



DRIVING FOR BADGER POLICY

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Destroy All Previous Issues

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V3.0	Dec 2017	S Barnes	Revised and updated
V4.0	November 2020	Anna Shiels	Reviewed and updated Drivers Shift Log and Checklist added (Appendix 1)
V5.0	March 2023	Anna Shiels	Reviewed and updated – Age restriction added Section 9 – Use of Headphones and Ear Pods whilst Driving Clinician Case checklist removed – forms part of Driver Checklist

Approval

Version	Name	Position	Signature	Approved Date
V2.0	S Longland	HR Employee Relations manager		13 Jan 2011
V2.0	Nick Farmer	CEO		
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Glossary

Term	Description

1 PURPOSE

The purpose of this policy is to ensure that all those driving on Badger business are qualified to do so and comply with legislative requirements.

Although the main scope of this policy applies to operational drivers employed by Badger working specifically in that capacity, the general principles of the policy also apply to staff who need to drive Badger fleet vehicles as part of their regular duties.

This includes travel between sites, visiting customers, clients or patients, travel for training purposes, and any other reason that is deemed business use as required to fulfil the duties of individual roles. Therefore, adherence to parking, payment of fines, appropriate car insurance and safe driving must be complied with at all times.

No person under the age of 25 or over the age of 25 but holding a full licence for less than 2 years will be permitted to drive a Badger vehicle.

Badger takes a holistic view of the risks associated with travelling by car by considering both the skills required and behaviour while driving, with particular regard to those travelling long distances or during unsocial hours.

At all times while driving, drivers shall conduct themselves in accordance with the organisation's policy and shall use their own judgment to ensure that they reduce the risks to themselves and to others as low as is reasonably practicable.

2 INTRODUCTION

All drivers of Badger owned or leased vehicles or employees in their own cars driving on company business must follow all applicable legislation and the requirements of the Highway Code.

This policy incorporates and ensures that Badger follows the applicable legislation and legal references:

- Health and Safety at Work Act 1974
- Road Traffic Act 1991
- The Road Safety Act 2006
- Highway Code 2007
- The New Drivers Act 1995
- Management of Occupational Road Risk (MORR) 1997
- The HSE guidance document INDG382
- ROSPA Driving for Work – Fitness to Drive
- ROSPA Driving for Work – Driver Assessment and Training

The following persons will be permitted to drive company vehicles:

- Badger employees who have been authorised to drive by a manager or director.
- In the event of accidents, breakdowns or illness, where the driver is unable to proceed any driver with a full license and covered by a valid vehicle insurance policy (authorised by management)
- Agency drivers hired by the company.
- Motor vehicle engineers appointed by the company to carry out work on company vehicles.

3 EMPLOYMENT OF DRIVERS

It is Badger's preference that only operational drivers with a clean licence should be employed. Other staff who drive Badger vehicles for business purposes should preferentially hold a clean driving licence. However, three penalty points may be considered if the points were given for a minor speeding offence or other minor traffic offence.

These may include:

- Failure to comply with a traffic sign
- Using a vehicle with defective steering
- Refusing to submit to an eyesight test
- Leaving a vehicle near a pedestrian crossing
- Likely to cause danger by reason of load or passengers
- Using a vehicle with a defective tyre

The decision to employ a candidate who has three penalty points on a licence will be at the discretion of the interviewing panel.

Prior to appointment as an operational driver with Badger, new drivers must produce their most recent driving licence for verification. All candidates will be asked to bring their driving licence to interview where a copy of the licence will be taken.

It will be the responsibility of the HR and /or Operations Department to check with the DVLA that the document produced at interview is the latest version.

As part of the recruitment process all operational drivers will undergo a driving assessment to ensure candidates meet with the driving standards associated with the organisation.

4 VERIFICATION OF DRIVERS' LICENCES DURING EMPLOYMENT

Driving licences will be verified every six months and operational drivers will be advised in writing of the process to verify their licence. Badger will conduct these checks via electronic means using approved DVLA database search providers. Employees address, National Insurance Number and date of birth may be used for this process.

Failure to provide proof of your current driving license may result in your suspension from driving and possible disciplinary action which may lead to your dismissal.

It is the driver's responsibility to ensure that their photo driving license is in date. Any driver with an invalid photo license will be suspended from driving until a valid photo license is obtained and checked by Badger.

Any changes that may affect Badger's company insurance must be notified to the Director of Finance by email.

The information obtained from the DVLA database will be kept on individual personal files.

The verification of licences process will also apply to all existing staff members who may from time to time be required to use a Badger vehicle as part of their role.

5 HEALTH AND SAFETY, FITNESS TO DRIVE AND ASSESSMENTS

It is the responsibility of Badger to employ operational drivers who are fit to perform the duties of the post and to ensure that they are safe to drive doctors who visit Badger's patients.

Once in post, it is the driver's responsibility to ensure that they are fit to drive at all times and be aware of the implications which alcohol, illicit substances and medication could have for driving safely.

Information relating to medical conditions and their impact on driving can be found at:-

<https://www.gov.uk/health-conditions-and-driving>

<https://www.gov.uk/browse/driving/disability-health-condition>

5.1 Drugs/Medicines and Alcohol

Drugs and / or alcohol may cause impairment of a driver's ability to operate safely. Drugs and medicines are only to be taken when prescribed by a doctor. Drivers taking prescribed drugs / medicines are to ascertain their likely effects on driving ability and report this to their line manager if necessary. A driver, whose ability to drive safely appears to have been affected by drugs / medicines, is to be removed from driving duties until the effects have cleared and an investigation has been conducted.

Drivers must not be under the influence of alcohol when at work and are forbidden to drink intoxicating liquors whilst driving on company business. This includes any period when the driver is not actually at the wheel but is on call to drive his vehicle if required. Any driver, who is suspected of being under the influence of alcohol while driving on company business, may be subject to disciplinary procedures / police prosecution.

This section should be read in conjunction with the Alcohol, Drug and Substance Abuse Policy HR-02

5.2 Eye Sight

Badger advises that staff who regularly drive Badger vehicles have their eyes tested at least every two years or more often if advised by an ophthalmologist.

All Operational drivers must be able to read a number plate from a distance of 20 metres.

Drivers who need glasses or contact lenses to drive must wear them at all times when driving (see Rule 92 of The Highway Code).

Any condition that affects both eyes and vision (excluding long and short sightedness and colour blindness) should be reported to the DVLA. This will not necessarily mean an individual will lose their licence.

5.3 Operational Driver Assessments

All operational drivers are required to undertake an annual mandatory driving assessment (Appendix 1) in addition to the assessment that will be taken on joining Badger.

The assessment will assess operational drivers continued competency to undertake the driving role. The driving assessment will not just focus on driving skills but also on the driver's knowledge and understanding of how they can manage driving risks. The results of the assessment will identify those drivers who may have training needs and Badger will provide appropriate training and support to any drivers who do not meet the required criteria of the assessment. In addition to the annual driving assessment the following may trigger an assessment in addition to the mandatory annual driving assessment:

- Two driving instances resulting in any exterior damage to a Badger vehicle within a six months' period or one incident depending on the severity.
- Following a complaint either verbal or written regarding poor driving standards and following an investigation
- A driver who personally identifies a training need in their own capability.

6 PARKING FINES, ENDORSEMENTS AND DISCLOSURE

6.1 Parking Fines

All staff who drive on Badger business should be aware of the following:

- Staff who commit traffic violation offences whilst 'on duty' for Badger, will be liable to pay any associated fines and be responsible for any penalty points incurred. This is an individual responsibility.

There will be no exceptions to this rule

- Please park your car correctly at all times.
- Please ensure that you pay any charges when parking your car.
- Please do not speed.
- Please do not jump lights or commit any other traffic violations

6.2 Endorsements

Should operational drivers receive a Notification of Prosecution notice, they should report the notification immediately **in writing** to the Director of Service Delivery. Such a notice advises that an endorsement will result, unless there are any mitigating circumstances that may be offered by the driver.

Staff will not be permitted to drive Badger vehicles if they already have an unspent driving conviction, acquire a drink or drugs driving conviction, or if they are disqualified from driving for any other reason during the period of disqualification. Staff, whose primary role is a driver, in addition, may be subject to the capability and conduct procedures being invoked.

Only in exceptional circumstances will dispensation be granted to a driver who is convicted of an offence when driving a Badger vehicle.

This dispensation will be at the discretion of the Director of Service Delivery; who will take into consideration the circumstances and reason for the endorsement. The decision of the Director of Service Delivery will be discussed with Human Resources for consistency and recording purposes.

In the event that an operational driver acquires penalty points during employment with Badger, it is the responsibility of the operational driver to disclose that information immediately to the Director of Service Delivery **in writing**. The driver will already have advised the Director of Service Delivery of receipt of a Notification of Intended Prosecution as outlined above.

If you break the law whilst in charge of a company vehicle, you must accept full responsibility in the event of being prosecuted. In all instances of Police prosecution you must immediately inform your line manager. This may result in the disciplinary procedure being invoked and dependant on the severity of the offence, this could lead to dismissal.

In the event that an operational driver acquires more than six penalty points, the operational driver will be subject to Badger's Disciplinary Policy as this may constitute gross misconduct and could lead to dismissal.

The service Badger provides is not an emergency service and operational drivers must adhere to all relevant road traffic legislation and the guidance contained within the Highway Code.

7 IN THE EVENT OF AN ACCIDENT

(Please also refer for Operational procedure V01 – Appendix 3)

Should you be involved in an accident that causes damage or injury to another person, vehicle, animal or property, you **must** stop. You should then give your name, Badger Head Office (Glover Street) address, your own home address and the registration number of the vehicle involved to anyone having reasonable grounds for requiring them. *See appendix 1*

If you do not give your name and Badger Head Office address at the time of the accident, then you must report the accident to the police as soon as reasonably practicable, and in any case within 24 hours.

In the case of an accident involving Badger operational drivers, the operational driver must report the accident to the Team Leader on duty, who should advise the on-call Manager. An incident report form must be completed by the operational driver and returned as soon as possible to the Service Delivery Support Officer, who is located at Glover Street.

8 MOBILE PHONES AND DRIVING

Hand-held Phones

It is illegal to use a hand-held mobile phone while driving. It is also an offence to "cause or permit" a driver to use a hand-held mobile phone while driving. Employees must not use mobile phones without suitable hands-free modification; doing so may result in disciplinary action.

Hands Free Phones

Depending upon the individual circumstances, drivers could be charged with 'failing to have proper control of their vehicle'. In more serious cases, the use of any type of mobile phone could result in prosecution for careless or dangerous driving.

The Police may check phone records when investigating fatal and serious crashes to determine if use of the phone contributed to the crash.

Many of us are contactable by mobile phone whilst out of the office. Badger does not expect any employee whilst driving to take a call on a mobile phone. If an employee needs to take or receive a telephone call on a mobile whilst in the car, Badger expects all employees to

- **Park up to engage in the call if safe to do so.**
- **Call later once stationary.**

To be read in conjunction with HR25 – Mobile Phone Policy for further information

Satellite Navigation Devices

All staff using Badger satellite navigation devices should consider the following points:

- The satnav device should not be in your direct line of sight or positioned in such a way as to block a clear view of the road.
- Position the device in such a way as to avoid any risk of injury to any person in the vehicle in the event of an adverse event occurring.
- Do not programme the device whilst the vehicle is in motion as this may distract the driver's attention away from the road.
- Always stop the vehicle before adjusting settings.

9 USE OF HEADPHONES AND EAR PODS WHILST DRIVING

In the UK, it is not specifically illegal to drive while wearing headphones, but if the police believe a driver was distracted or not in full control of their vehicle, the driver could be stopped and penalised. Rule 148 of the Highway Code also states that safe driving needs concentration, and therefore drivers should avoid distractions such as loud music that could mask other sounds.

The use of headphones or ear pods whilst driving a Badger vehicle is not permitted. Anyone found in breach of this rule may be subject to disciplinary action.

<https://www.rospa.com/rospaweb/docs/advice-services/road-safety/drivers/headphones-as-a-driver-distraction.pdf>

10 GENERAL INFORMATION

It is the responsibility of the driver to ensure that all Badger's policies and procedures relating to the driving, checking and care of Badger's vehicles are strictly adhered to.

Should there be any areas where there is uncertainty, or where clarification is required on specific points, they should immediately be brought to the attention of the Director of Service Delivery who will ensure that operational drivers are absolutely clear about the duties of their role.

Vehicle Inspection Procedures

All staff who drive Badger vehicles are responsible for ensuring that the vehicles are kept in a clean and tidy state (including the boot of the vehicle) at all times. Clinician Support Technicians and Multi Purpose Clinicians should ensure that no prescriptions, equipment or patient identifiable documentation are left in Badger vehicles. Any call sheets must be destroyed and recorded on the driver shift log. All paperwork and rubbish must be removed from the Badger vehicle at the end of its use.

All operational drivers are required to inspect the Badger vehicle prior to commencement of their shift and also at the end of their shift to ensure that the vehicle is left in an acceptable state for further use.

Operational drivers are required to check for the following:

- Exterior damage that interferes with the operation of the vehicle.
- Wheels - wheel rims are in good order and nuts can be seen to be secure.
- Tyres – check visually for damage, depth of tread and pressure.
- Lights – All fitted lights are in working order.
- Windscreen – Windscreen is not cracked, wipers and washers work.
- Horn – The horn works.
- Glass – glass and mirrors are clean.
- Seat belts – checked for correct operation and or damage prior to commencing journey.

Driver Shift Log and Checklist

It is a mandatory requirement of the role for all operational drivers to complete the Driver/ CST shift log and checklist on every shift (**OPS – F- 006**). The checklist will eradicate possible issues of missing equipment before leaving the base. Any driver failing to do so may be subject to disciplinary action.

OPS – F- 006 can be located on Adastra. Please go to Adastra and click on the 'Web Communications' tab. Then click on the 'Comms' tab where a new page will open called 'Documents'. From here you can either use the search box or scroll down to 'Badger Standard Forms' and click on: Drivers Forms or Operational Forms.

Extreme Weather

Extreme weather conditions are occasionally encountered and it is essential that suitable driving habits are acquired and used at all times.

These include:

- Allowing an adequate stopping distance from the car in front.
- Adjusting speed according to visibility and current road conditions.
- Allowing space in front of the car when approaching traffic build up on the motorway - if a vehicle behind is unable to stop, is there room to move forward, if you are hit from behind?
- Using driving aids provided by the company.

11 DRIVING TIME AND DRIVING LIMITS

Driving while tired is a common cause of serious accidents. For heavy goods vehicle drivers there are strict legal controls; for the rest of us this is a very personal responsibility for the safety of oneself and other road users.

General rules are difficult to make as many factors are involved, including the driver's experience of repeatedly driving long distances, time of day, driving conditions, time since last meal, personal fitness, etc. It is up to individual drivers to be able to recognise the signs of drowsiness and take a rest. Very often a short break is all that is required.

The company will take all reasonable steps to ensure work is planned to take into consideration driving time.

What are the driving limits?

Daily driving

A driver must not drive continuously for more than 10 hours in a day.

NOTE the daily driving limit applies to time spent at the wheel, actually driving and also considers the driver does not complete any other working duties.

If other duties or tasks are completed during the working day a driver should consider all factors in determining a reasonable driving limit.

The Highway Code suggests that a 15 minute rest period is taken every 2 hours; this is considered good practice and guidance. When out on a home visit, whilst waiting in the car when the clinician is seeing a patient, can be counted as a break.

Appendix 1

Driver Assessment

Name:

Date:

Assessor:

Module	Comments
Displays good observational skills	
Displays good anticipation skills	
Displays good driver planning skills	
Displays a good driver attitude towards all other road users	
Adherence to all road traffic legislation whilst driving	
Adheres to all road safety guidance contained in the Highway Code <u>at all times</u>	
Adopts correct driving position	
Displays a satisfactory level of correct vehicle positioning	
Displays a satisfactory level of vehicle maneuvering	
Demonstrates safe use of speed and acceleration	
Demonstrates a safe and satisfactory level of steering the vehicle	
Demonstrates the correct use of the vehicle mirrors	
Demonstrates the correct and appropriate use of the vehicle lighting and signaling systems	

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Appendix 3 (to be read in conjunction with V01 Vehicle Breakdown procedure)**Insurance and what to do at the scene of an accident.**

As soon as your vehicle is involved in an accident you need to take the following steps to ensure you comply with the law.

If, as a driver, you are involved in a road traffic accident and one or more of the following occurs: -

- A person, other than yourself, is injured
- Damage is caused to another vehicle or to someone else's property
- An animal has been killed or injured, except in your own vehicle or trailer. (an animal is defined as 'any horse, cattle, ass, mule, sheep, pig, goat or dog')

You must:

- Stop and remain at the scene for a reasonable period
- Give your vehicle registration number, your name and address, and that of the vehicle owner, (If different), to anyone with reasonable grounds for asking for those details.

If you do not exchange those details at the scene, you must report the accident at a police station or to a police constable as soon as you can, and in any case within 24 hours.

Where injury is caused to another person, then in addition to the above **you must:**

- Produce your certificate of insurance, if anyone at the scene has reasonable grounds to see it. If you do not, you must report the accident at a police station or to a police constable as soon as you can and in any case within 24 hours. You will need to produce your certificate of insurance. If you do not have your certificate of insurance when reporting the accident to the police, you may take it to the police station you nominate when you report the accident. You must do this within seven days of the accident.

Note: Reporting the accident to the police by telephone is not sufficient and you cannot ask someone else to report it for you.

You are obliged to do these things not only when you are directly involved in an accident, but also if your vehicle's 'presence' was a factor.

If you have any doubts, you are advised to complete the above steps as soon as the accident happens regardless of who was at fault.

A failure to comply with these obligations can mean two offences are being committed: failing to stop and failing to report. It is possible to be guilty of either or both. The penalties for each offence include a maximum fine of £5,000 and five to ten penalty points. The court also has the power to disqualify you from driving for either offence and is likely to do so when both offences are committed on the same occasion. Failing to stop or report an accident can carry a maximum of six months' imprisonment.

Even if there is no personal injury involved, if someone holds you responsible for the accident, they have the right to request your insurance details. This request can be made later; it does not necessarily have to be at the time of the accident. A failure to provide that information without a reasonable excuse is also an offence.

It will also be a condition of your insurance policy that you report the accident to your insurance company within a reasonable time, even if you do not want to claim yourself. A failure to do so can give your insurance company the right to refuse to cover you in the future.