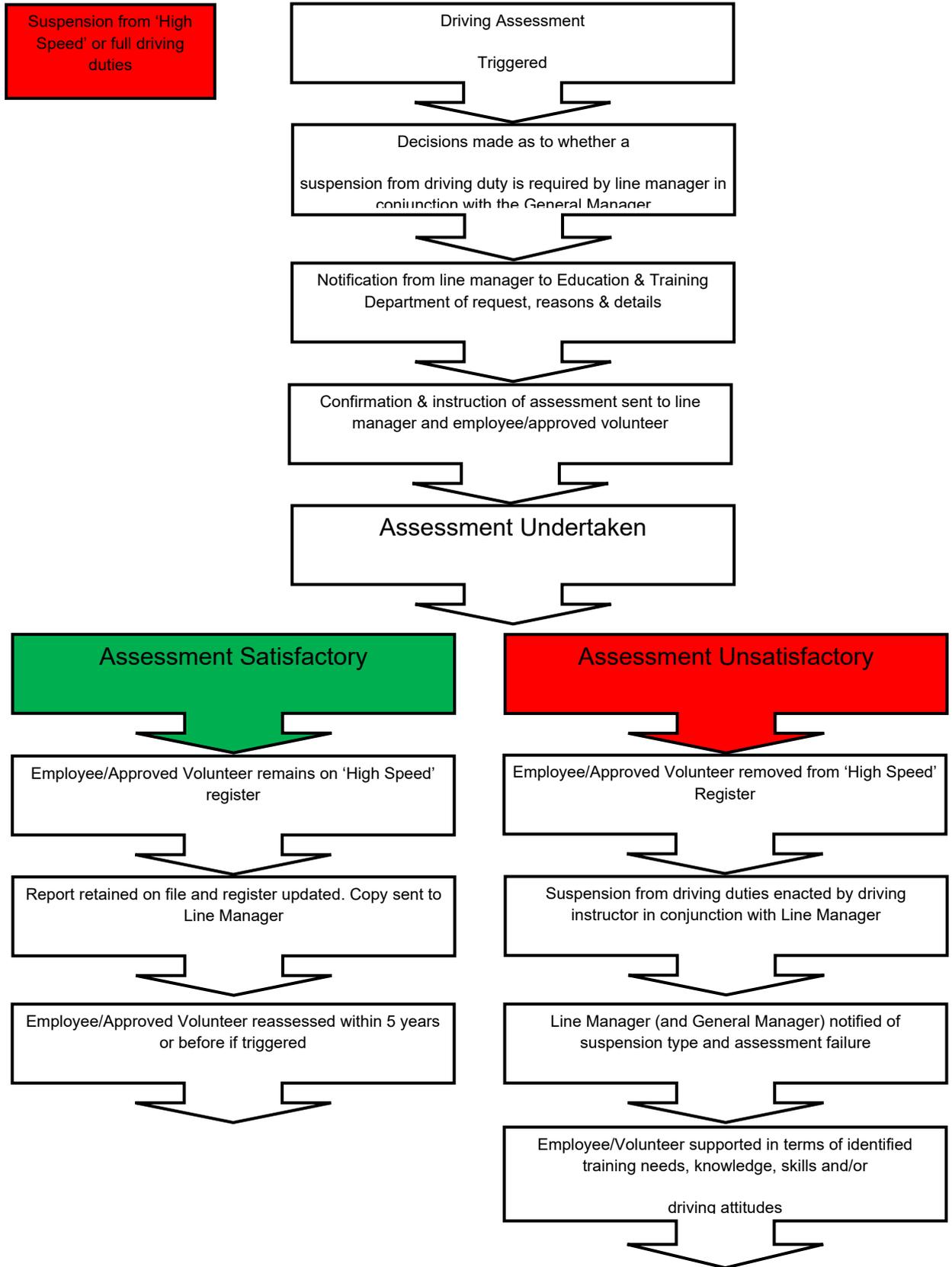
- 12.1 The VARG will monitor vehicle-related incident causation, the time taken to report vehicle-related incidents and the frequency of unreported/unknown damage reports to ensure policy and associated guidance compliance. These will be compared to data provided by the Trust's insurers and presented quarterly to the Board.
- 12.2 The VARG will monitor incidents reported on Datix that involve Trust vehicles and will provide a report on these to the Health and Safety Committee.
- 12.3 The VARG will review cases of vehicle incidents and accidents to ensure management pathways are being followed appropriately and to denote best practice and advice of potential changes where resource reviews are needed.

- 12.4 Quarterly vehicle-related incident review reports will be produced by the Risk and Assurance team and be made available to all managers identified as having responsibility for members of staff and/or volunteers who drive on Trust business. These reports will detail the type, frequency and cause of these incidents by Clinical Business Unit (CBU), highlighting trends and areas of concern.
- 12.5 The VARG will benchmark the performance of the Trust against that of other Ambulance Trusts. Best practice and learning will be shared national at the National Ambulance Reduction Group for ambulance Trusts.

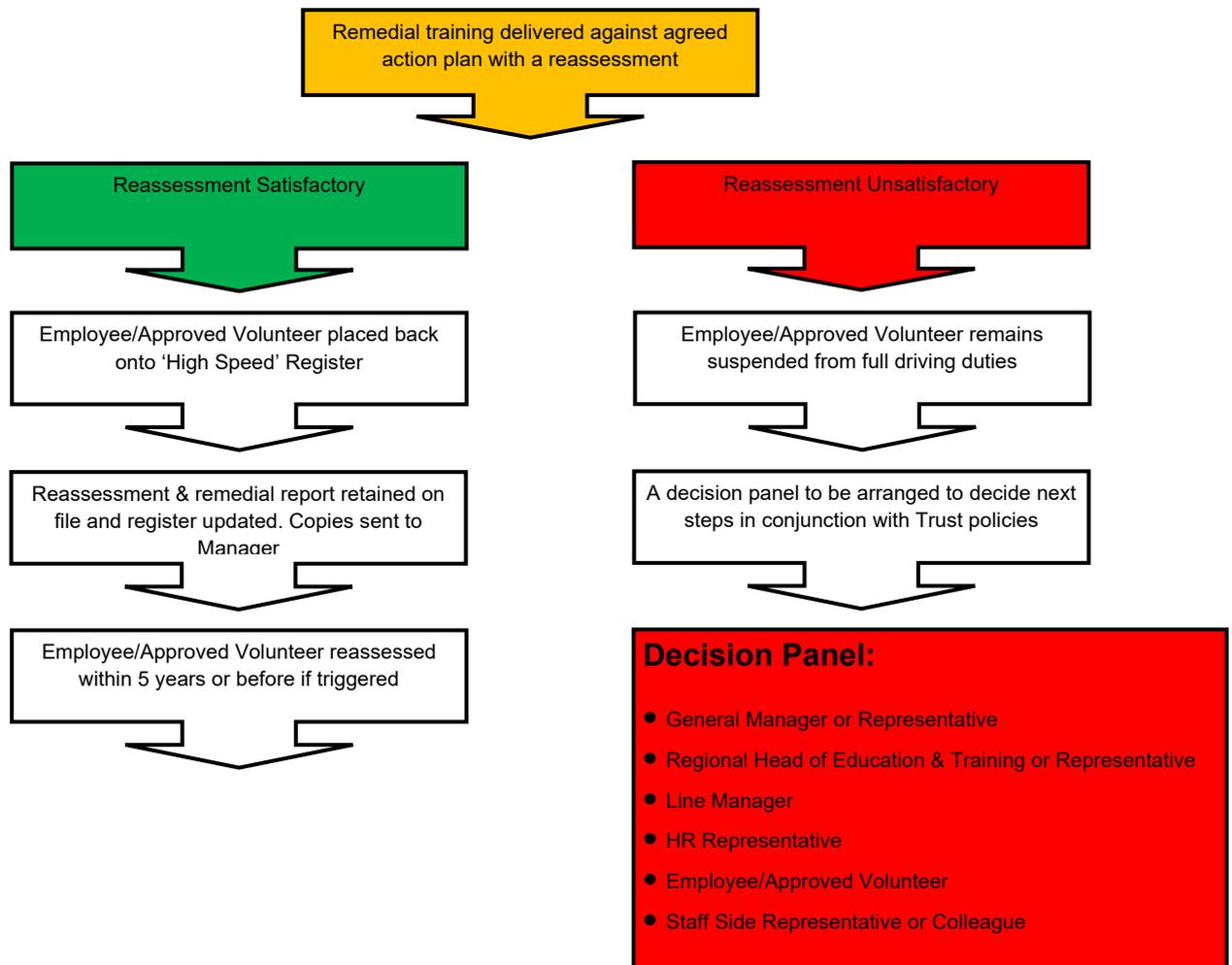
13.0 REFERENCES

- 13.1 The Road Traffic Act – 1988 <http://www.legislation.gov.uk/ukpga/1988/52/contents>
- 13.2 The Road Vehicles (Constructions and Use) regulations 1986 - <http://www.legislation.gov.uk/uksi/1986/1078/made/data.pdf>
- 13.3 The Highway Code - <https://www.gov.uk/guidance/the-highway-code>

Appendix 1 – Driving Assessment Algorithm



Appendix 1 – Driving Assessment Algorithm continued:



Appendix 2 – Education and Training Summary

	Pre Employment/Volunteer Driving Assessment	Trust 2 Day	IHCD D1 *	IHCD D2 *	C1	RRV Cat B (5)	4x4 (5)	HGV (5x6)	DfT High Speed (1)	Initial High Speed Register Assessment
Clinical Employed Staff (2)	■		■	■	■	■	■		■	
Voluntary Car Services	■									
Patient Transport Services	■	■			■					
Health Care Referral Team	■	■			■					
Employees required to driver as part of their role (3)	■	■								
Approved Volunteers (4)			■	■		■			■	■
Community First Responders										
HART	■		■	■	■	■	■	■	■	