



PONTARDDULAIS COMPREHENSIVE SCHOOL YSGOL GYFUN PONTARDDULAIS



Driving at Work Policy Polisi Gyrru yn y Gwaith

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Review 2022
Next Review 2025

Learn to live...
live to learn

Byw I ddysgu...
dysgu byw



PONTARDDULAIS COMPREHENSIVE SCHOOL

YSGOL GYFUN PONTARDDULAIS

General Statement of Policy

The Governors and Management of Pontarddulais Comprehensive School are committed to providing a safe and healthy workplace for all pupils, employees, temporary workers, members of the public and any other persons that may be affected by the School's operations or activities.

The Driving at Work Policy is an addendum to the School's Health and Safety Policy and is intended to reinforce the School's commitment to safety in the specific area of transport of pupils and staff on School business in vehicles used and driven by staff.

1. What is driving at work?

Attention is drawn to the fact that the answer to this question is much wider than might be commonly thought.

Anything beyond the ordinary commute to and from the workplace counts as driving at work. In fact, if someone is sending or receiving work related messages during the commute to work, then this could be classified as driving at work.

For example, if a letter or message is being delivered by a member of staff on their way home from work, this could count as driving at work. Similarly, driving to a course or meeting straight from home in the morning or after School in the evening would count as driving at work.

If someone is 'driving at work' then, alongside the individual's responsibilities, the School, as the employer, has duties and responsibilities under Health and Safety Law to assess risks and have in place safe practices.

In the tragic event of someone's death as a result of a driving at work accident, it is the case that the police will investigate to see if there is corporate responsibility (Corporate Manslaughter Act 2007). The Police or any other Law Enforcement Agency will be looking to see if liability arises either in respect of corporate bodies (School Governors) or in respect of officers within these bodies. These are criminal matters, penalties for which can be very heavy fines and/ or imprisonment. Criminal matters cannot be insured against.

2. What is expected of all staff undertaking business travel

Staff undertaking business travel on behalf of the School are asked to conform to a number of requirements. They must:

- i. Have business use on their personal vehicle insurance, including cover for persons travelling as business passengers.



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Guidance. The legal endorsements for driving on School related business when not covered by business insurance is five penalty points. Generally the cost of extending insurance cover for business travel in the School sector is relatively small and the mileage rate paid by the School (LA rates) is adequate to reimburse car costs to include insurance.

- ii. Meet the other statutory requirements for drivers e.g. valid road tax and MOT, as well as, a current driving licence. Tyres should be properly inflated and meet legal requirements. Brakes should be working efficiently and effectively as well as lights and seat belts.
- iii. Sign and submit a declaration to confirm that they have all the necessary valid paperwork to drive and have business cover on their insurance.

Guidance. The School proposes to check individual staff documentation to confirm their eligibility to drive. In addition staff will be asked to self-certificate via a declaration form. In addition, individual expense claim forms will include a certificate that all the requirements are currently met. (NB see below for specific requirements for using own vehicle for School trips with pupils.)

If a member of staff makes a false declaration, the School insurance could be rendered invalid. If there was an incident involving an employee driving without proper insurance cover, the School could face a significant fine and liability. A fake declaration by a member of staff would be treated as misconduct and considered under the School's disciplinary procedures.

- iv. Staff should ensure they are fit to drive and avoid situations where, for example, they are tired and still face a long road journey. Adequate breaks should be taken.

Guidance. If staff have a trip which consists of a journey of more than 200 miles in a day (including return), they must advise the Headteacher or Deputy/Assistant Headteachers or Head of Resources, and justify why they are to travel by car and not public transport. Consideration of an overnight stay may be appropriate.

- v. On no account should a mobile phone be used whilst driving nor should calls be taken. If making or responding to a call is necessary, this should only be done when the driver has pulled over and stopped the vehicle safely and legally.

Staff at School should avoid calling or texting colleagues driving on School business unless essential. They should not carry on conversations unless they know the driver has stopped.

From the 25th March 2022 new rules in the highway code came into force throughout the UK. The new rules make it illegal to use any hand-held mobile phone or similar



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device whilst driving. This means that you MUST NOT use a device in your hand(s) for any reason whether your device is on or offline. The law applies if you are:-

- Supervising a learner driver
- Stopped at traffic lights
- Queuing in traffic
- Driving a car that turns the engine off and then on again automatically when you stop moving
- Holding or using a device that is off-line or in flight mode
- Whilst the vehicle you are driving is in motion / moving

There are exceptions, if you need to dial 999 or 112 to make an emergency call to the emergency services or when making a contactless payment in a vehicle that is not moving e.g. paying for petrol; takeaway drive through.

- vi. Refrain from smoking if they have passengers and are travelling on School business.

Guidance. This is a requirement of the smoking legislation of 2007. In addition, passengers are not permitted to smoke in the vehicle whilst travelling on School business.

Driving at Work

School trips and journeys with pupils

The School ordinarily expects trips and journeys with pupils to be made using the School mini bus/coach/car hire/taxi companies, which are booked and organised by the School. Additionally journeys may be permitted using scheduled public transport.

Occasionally, it is practical and sensible for a trip involving, for example, two or three students, for a member of staff to use their own car. On these occasions, a valid licence, MOT and insurance certificate will need to be shown to the Head of Resources prior to the particular trip.

All School trips and journeys with pupils should be submitted for prior approval using the standard School documentation and procedure.

Only in urgent circumstances, when there is no practical alternative, should a member of staff give a lift when only one student is travelling. This should be undertaken only after discussion with the Headteacher or a member of the Headship Team. If it is at all possible, the pupil's parents/ guardians and destination should be telephoned in advance to convey appropriate timings.



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BUSINESS TRAVEL DECLARATION

(Please sign and return to the Head of Resources)

I confirm that:

1. I have, and undertake to maintain, **business travel insurance cover** on my vehicle(s) and that the policy also covers business passengers
2. I will ensure my vehicle(s) meets all statutory requirements to be driven on public roads
3. I have: (delete as applicable*)
 - * no points or other endorsements on my licence
 - * ____ points on my licence dated ____ relating to ____
4. I will immediately advise the Head of Resources of any changes to my licence status
5. I will ensure that there is no smoking in my vehicle whilst driving on School business
6. I understand that I am responsible for all travellers in my vehicle and will ensure that their behaviour does not give rise to any possible claim from another traveller or a third party
7. I will only drive when fit and well to do so
8. I have read the School's policy on Driving at Work

Name.....

Signature.....

Date.....