



Driving at Work Policy

Review of Policy	Summer 2025
Members of staff responsible	Head Teacher
Policy History	Ratified
People involved	Premises Manager
Signed by Chair of LGB	C Robertson
Date	May 2025
Date for Review	Summer 2028

Introduction

As part of our overall Health & Safety policy, we are committed to reducing the risks, which our staff face and create when on the road as part of their work using either Academy minibuses or their own vehicles.

We ask all our staff to play their part by always driving within road traffic laws safely and responsibly. Failure to comply with this policy may be regarded as a disciplinary matter.

It is an offence, under Road Traffic law, to cause, or permit, a vehicle to be driven on the road when its condition, or the way in which it is used, could cause danger to anyone in the vehicle or to other road users. The Health & Safety Executive (HSE) Driving at Work Guidelines state that *“health and safety law applies to on-the-road work activities and the risks should be effectively managed within a health and safety system”*. Therefore, employers must conduct a suitable risk assessment and ensure that:

- Work related journeys are safe
- Staff are fit and are competent to drive safely
- Vehicles are fit for purpose and in a safe condition

To meet this commitment, it is important that we have a suitable and proportionate system to ensure that staff who drive vehicles on the business of Wyvern Academy operate both legally and safely and that vehicles supplied by Wyvern Academy are fit for purpose.

This policy clearly sets out the expectations on Wyvern Academy and also the responsibilities that rest with individual drivers.

Scope

This policy is intended to primarily cover the use of:

- minibuses owned by Wyvern Academy
- minibuses hired by Wyvern Academy
- vehicles owned and driven by staff on the business of Wyvern Academy

Roles and Responsibilities of Wyvern Academy (the Employer)

The Health and Safety at Work etc. Act 1974, the Management of Health and Safety Regulations 1999 (as amended) and Provision and Use of Work Equipment Regulations (PUWER) 1998, impose a duty on all employers to ensure that anyone required to use any equipment for work are fully trained and competent in its use.

It is easy to overlook the fact that a motor vehicle (even one that is personally owned but used on work business) falls into this category. As such, employers must ensure that any equipment used is safe and fit for purpose, and that all staff required to drive as part of their duties are trained and competent to do so. The holding of a current driving licence does not necessarily demonstrate the competence of a driver to drive a particular vehicle.

Roles and Responsibilities of all Drivers

All persons who drive on behalf of Wyvern Academy are personally responsible for ensuring that they are qualified to drive the relevant type of vehicle within the UK. They have a duty under the Health and Safety at Work Act 1974 to take reasonable care of their own safety, and that of others that may be affected by their acts or omissions.

Drivers are legally responsible for ensuring that any vehicle they intend to drive is in a safe and roadworthy condition. They must ensure that any concerns about the vehicle (any damage or faults, or lack of road tax, MOT etc.) are reported to the Site Manager and Business Manager.

Drivers must be able to demonstrate that they hold a valid driving licence that is appropriate for the use of the vehicle. Any person using their own personal vehicle on business must be able to demonstrate that their motor vehicle insurance policy provides cover for use of that vehicle for business purposes, and that a current MOT is held. (Attached copy of Risk Assessment Driving Own Vehicle at Work MUST be completed annually).

Drivers must also comply with the Highway Code, safe driving practices, any other statutory provisions and all areas of guidance contained within this policy below:

Disability Badges	All minibuses must display a valid blue disability badge in the windscreen at all times so it is visible from the outside of the vehicle.
Drinking and Driving	The legal drink drive limit in England and Wales is 80mg of alcohol per 100ml of blood or 35mg of alcohol per 100ml of breath. The penalties for drink driving are: • A minimum of 12 month driving ban; • A criminal record; • An unlimited fine or up to 6 months in prison, or both. Many drink drivers are caught the morning after they have been drinking as it takes several hours for alcohol to disappear from the body. Someone who was drinking late the previous evening could easily still be over the legal limit the next morning. Even if under the limit, they may still be affected by the alcohol in their body. Wyvern Academy expects all staff to understand that they must not drive for work if their ability to do so safely is affected by alcohol and that doing so would be a serious disciplinary matter potentially leading to dismissal.
Driver and Assessment Training	Wyvern Academy will provide driver assessment training for our eligible minibus drivers, which will be renewed every three years. Prior to the test, you must have completed a Driver Risk Assessment form (available from the Admin Office) and also provide a copy of your card driving licence. When you do the assessment, you must produce your card licence to the assessor.

Driver's Licence	Every driver must have the appropriate licence for the category of vehicle they are driving. • For a seventeen seat minibus, you must hold a Category D1 licence • For a nine seat minibus, you must be over the age of 21 and have held a Category B licence for more than two years
Drugs and Driving	Drugs, including illegal drugs, prescribed medicines and over the counter medicine, can also reduce the ability to drive safely. It is illegal to drive, attempt to drive or be in charge of a motor vehicle with certain drugs in the body above a specified limit. These drugs include, but are not restricted to: Heroin, Cocaine, Ecstasy, and LSD. The law sets very low limits for illegal drugs so even a very small amount would put a person over the limit. In addition, any conduct involving illegal drugs would be a very serious code of conduct issue and potentially lead to dismissal. This also applies to eight prescription drugs, which are: Cloanzepam, Methadone, Diazepam, Morphine, Flunitrazepam, Temazepam, Lorazepam and Oxazepam. The limits for the eight prescription drugs are higher than normal prescribed doses so, someone taking a medicine under the advice of a healthcare professional or, as printed in the Patient Information Leaflet, should not exceed the limit. However, they must still be fit to drive, so anyone taking medicines should talk to their doctor, pharmacist or healthcare professional before driving.
Medicines	For many medications, it is difficult to predict whether, how, when and for how long they will affect a person's ability to drive safely. The effect will depend on how much, how often and how a medicine is used plus the psychological and physical attributes of the person taking it. However, it is very important to take any medication that has been prescribed therefore, anyone who is taking medication that may affect their driving should follow the advice of their doctor or other healthcare professional. It is the responsibility of the driver to make the Academy aware if this applies to them at any time and, if need be, provide written proof from their doctor or health practitioner that they are safe to drive on their prescribed medication. Many 'over the counter' medicines including remedies for coughs, colds, flu and hay fever cause unwanted drowsiness, which might impair driving. Wyvern Academy expects all staff to understand that they must not drive for work if their ability to do so safely is affected by drugs or medicines and that to do so would be a serious disciplinary matter.
Emergency Equipment	Appropriate emergency equipment will be provided in the minibus. Drivers and passenger assistants will be trained in its use.

Fire Hazards	Appropriate fire hazard procedures will be in place
Fuel	Fuel for the minibuses will be purchased using fuel cards provided by the Academy. All receipts must be handed in to the Finance Office or retained in the key holder in Reception
Insurance	It is the responsibility of Wyvern Academy to provide/arrange adequate motor insurance for all vehicles owned, hired or leased by Wyvern Academy. Staff using their own vehicles for academy business must provide their own adequate motor insurance that includes business use or occasional business use to cover the following: • Attending meetings; • Transporting other staff to meetings; • Transporting students to and from home and school; • Transporting staff or students to hospital. Staff will not be permitted to claim for mileage without the appropriate motor insurance in place. A record of appropriate staff insurance is held and updated by the Admin Office.
Luggage	All luggage must be securely stowed and not impede access to the gangways or the doors
Management System	The following records relating to the minibuses are kept by law: • All documents relating to the vehicles • Operating log, including a system to book the vehicle in and out; • Accident/Incident book, including faults reported and rectified; • List of authorised drivers; • Training and re-training forms; • Medical check details; • Emergency equipment form; • Details of any vetting conducted; • Contact names and details (the individuals concerned should consent to their personal details being recorded for this purpose and the data should be stored in accordance with data protection law); • Maintenance/safety checks
Mobile Phones	It's illegal to hold and use a phone, satnav, tablet, or any device that can send or receive data, while driving meaning you cannot text, make calls, take photos or videos, or browse the web. The law still applies to you if you're stopped at traffic lights, queuing in traffic, driving a vehicle that turns off the engine when you stop moving, holding and using a device that's offline or in flight mode. The only exceptions are if you need to call 999 or 112 in an emergency and it's unsafe or impractical to stop, you're safely parked or you're making a contactless payment in a vehicle that is not moving, for example at a drive-through. The penalty for contravening this law is 6 penalty points and a fine of up to £2500. You would also face disciplinary action under the Academy's code of conduct.

Other Distractions	Activities such as eating, drinking, smoking, reading a map, as well as in-vehicle technology, can distract a driver and create a crash risk. In such cases, drivers could also be charged with <i>“failing to have a proper control of their vehicle”</i> .
Passenger Lifts and Ramps	Persons operating lifts must be trained to use them and should be aware of, and follow, the latest guidance for lifts and ramps on minibuses.
Pre-drive Safety Check	Each bus has a Vehicle Check Defect book in the glove compartment for the driver to report any problems. If the defect refers to a vehicle <i>owned</i> by Wyvern Academy, a copy of the form will be given to the site team. If the defect refers to a vehicle <i>leased</i> by Wyvern Academy, a copy of the form will be given to the Premises Manager, who will contact the leasing company
Record of Approved Drivers	A record of approved drivers is held and updated by the Admin Office
Risk Assessment	A risk assessment of the management of transport use and drivers must be conducted by ‘competent persons’. They must be recorded and regularly updated to demonstrate the operator has taken reasonable care and to ensure that standards, once set, are maintained and improved.
Section 19 Permits	All minibuses operated by Wyvern Academy do so under a Section 19 Permit. This permit allows non-profit making organisations to make a small charge for being carried on a minibus without having to comply with the full Public Service Vehicle (PSV) licensing requirements. The following conditions must be met in order to qualify: • Minibuses must only be used by Wyvern Academy or by affiliated/associate members of Wyvern Academy; • Minibuses must not be used by members of the general public except as above; • Minibuses must not be operated for profit, or for an activity which in itself is carried out for profit; • Minibuses must meet the requirements for initial fitness, as defined by the Construction and Use regulations; • Minibuses must display the Section 19 Permit disc at all times on the nearside of the windscreen and it must be visible from the outside of the vehicle.
Seat Belts	It is a legal requirement that seatbelts are worn at all times
Smoking	Smoking is strictly prohibited in all vehicles
Speed Limiters	It is a legal requirement for all new minibuses first used on or after 1 st January 2005 to have a speed limiter fitted, which will restrict the maximum speed to 62 mph
Tachographs	Tachographs record information about driving time, speed and distance and are required by law under a full operator’s licence but not required for buses operating under a Section 19 permit.
Wheelchairs	Passengers in wheelchairs will be afforded the same level of safety as all other passengers. Drivers and passenger assistants will be trained in the care of passengers in wheelchairs. All wheelchairs must be tagged by Wheelchair services as evidence that they have been crash tested. All wheelchairs must be secured using the appropriate clamps and harness. All wheelchairs must be clamped facing forward in the direction of travel. All staff will receive regular clamp training.

Risk Assessment – Driving Own Vehicle at Work

Workplace: **Wyvern Academy**

Assessment completed by	
Date of assessment	
Review date*	

**Review annually unless there has been a change of vehicle or insurance. Drivers must take responsibility for the annual review and present all documents for examination.*

Required documents (MUST be presented for examination)	Date of examination	Print name of person examining the documents	Signature of examiner
Driving licence			
MOT Certificate			
Insurance for Business cover			

Staff Signature to declare that documents have been presented and that the following risk assessment has been read		Date:	
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Hazard / Risk e.g. slip/trip hazards, electricity, equipment/activity related hazards	Who is at risk?	Current Controls in Place Are they adequate? Is the risk reduced as far as possible?	Level of Residual Risk Low, medium, high or very high?	Additional measures to control the risks
Road traffic accident	Driver Staff passengers Pupils Other road users	Copy of valid driving licence to be held within school. Copy of current insurance including cover to use their vehicle for business (MOT certificate) to be held within school.	Low	Staff will carry a mobile to contact school (preferably a work mobile) if needed. Staff will carry pupil contact details. If the relevant documents are not in place/ not valid, staff will not be permitted to use their vehicle for work.
Driving while under the influence of alcohol, illegal substances or prescribed medication	Driver Staff passengers Pupils Other road users	Procedures contained in the Driving at work policy. Staff are not permitted to drive under the influence of alcohol /illegal substances/prescribed medication.	Low	All staff will sign to confirm they have read and understood the Driver at work policy.
Driving while using a mobile	Driver Staff passengers Pupils Other road users	Procedures contained in the Driver at work policy. Staff are not permitted to use their mobile phone whilst driving. If staff need to use their phone in an emergency, they must pull over where it is safe to do so and turn off their car engine before using their mobile phones.	Low	All staff will sign to confirm they have read and understood the Driver at work policy

Reckless driving endangering others	Driver Staff passengers Pupils Other road users	Procedures contained in the Driver at work policy	Low	All staff will sign to confirm they have read and understood the driver at work policy
Personal protection with regard to Safeguarding	Driver Staff passengers Pupils	Signing out book will identify staff/pupils, destination and vehicle. Staff to inform the office (verbally and/ or on their one drive Callander) where they are going and the duration of their visit. Office staff to contact the staff member/ members if they exceed their expected return time. It is not common practice for pupils to travel in staff cars however, if it has been agreed by SLT under unforeseen circumstances, pupils travelling in the vehicle will have a staff escort. All staff has received Safeguarding training.	Low	All staff will sign to confirm they have read and understood the driver at work policy. Lone working risk assessment in place.
Pupil behaviour and violence (unpredictable)	Driver Staff passengers Pupils Other road users	It is not common practice for pupils to travel in staff cars however, if it has been agreed by SLT under unforeseen circumstances, pupils travelling in the vehicle will have a staff escort. If there is a risk of dangerous and unpredictable behaviour, Staff are trained in behaviour management and RPI.	Low-Med	Staff will assess the pupil's regulation prior to leaving school. Staff supporting must be familiar with the pupil's risk reduction plan if in place. Ensure driver and escort have appropriate behaviour management training

Road rage	Driver Staff passengers Pupils Other road users	Responsibility of driver to react in the best interest of the passengers and other road users and to report the incident to the police.	Low	
Pupil medical emergency (epilepsy)	Driver Staff passengers Pupils Other road users	It is not common practice for pupils to travel in staff cars however, if it has been agreed by SLT under unforeseen circumstances, all pupils travelling in the vehicle will have a staff escort. Staff supporting must have received training in epilepsy and administration of medication.	Low-Med	Emergency medication and protocol is carried with the pupil. Staff will have mobile phones available and call 999 if needed.
Weather conditions Heavy rain High winds Ice/snow	Driver Staff passengers Pupils Other road users	Responsibility of driver to assess the weather and level of risk	Low	Driver to access information and assess the weather and associated risks prior to the journey.
Breakdown	Driver Staff passengers Pupils Other road users	Driver/Staff passenger have a school phone to contact the school and request help. Staff passenger and pupil to stay in the vehicle until help arrives.	Low-Med Location of breakdown is unpredictable and may pose significant risk	It is not common practice for pupils to travel in staff cars however, if it has been agreed by SLT under unforeseen circumstances, staff supporting must be familiar with the needs of the pupil and able to apply positive strategies to minimise anxiety