

Transportation of Service Users & Colleagues by Staff & Volunteers in Vehicles Policy

March 2023



Purpose of Policy

To outline the Life Project (Bath) position regarding the transportation of service users and colleagues by staff (including volunteers) using their own vehicles or acting as escorts in taxis (and other private hire vehicles).

Approved by the Trustees on 22nd March 2023

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Review Due: March 2024

Please be aware that any printed version of the Policy may NOT be the latest version. You are reminded that you should always contact info@lifeprojectbath.org.uk for a copy of the current version.

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Policy Summary

The Life Project (Bath) acknowledges that during the course of their work, employees and volunteers working within specific services, may as part of their role, be required to transport service users¹ or colleagues² in their own vehicle, i.e. a vehicle owned by the staff member, or via taxi.

To ensure so far as is reasonably practicable, the safety of employees and those they carry in their private vehicles, Managers³ must develop and implement processes that are proportionate to the level of risk, whenever service users / colleagues are being transported in private vehicles or in the case of service users, escorted via Taxi.

Whilst this is considered an 'umbrella' policy for the Life Project, Service Coordinators are required to develop and implement service level procedures, including:

- Ensuring that an appropriate risk assessment is completed prior to agreeing to staff/volunteers transporting service users. *A generic risk assessment considering factors to consider is contained in [Appendix B](#).*
- Seeking assurance that staff/volunteers who are transporting service users have declared this/informed their manager, and that the necessary checks have been completed, including an annual declaration form ([Appendix A](#)).

A separate policy is available for the use of private hire vehicles (e.g. Minibus) and public transport for escorting service users.

1. Introduction

1.1. Every year an estimated third of all road traffic collisions involve somebody who is at work at the time.

1.2. Irrespective of whether the employee⁴ is driving their own vehicle or one provided by their employer, it is often believed that providing the employer has checked that employees hold a valid Full UK driving licence, that their vehicles have a valid MOT certificate and have business insurance, they have done enough to ensure the safety of their employees and others.

¹ The term Service User includes clients, Makers, Members, Parent Carers, Other family carers (anyone using the services provided by the Life Project).

² The term colleague refers to employed staff as well as volunteers – all those working on behalf of the Life Project in a paid or unpaid capacity.

³ i.e. those with responsibility for staff members/ volunteers who may be required to transport/escort service users and/or colleagues.

⁴ The term employee refers to Paid Staff and Volunteers

- 1.3. However, given that the employee is undertaking a work activity on behalf of the Life Project (Bath), the general requirements of the Health and Safety at Work Act 1974 and associated regulations will apply. Consequently, the risks associated with these activities for employees, service users and others must be assessed, documented, and effectively managed.

2. Policy Statement

- 2.1. The Life Project (Bath) acknowledges that during the course of their work, employees working within specific services, may as part of their role, be required to transport service users or colleagues in their own vehicle, i.e. a vehicle owned or leased by the employee, or via taxi.
- 2.2. To ensure, so far as is reasonably practicable, the safety of employees and those they carry in their private vehicles, Service Coordinators (i.e. those with responsibility for staff members and/or volunteers who may be required to transport/escort service users and/or colleagues) will develop and implement systems of work that are proportionate to the level of risk, whenever service users / colleagues are being transported in private vehicles or in the case of service users, escorted via Taxi.

3. Scope

- 3.1. This policy applies to bank, locum, permanent and fixed term contract employees (including apprentices) who hold a contract of employment or engagement with the Life Project (Bath), and secondees (including students), volunteers, and trustees in line with the Life Project's Equality and Diversity Policy. It also applies to external contractors, Agency workers, and other workers who are assigned to the Life Project (Bath).
- 3.2. The policy has been compiled to provide guidance to managers and employees on the arrangements for transporting service users in private vehicles and taxi's. This policy does not stand in isolation and is supported by the Life Project's Health & Safety Policy.
- 3.3. The guidance contained within this policy incorporates the requirement to undertake risk assessments in accordance with the [Management of Health & Safety at Work Regulations 1999](#) and relevant guidance, i.e. INDG382 Driving at Work.
- 3.4. Whilst comprehensive, the document is not exhaustive and as such all employees are required to take reasonable care of their own health and safety and that of others who may be affected by their activities, e.g. service users.

4. Adequate Insurance

All those providing transport as part of their role with The Life Project (Bath) must ensure they are covered by adequate insurance. Each Insurance Company will have different policies available and it is the responsibility of the employee/ volunteer to ensure the insurance they hold is suitable and to provide evidence on request to the Life Project (Bath) and service users/colleagues who they are providing transport to.

As a minimum The Life Project (Bath) requires all employees and volunteers transporting colleagues and/or service users as part of their role to have Comprehensive Vehicle Insurance (i.e. not Third Party Fire and Theft) including Business Cover for the vehicle used to provide transport.

In general if transport is provided on a voluntary basis, where no fee required by The Life Project (Bath) or the driver (other than reasonable expenses – e.g. mileage) which would be claimed through The Life Project (Bath) this Comprehensive Vehicle Insurance with Business Cover will be adequate.

If an employee or volunteer has access to multiple vehicles which may be used for transporting colleagues or service users as part of their role insurance must be adequate for all vehicles.

If an employee or volunteer is providing transport to a colleague or service user whereby a fee is charged most insurance companies will view this as requiring Commercial Cover rather than Business Cover. The Life Project (Bath) requires written evidence of level of cover and must be satisfied the insurance covers the role and duties of the driver.

Whereby a change of insurance to meet the requirements of this policy will involve an increased premium (e.g. to add Business or Commercial cover) a reasonable difference can be claimed as an expense from the Life Project (Bath) with prior approval of the CEO.

5. Duties and Responsibilities - Managers

5.1. Managers⁵ responsible for employees who transport service users/colleagues in private vehicles and taxi's shall ensure that:

- A generic risk assessment considering those factors contained in [Appendix B](#) has been undertaken for all driving activities where staff transport service users / colleagues in private vehicles and taxi's;

⁵ Managers refers to those with responsibility for staff members/ volunteers who may be required to transport/escort service users and/or colleagues. This includes CEO, Coordinators and Session Leaders.

- They develop and implement systems of work that so far as is reasonably practicable, ensure the safety of staff, patients and others who may be affected by the activities being undertaken;
- Where appropriate the Service develops a local protocol in collaboration with advice from the Health and Safety Trustee;
- The significant findings of assessments are recorded and brought to the attention of those employees concerned.
- They ensure that staff are provided with adequate information, instruction and training to enable them to undertake their job safely and that such duties are included within the staff members job description;
- Ensure that the staff member is adequately insured on their vehicle for business / commercial travel in accordance with the Travel and Subsistence Policy and is able to carry passengers under this policy
- That the driver⁶ has a current (i.e. within the past three years) DBS check in accordance with the Life Project's Safeguarding Policy.
- That the driver complies with the medical requirements for driving passengers, for example if driving a minibus that the relevant Public Service Vehicle requirements have been met.
- That the driver, where this is a member of staff or volunteer, is not put at risk from fatigue caused by driving for excessive periods or distances without appropriate breaks
- They keep a local log detailing, for example; the following;

Staff / Volunteer Details	<ul style="list-style-type: none"> • Full Name: • Role Title: • Service: • Vehicle Reg No.:
Insurance	<ul style="list-style-type: none"> • Valid date (Y/N) • Covered for business use (Y/N) • Covered for commercial use (Y/N) • Car is the same as individual is claiming to use on business (Y/N)
MOT	<ul style="list-style-type: none"> • Has MOT certificate been checked and is in date (Y/N)
Licence	<ul style="list-style-type: none"> • Full licence (Y/N) • Name of country of issue

⁶ Local authorities conduct licencing checks as part of private hire (Taxi) driver application processes

	<ul style="list-style-type: none">• Licence holder valid to drive in UK?• Endorsements / unexpired bans
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(An Annual Declaration form in [Appendix A](#) has also been included and must be used as a basis for which managers can record details of staff members / Volunteers who may be required to use their personal vehicle for the purpose of transporting clients)

- If using a taxi to transport service users, that a preferred firm is used and the vehicle is suitable for transporting the service user.
- Managers (and staff) will also comply with the requirements of the Travel and Subsistence Policy.

5.2. In addition, the following points must be taken into account:

- Whether the vehicle is fit for the purpose for which it is used;
- Whether seatbelts and head restraints are fitted correctly and that they function properly;
- Whether drivers have access to information that will help them reduce risks (without breaching service user confidentiality in the case of using Taxi firms);
- Whether it is safe to transport service users or equipment in the type of vehicle;
- A comprehensive risk assessment must be conducted in each case, the outcome of which will be the development of safe systems of practice to meet the needs of the service user group concerned and advice should be sought from the CEO and the Health & Safety Trustee;
- And in the case of transporting children (those under the age of 18 years):
 - Whether the vehicle has appropriately fitted 'age appropriate' child car safety equipment (e.g. car seats/booster seats etc). Such equipment should be provided by the carer/parent and fitted by the carer/parent. In exceptional circumstance and where the carer/parent is unable to fit the child safety equipment, an ambulance or patient transport must be arranged.

6. Duties and Responsibilities – Employees transporting clients in their own vehicles (*i.e. driving their own vehicles*)

6.1. All drivers of private vehicles used to transport service users/ colleagues have duties and responsibilities regarding their own health and safety and that of those they transport. In accordance with the Health and Safety Policy, smoking is not permitted in vehicles whilst transporting service users/colleagues.

6.2. At all times employees acting as drivers must practice and promote a safe working environment and:

- Must ensure that they are fit to drive (including any health or medical needs) and are not under the influence of alcohol and/ or drugs and hold a current driving licence⁷
- Make themselves familiar with the findings of the risk assessment and safe working procedures;
- Follow the correct policies and procedures prescribed within the assessment;
- Ensure their vehicle is registered, has a valid MOT (if older than 3 years old) is taxed, has adequate insurance (business / commercial) and that the lights, horn, mirrors, brakes, etc are operating correctly, i.e. their vehicle is fit for use on the public highway;
- Ensure that they, as the driver, wear a seatbelt and ensure that passengers under 18 years of age also wear seatbelts at all times. (It is the responsibility of the adult passenger, over the age of 18 years, to ensure that they wear a seatbelt).
- Ensure that when used to carry equipment, their vehicle is correctly loaded and that the loads are secure.

6.3. All drivers are expected to maintain and drive their vehicles in a safe manner, for example, drivers shall:

- Ensure the vehicle is driven in accordance with the Law;
- Ensure their vehicle is roadworthy;

⁷ Staff must also inform their manager immediately if their ability to drive changes / or for example if the driver has committed any driving offenses

- Ensure the vehicle is not overloaded;
- Never carry passengers other than in the seats provided;
- Never drive for excessive periods; (e.g. for longer than a period of 4.5 hours as defined by the Vehicle & Operator Services Agency guidance 'Rules on Drivers' Hours & Tachographs, 2007) and ensure that regular breaks are taken
- Update their managers immediately on any matters concerning their eligibility to transport passengers in private vehicles; such as (for example);
 - Any incurred driving violations/suspensions in licence
 - if the vehicle is considered no longer roadworthy
 - if insurance cover or MOT expires

6.4. If the staff member is claiming expenses for the trip it will be necessary to comply with the Travel and Subsistence Policy.

6.5. Drivers must also inform their manager if they have committed any driving offences.

7. Accompanying / Escorting passengers via Taxi

7.1. In cases where a service user requires transportation and does not have access to a vehicle; where public transport is not an option and other secure transportation is not available, the practitioner may on very rare occasions, need to accompany the service user in a Taxi. Staff should be using one of the firms the Life Project (Bath) recommends in such instances.

7.2. Prior to doing so staff/volunteers should seek permission from their Line Manager regarding such instances and the service user should be informed that they will have to incur the cost of travel.

7.3. Where the need arises to transport a client via a Taxi, the staff member should follow their local protocols regarding lone working. In addition, staff should undertake a dynamic, real-time assessment of the situation and consider the:

- Risk of harm to other staff and themselves; including for example, considering whether the client is under the influence of alcohol or drugs.

- Risk of harm to the service user;
- Current state of health of the service user

7.4. At all times the safety of the staff member is paramount and staff should not put themselves in any position that poses as a risk to them. Staff should consult with their line manager regarding any issues of concern and ensure that a risk assessment is completed in accordance with Life Project policy and incident form completed for any occurred incidents and/or near misses.

8. Monitoring the Effectiveness of this Policy

8.1. The effectiveness of this policy will be reviewed and monitored by the number of incident forms being received by the Health and Safety Trustee / Performance and Risk Committee. Any changes or amendments required to this policy as a result of the above will be incorporated in the next review.

8.2. All accidents must be reported in accordance with the Life Project's Incident Procedure.

9. Review

9.1. This document may be reviewed at any time at the request of either staff or trustees but will automatically be reviewed 3 years from initial approval and thereafter on a triennial basis unless organisational changes, legislation, guidance or non-compliance prompt an earlier review.

10. Links to Other Policies & Supporting Documents

- Risk Register
- Health and Safety Policy
- Lone working Policy
- Moving and Handling Policy
- Reporting of Adverse Incident Reporting (AIR) Policy
- The Safe Carriage of Equipment in Staff Member's Own Vehicles Policy
- Travel and Subsistence Policy
- Incident Procedure – Guide to Incident Reporting
- Public Transport and Hired Vehicle Policy

Appendix A: Annual Declaration Form for Transporting Service Users /Colleagues in Personal Vehicles

Personal Details		
Full Name:		
Role/ Job Title:		
Service:		
Usual Place of Work:		
Vehicle Registration No.:		
Insurance Details <i>(Attach a copy of the original insurance certificate)</i>		
Check original insurance certificates and policy booklets to ensure	• Valid Dates	Yes / No
	• Insurance Type	Business / Commercial
	• Passengers (where service users / clients) insured	Yes / No
	• Car is same as the individual is claiming to use on business	Yes / No
MOT Certificate Details <i>(Attach a copy of the original insurance certificate)</i>		
Does the vehicle require an MOT certificate i.e. is it over 3 years old?	Yes / No	
If answered, Yes to above, is MOT document an original and is it in date? <i>(Electronic document checking is permissible)</i>	Yes / No	
Does the Certificate contain any advisories?	Yes / No	
Driving Licence Details <i>(Attach a copy of the original)</i>		
Is the driving licence a full licence <i>(i.e. not provisional)</i> ?	Yes / No	
Name of country that issued licence:		
Is the licence holder valid to drive in the UK? <i>(If unsure please confirm with the DVLA)</i>	Yes / No	
Does the licence have any endorsements or un-expired driving bans?	Yes / No	

To be completed by the Manager

I hereby declare that I have checked the aforementioned staff members’;

Driving Licence	Insurance Policy	MOT certificate
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Name:

Signature: Date:

Once completed, the Manager must retain the form

I hereby declare that the above information is correct and that I am insured for Business purposes.

Name:

Signature: Date:

Appendix B: Risk Assessment – Factors to Consider

As part of the risk assessment process, prior to transporting passengers or equipment in their vehicles managers shall undertake a generic risk assessment and consider:

The Driver:

- Whether the driver has relevant previous experience;
- Pre-employment checks, health conditions and previous references;
- The validity of the driving licence on recruitment and periodically thereafter;
- Ensuring drivers are aware of this policy on work-related road safety and that they understand what is expected of them;
- The need for written instructions and guidance and/or training;
- Reminding drivers that they:
 - must be able satisfy the eyesight requirements set out in the Highway Code;
 - should not drive or undertake other duties whilst taking a course of medicine that might impair their judgement.

Private Vehicles

- Whether the vehicles are fit for the purpose for which they are used;
- Whether the vehicles are maintained in a safe and fit condition;
- Whether drivers know how to carry out basic safety checks;
- Whether seatbelts and head restraints are fitted correctly and that they function properly (*particularly in the consideration of transporting children*);
- When transporting children ensure the correct child seat is used
- Whether drivers have access to information that will help them reduce risks;

The Journey / Needs of the Service User

- Undertaking a dynamic assessment of the journey that considers the hazards of lone working, the risk of harm to service user, risk of harm to staff/ volunteers, the probability of the client being under the influence of alcohol or drugs, etc;
- Whether it is safe to transport service users or equipment in the type of vehicle;
- Whether any medical or other condition of the service users increases their risk when being transported by staff/ volunteers in private vehicles;
- Whether sufficient time has been allowed to complete journeys safely;
- Whether drivers are being put at risk from fatigue caused by driving after a long shift, driving for excessive periods or distances without appropriate breaks;

Assisting Service Users in/out of Vehicles and/or Loading and Unloading

- Getting in and out of vehicles can be potentially dangerous, particularly in low light/dark conditions.
- In all cases drivers are to position vehicles appropriately to the road layout/conditions. As it is impossible to consider every variation that might occur on any given day, drivers must undertake a dynamic (real time) risk assessment prior to parking, loading and unloading their vehicles and adjust their activity, parking positions, etc, accordingly.