**AUTHORISED BY:** Chief Officer

**DATE:** July 2023

1. **OBJECTIVE AND SCOPE:**

Road Risk is one of a number of Health and Safety Standards, forming the Trust’s written arrangements in compliance with general duties under the Health and Safety at Work etc. Act 1974.

The Road Risk standard relates specifically to the safe operation of motor vehicles in connection with Trust business, primarily to ensure compliance with the general requirements of the [Road Traffic Act 1991](http://www.legislation.gov.uk/ukpga/1991/40), the [Road Vehicle (construction and Use) Regulations 1986](http://legislation.data.gov.uk/uksi/1986/1078/made/data.htm?wrap=true) , the [Goods Vehicle (Licensing of Operators) Act 1995](http://www.legislation.gov.uk/ukpga/1995/23/contents) and the [Management of Health and Safety at Regulations 1999](http://www.legislation.gov.uk/uksi/1999/3242/contents/made)

1. **RESPONSIBILITY:**

Overall responsibility for the implementation of this Standard belongs to Strategic Leads and Development Officers.

Key responsibilities for the management of Road Risk belong to East Ayrshire Council’s Strategic Manager: Roads, Transportation and Maintenance, Fleet Operations Group, Depot Managers, Strategic Leads, Development Officers, and Development Co-ordinators.

All employees driving in the course of Trust business also play a critical role in the effective implementation of these arrangements.

Services will be required to supplement the Road Risk Standard with written risk assessments and safe working procedures, as appropriate. The Health and Safety Strategic Group and the Council’s Transport Service Unit can provide specific advice on these matters where required.

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1. INTRODUCTION

The Road Risk Standard has been developed to provide all Trust employees with the Policy and Procedures for the effective management of road risk.

This Standard must be fully implemented and resourced within each Service in order to protect employees and other persons who may be affected by the operation of the Trust vehicle fleet or employees driving on Trust business.

The Council’s Strategic Manager: Roads, Transportation and Maintenance is the appointed Competent Person for fleet transport matters, holding the Operator’s Licence for the Trust and providing expertise and technical advice in respect of the transport fleet.

Employees driving on Trust business using either a fleet, hired or private vehicle, must always drive with due care and attention and with regard for other road users and any passengers in their vehicle.

A [Drivers Handbook](https://leisurenet/media/2672/road-risk-drivers-handbook.docx) has been produced for all employees who drive for the Trust and a copy should be made available in all fleet vehicles.

Development Officers, the Council’s Transport Service Unit (hereafter TSU) and the Fleet Operations Group, all play a critical role in the effective management of road risk. This includes:

* + Authorising drivers to drive fleet vehicles
  + Auditing driver competence
  + Inspecting and auditing vehicle related documentation
  + Carrying out spot checks on fleet vehicles to ensure compliance.

Development Officers who manage fleet vehicles must hold a record of drivers and their assigned vehicles for each shift/ day in question, including records for electronic equipment such as tracking devices and any relevant departmental documentation.

Development Officers are also required to ensure investigations into vehicle and plant related accidents and near miss events are carried out and reported to the TSU and Health and Safety, via the Trust’s incident reporting system [SHE Incident Reporting](http://eacintranet/Services/HealthandSafety/SHESystemIncidentReporting.aspx)

* 1. **Exemptions**

This standard does not apply to private hire buses or taxis or for commercial transport used for national/ international travel.

# 2. DEFINITIONS

# 2.1 Operator’s Licence (O’Licence)

The O licence is granted by the Office of the Traffic Commissioner and enforced by the Driver and Vehicle Standards Agency (DVSA), formally known as VOSA, to organisations operating a vehicle fleet for commercial purposes. The licence is issued to regulate the safe and proper use of vehicles which fall under the Operator Licensing Regulations.

**2.2** **DVLA Licence**

The licence issued to an individual by the Driver and Vehicle Licensing Authority (DVLA), providing details and authority of classes of vehicles the individual is permitted to drive.

**2.3 Large Goods Vehicles (LGV) Licence**

A licence for drivers who are authorised to drive Large Goods Vehicles (3.5 tonnes and over).

**2.4 Driving Licence Mandates**

System used by the TSU for checking and confirming DVLA licence details through an external agency.

**Note:** this is a secure and encrypted site to ensure compliance with the Data Protection Act 1998.

**2.5 Driver Permit**

A Trust Permit issued by the TSU on successful completion of a driver’s assessment; or in the case of specialised plant and equipment, on confirmation to the TSU of the operator’s certificate of competence or successful completion of in-house induction/competency training, where appropriate. This permit authorises an employee to drive a class or classes of vehicle on behalf of the Trust (other than a private vehicle).

**2.6 Driver Certificate of Professional Competence (CPC)**

Employees who drive vehicles over 3.5 tonnes are required to hold a driver qualification card. This is achieved by undertaking and maintaining driver CPC training.

**Note:** CPC is a statutory requirement which must be monitored and maintained by Development Officers responsible for fleet vehicles, with support and compliance information provided by the TSU.

**2.7 Vehicle**

Any motor bike, car, van, lorry, mini bus, excavator, road roller, dumper, mobile elevated work platform, ride on mower, mechanical sweeper or other plant and equipment that moves under its own power and is controlled by a person. Self- propelled mowers and similar equipment are excluded from this definition.

**2.8** **Fleet Vehicle**

Any vehicle operated or managed through the Trust including Lorries, trucks, vans and mini buses carrying Trust livery, hired vehicles, pool cars and official cars. Fleet vehicles also include any vehicle which is purchased or hired by the Trust and used for or in support of business associated with the Trust.

**2.9 Grey Fleet Vehicle**

Any privately owned/ operated vehicle which is used by an employee to travel on Trust business.

**Note:** “Trust business” means any vehicle journey undertaken on behalf of the Trust, regardless of business mileage being claimed, but excluding travel to and from the normal place of work.

**2.10** **Specialised Plant and Equipment**

Ride on plant and equipment which do not form part of the Trust fleet but are used in support of Trust business, for example tractors, ride-on mowers, excavators, shovels, rollers, dumpers and forklifts.

**2.11** **Telematics**

Information and communication systems installed in vehicles, such as vehicle tracking and camera systems and in-cab technologies.

**3. Assessment of Road Risk**

Development Officers must ensure that risk assessments which, include any issues related to road risk are in place. Hazards related to vehicles and driving can generally be included as an element of the specific work activity risk assessment and do not necessarily need to be written as an isolated document.

When assessing road risk as a part of the risk assessment process, the following key areas of risk associated with transport must always be considered as appropriate to the task and location.

**3.1 Driver Safety**

Risk assessments must always include driver safety as part of the overall assessment, which may include:

* + - The hours driven on a daily/weekly basis – remembering that the driving hours of Large Goods Vehicles (LGVs) are restricted by law
    - Where driving is required for a stand-by or out of hours’ service
    - Any other duties in addition to driving, which are assigned to the driver
    - The type of vehicle used and any special licence or specific training/ certification requirements
    - LGV licenses which require the driver to have medical examinations at prescribed times for the licence to be renewed
    - Where a Driver’s Permit is required i.e. where the vehicle is part of the Trust fleet
    - Provision of valid insurance and MOT details where drivers are using their own vehicles
    - Age groups or drivers that are considered to be vulnerable or pose a higher risk
    - Drivers who have been involved in previous driving related incidents

**3.2 Safe Vehicle**

Fleet vehicles undergo mandatory inspections, servicing and thorough examination, as appropriate, which is an important factor when identifying risk control measures including:

* + - Choice of vehicle – the vehicle should be suitable for the task
    - Daily recorded visual inspections of the vehicle by the responsible driver
    - Vehicle inspection, servicing and maintenance at defined schedules
    - Thorough examination of vehicle lifting equipment and fall restraints (for example harnesses and fall restrain equipment used in Mobile Elevated Platforms (MEWPS), lifting equipment on refuse collection vehicles, mobile plant, tail lifts etc.
    - Provisions to ensure suitable child seats or restraining systems for wheelchairs are fitted in vehicles which are used for transporting service users and young people.

**3.3 Site Layout**

Construction sites, roads sites and depots must have design controls in place to minimise the risks associated with traffic movements. The design and layout of a site should always be considered as part of the overall risk assessment process, including:

* + - Designated access and egress points
    - One way traffic management systems to minimise reversing
    - Speed limits which are clearly marked and signposted
    - Stop/give ways signs and any other signage giving instruction or direction
    - Segregation of operational and pedestrian areas
    - Pedestrian walkways and crossing points
    - Speed limiting measures, such as speed tables, humps and chicanes
    - Provision of adequate lighting
    - Road surface condition – deep potholes etc.
    - Blind bends and obstructions which may inhibit the ability to see on-coming vehicles or pedestrians.
    - Reversing wheel stops to prevent vehicles reversing too far – for example at a tipping zone.
    - Designated loading and unloading areas.

**3.4 Work Activities**

The types of work activities in relation to vehicle use, also form a critical part of the overall risk assessment process when identifying hazards and implementing suitable risk control measures. These may include:

* + - Other types of activities or vehicle movements which may be carried out in the location at the same time
    - Vehicles reversing and the use of banksmen
    - Loading and unloading activities
    - Working at height on vehicles
    - Transporting children, vulnerable persons or members of the public as a part of the service provision

**4. REVERSING VEHICLES**

Reversing vehicles, in particular reversing large vehicles and mobile plant carries an increased risk of collisions and injury if suitable and sufficient risk control measures are not in place.

Trust services where large vehicles form part of the vehicle fleet must ensure that reversing risks are identified during the risk assessment process and specific Safe Working Procedures (SWPs) are implemented where required.

Where vehicles are reversing on site, within depots or on public roads, the following hierarchy of risk control must always be followed:

1. Avoid reversing wherever possible.
2. Minimise the distance to be reversed where reversing is unavoidable.
3. Segregate the area where reversing will take place by use of barriers, cones, and signage where practical.
4. Drivers must use all of the available vehicle reversing aids available i.e. mirrors, alarms, beacons and CCTV and exercise due care and attention at all times.
5. Drivers must deploy a trained Banksman/ traffic marshal **where available** when reversing in an area where it is impractical to segregate pedestrians. If a Banksman/Traffic Marshal is not available drivers must follow the hierarchy of control measures in 1, 2 and 4 above.

Employees who are required to act as banksman must undergo mandatory training, to ensure that both the driver and the banksman understand the system of signals to be adopted when vehicles are reversing.

The banksman must be clearly visible to the driver throughout the reversing maneuver. The banksman **must** wear high visibility clothing at all times whilst assisting the driver. On some sites where a banksman is required to direct reversing maneuvers and vehicle movements, for example a construction or road site, they should wear a different colour of hi-vis jacket/tabard so that they are easily recognisable.

# 5. FITNESS TO DRIVE

All drivers, including agency and grey fleet drivers, are responsible for ensuring that they are fit to drive**. If a driver has any doubt about their fitness to drive they must inform their Development Officer/ line manager immediately. All drivers are legally responsible for notifying the DVLA of any medical conditions which may have an effect on their driving and in the case of grey fleet drivers they should also notify their own insurance company.**

All employees who are employed to drive for the Trust will be asked to complete a medical declaration on an annual basis to confirm that they are not aware of any medical conditions which may affect their fitness to drive (Appendix 1).

Grey fleet drivers will be asked to declare any medical conditions as part of the annual validation of their driving licence and other statutory documentation (Appendix 2).

Further, all new employees who will be employed specifically as drivers or existing employees who will be moving into a post as a driver will be required to complete a Drivers Health Questionnaire which must be validated by their GP.

All drivers must inform their Development Officer/line manager **immediately** of any medical condition and any changes to previously disclosed medical conditions or medical investigations that may affect their fitness to drive safely. Failure to inform management of a known medical condition which may affect driving will be investigated and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures**.**

Any medical conditions which may affect an employee’s fitness to drive must be referred to Occupational Health, who will request a report from the employee’s GP/specialist to enable them to make an assessment.

Employees will not be permitted to undertake driving duties until the results of the occupational health assessment has been confirmed and a further driving assessment has been carried out by the TSU.

Drivers are responsible for ensuring their eyesight is of an appropriate standard for driving. Where prescription glasses/ contact lenses are required for driving, they must be worn at all times.

When driving for long periods or in demanding conditions, such as severe weather, drivers should make sure that they take regular breaks.

Drivers must ensure that they are aware of the rules in relation to the Working Time Directive. In circumstances where drivers have voluntarily opted out of the Working Time Directive, the domestic (GB) or EU rules and how they apply to their Service must be fully explained to the driver by their Development Officer.

Development Officer must, wherever practical, limit the number of driving hours accrued in order to minimise the risk of driver fatigue. This is particularly important in winter gritting operations which require to be carefully managed in order to ensure that drivers are given adequate rest periods.

Development Officer must relieve any employee of driving duties where they express or show signs of illness or fatigue.

When taking prescribed medication, drivers have a responsibility to ensure that the medication does not give a warning to avoid driving or operating machinery. Where such warnings are given, the driver must notify their Development Officer/ line manager immediately and take further advice from their doctor or pharmacist as appropriate.

**Driving and operating any vehicle, plant or equipment while under the influence of alcohol or drugs is strictly prohibited.** If it is found or suspected that an employee is under the influence of alcohol or drugs, their Development Officer/ line manager must suspend them from their duties immediately and not permit them to drive or operate machinery under any circumstances. All such instances will be investigated and dealt with in accordance with the Trust’s Drugs and Alcohol Policy and where deemed appropriate, the Trust’s Disciplinary Policy and Procedures.

**6. LICENCE AND STATUTORY REQUIREMENTS FOR DRIVERS**

**6.1 DVLA Driving Licence**

Before any employee, volunteer or other person is entitled to drive any fleet or hired vehicle on Trust business, the Development Officer must ensure that the Trust’s driving mandate has been submitted and the following information has been made available for inspection:

* + - The driving licence is that of the driver of the vehicle
    - The driving licence displays the current address of the driver
    - The driving licence is valid for use in the UK
    - The driving licence is valid for the category of vehicle(s) to be driven
    - Drivers of Minibuses (9 – 16 passenger seats) must hold either Category D1 (101) or Category D license to drive larger vehicles
    - The driving licence is full and not provisional for the class of vehicles driven **Note:** It is legal for provisional licence holders to drive and operate ride on grass cutting machinery unsupervised and local arrangements are in place to allow for this. These arrangements remain under regular review**.**

**6.2 Large Good Vehicle (LGV) Licence**

It is the responsibility of employees who require an LGV licence to ensure their licence remains valid.

Where the expiry date on such an entitlement has lapsed it must be reported immediately to the TSU and driving of LGV vehicles will be strictly prohibited with immediate effect.

Statutory medical examinations are required to be carried out for all LGV drivers on first application and every five years thereafter. These may be carried out by the Occupational Health Service or the employees own GP, with the exception of eyesight tests which must be carried out by an optician.

**6.3 Insurance and other Statutory Documentation for Grey Fleet Drivers**

Employees who use their own vehicles (grey fleet) to drive on Trust business **must be insured through their own insurance policy for business purposes.** Business use must be included on the insurance policy, regardless of whether the driver chooses to claim mileage allowance or not.

**Note:** Insurance made in the name of one partner or spouse may not cover both partners and spouses for business use unless this is specifically requested.

The Trust **will not** accept liability for claims which are not covered by the drivers own insurance.

Employees who use their own vehicles for Trust business must ensure that the vehicle is legal and roadworthy, including holding a valid MOT certificate where this is required.

Managers must ensure that inspections of each employee’s driving licence, insurance certificate and MOT certificate are carried out on an annual basis where they drive their own vehicle on Trust business. Inspections should be recorded on the VF1 form (Appendix 1) and held on file by the responsible manager until the next annual check.

Failure to provide valid documentation on request may result in the employee being removed from driving on behalf of the Trust and business mileage claims not being approved.

**6.4 Licence Checks**

Driving licence checks can be carried out on behalf of services via the TSU system. This can be arranged by requesting a mandate for each driver and returning the completed mandates to the TSU who will then check the system on their behalf. Managers should note that there is a small charge for this service.

Alternatively, driving licence can be checked for free through the DVLA website at <https://www.gov.uk/view-driving-licence>. To use this site the driver is required to login and provide their licence number, national insurance number and post code. Once logged in they will be able to view their licence details and share the information with their manager.

**6.5 Theft of Trust property from Vehicles**

Trust property, such as laptop computers, are insured under the Trust’s insurance policy; however this excludes property theft from an unattended vehicle.

This type of theft is also unlikely to be covered by the employee’s own policy. It is therefore essential that Trust property is removed from unattended vehicles or where this is not possible, hidden from view and preferably locked in the boot. **All vehicles must be kept locked at all times when unattended.**

For the purposes of clarity, a vehicle will deem to be unattended when it is out of sight of the driver and the driver is not in and around the immediate proximity of the vehicle.

**7. FLEET VEHICLE USE**

**7.1 The Driver permit**

Before an employee is permitted to drive a Trust fleet vehicle, they are required to undergo a driver assessment, which will be undertaken by an authorised member of the TSU. The driver’s assessment will include an eLearning module.

This is with the exception of drivers who only require to drive a Category 1 vehicle i.e. a car or small van and for existing Category 4 drivers seeking renewal of their permit who can demonstrate ongoing regular use without incident. In both of these cases a driver assessment will not be required. However, drivers seeking a permit to use a Category 1 vehicle or those seeking renewal of a permit to drive a Category 4 vehicle will still have to complete a mandatory eLearning module before being permitted to drive.

Where employees operate specialised plant and equipment, the verification of the relevant certificate of competence may be sufficient and a driver’s permit may not be required.

The Permit will identify the class of vehicle the individual may be authorised to drive.

The Permit will expire no more than **four years** from the date of issue but may be revoked in part or full at any time prior to that expiry date.

The Driver Permit can only be issued, amended, suspended or revoked by an authorised member of the TSU. All appeals in respect of action taken must be made in the first instance to the TSU Strategic Lead, who will consider the appeal and respond to the employee concerned with a decision; which may include requiring the employee to undergo a further driver assessment.

If the employee is dissatisfied with the decision of the TSU Strategic Manager, a further appeal can be made to the Fleet Operations Group, whose decision in respect of Drivers Permits will be final. All appeals will be heard within a reasonable timescale.

It must be noted that where any decision to amend, suspend or revoke a Drivers Permit **has a direct impact on the employment of the employee concerned**, the appropriate Human Resources policies will apply.

Any employee who has been involved in a vehicle accident or where concerns regarding an employee’s driving ability have been identified, the driver may have to undergo a further driving assessment with an authorised member of the TSU.

When driving a Trust fleet vehicle, the driver must carry a legible and valid Driver permit at all times. Any loss or defacement of the Driver permit must be reported to the Development Officer and TSU. Replacement Driver Permits may be subject to an administrative charge.

The Driver Permit has identified eight classes of vehicle that cover the vehicles used by the Trust as a part of its business. These are:

1. Car / Car derived Van
2. Mini Bus (Up to 17 seats including the driver)
3. Large Bus (Over 17 seats including the driver)
4. Vehicles up to and including 3.5 tonnes gross vehicle weight (Excluding ‘2’ & ‘3’ above)
5. Vehicles up to and including 7.5 tonnes gross vehicle weight (Excluding ‘2’ & ‘3’ above)
6. Vehicles over 7.5 tonnes
7. Plant: including Tractors, Ride-on Mowers (excluding self-propelled mowers), Excavators, Teletruks, Telehandlers, Shovels, Rollers, Dumpers, Quad bikes and Forklifts
8. Tower Crane, Gully Sweeper

*A ‘****T****’ will be annotated on driver’s permits beside each individual entitlement category where the driver is authorised to tow a trailer.*

*An* ***‘M’*** *will be annotated on driver’s permits beside each individual entitlement category where the driver is authorised to shunt, test or move a vehicle or item of plant within a depot or site.*

*Category 7 (****Plant****): on drivers permits the generic term “plant” will be annotated on the back of the permit, with the specific individual entitlement(s) listed on the front of the permit e.g. Excavator, along with expiry date.*

The Driver Permit is only valid when supported either by a DVLA Driving Licence meeting the criteria in 6.1 or the relevant certificate of competence for specialised plant and equipment listed in classes 7 and 8 above or successful completion of in- house induction/ competency training, where appropriate.

Development Officers must identify and record every employee covered by sections 7 and 8 above and thereafter send proof of competency to the TSU. On receipt of proof of competency, the TSU will log all relevant details and issue a drivers permit for the relevant vehicle category where, in the opinion of the TSU, the employee already holds a higher category permit.

In circumstances where the employee does not hold a higher category drivers permit the TSU will arrange with the employee’s line manager to carry out a driving assessment. On successful completion of the assessment the employee will be issued with a drivers permit for the relevant vehicle category.

It is important to recognise that the permit covers competency for driving any vehicle, plant or equipment under the category for which the permit is issued on public roads and does not infer competency for the operation of any equipment or equipment attached to a vehicle, for example front loading shovel or loader crane.

Where a Driver Permit has been issued to a temporary/agency worker it must be dated to expire upon termination of their contract with the Service. Where a temporary worker gains a permanent position within the Trust, their permit will require to be reissued with possible reassessment for the class or classes of vehicle being driven.

**7.2 The Driver Certificate of Professional Competence (CPC)**

Drivers of fleet vehicles over 3.5 tonnes (LGV Licence) are required to obtain and maintain a Certificate of Professional Competence (CPC).

Development Officers with fleet vehicle responsibility will ensure those drivers required to hold a CPC, are identified and supported in achieving and maintaining their CPC.

The Council’s TSU will maintain a register of Driver Permit holders, which will also identify drivers required to hold a CPC. Development Officers will schedule periodic training for the drivers through the FaceTime process.

**7.3 Fleet Vehicles**

All Trust fleet vehicles are subject to the requirements and conditions of the Operator’s Licence, issued by the Office of the Traffic Commissioner**.**

It is a statutory requirement for managers responsible for managing fleet vehicles to keep a record of drivers and their assigned vehicles for each the shift/working day.

Development Officers must ensure that individuals have the appropriate licence and other statutory documentation to drive a vehicle on behalf of the Trust.

Service and maintenance of vehicles will be carried out by the TSU and recorded at prescribed intervals, through a program of examinations and equipment safety checks. **Development Officers have responsibility to ensure that vehicles are thoroughly cleaned inside and out before presentation to the TSU for periodic inspection.**

**7.4 Driving Fleet Vehicles**

Fleet vehicles may only be driven by employees holding a valid DVLA (or equivalent) driving licence and a Driver Permit issued by an authorised member of the TSU.

Development Officers should check the driver’s DVLA licence through the mandate system held by the TSU.

All driving posts advertised by the Trust will require applicants, including Agency drivers, to possess an appropriate licence for the class of vehicle to be driven. Moreover, **any applications with the following endorsements on their licence will not be considered for interview**:

* More than 6 penalty points
* Careless Driving (CD 40, 50, 60 and 70)
* Drink Driving (DR 10, 20, 30, 31 and 61)
* Driving under the influence of drugs (DG 10, 60 and 80)
* Dangerous Driving (DD 10, 40, 60 and 80)

**Note:** this criteria **only applies to new applications and internal applications for driving posts i.e. where driving is an essential requirement.** This criteria does not apply to existing employees who may receive endorsements during the course of their employment, which is dealt with elsewhere in this standard.

All applicants applying for driving posts, whether internally or externally advertised, will be required to submit their licence for examination at the interview stage. Failure to disclose any endorsements outlined within this standard will automatically result in the candidate being disqualified.

The driving licence must conform to the requirements detailed in 6.1. If a driver holds a non-UK driving licence, confirmation in writing is required from the TSU that the licence meets the essential criteria and identifies any necessary restrictions.

If the driver commits a traffic offence whilst driving a Trust fleet vehicle, which is reported to the Fiscal, they must inform their Development Officer immediately.

Should a driver incur points on their driving licence for an endorsable offence, whether or not connected to driving on Trust business, **they must inform the Development Officer,** who will review the driver documentation and future authority to drive a Trust vehicle.

If the driver is stopped by an authorised enforcement officer (Police, DVSA, Customs and Excise etc.), for any reason whilst driving on Trust business, they must inform the Development Officer immediately and the Development Officer must then inform the TSU immediately thereafter.

Where the vehicle has a specialist operation e.g. an excavator, the driver must also hold a recognised certificate of training or other certificate of competency from a recognised certification or training body.

The TSU is empowered to carry out spot-checks on vehicle maintenance and vehicle operations. Where a spot check reveals vehicle maintenance defects or operational deficiencies, the TSU has the authority to remove the vehicle from service.

In the event of a vehicle being removed from service, the TSU will issue a Prohibition Notice upon the vehicle that may contain specific instructions to be followed by the driver. The driver is required to follow the instructions of the Prohibition Notice and should report this to their Development Officer at the earliest opportunity.

**7.5 Acceptable use of Trust Vehicles**

**All** Trust vehicles, including specialised plant and equipment, must only be used to carry goods and/ or passengers on authorised journeys. Authority is only given when one or more of the following criteria are met:

* + - The journey is for legitimate Trust business
    - The employee is acting on the instruction of a duly authorised officer of the Trust
    - The driver holds a valid Driver Permit for the class of vehicle they are driving/ operating
    - The employee is using the vehicle for business purposes in the execution of the Service’s emergency response or out of hours service

**Note:** In such circumstances the vehicle **must not** be used for private business on the pretense that the employee may receive a call to attend an incident as part of a service. Use of a vehicle for personal use will be investigated and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures.

Only authorised passengers meeting the criteria below are permitted to travel in Trust vehicles:

* + - trustemployees on duty, or travelling to or from duty
    - Persons engaged on work for or on behalf of the trust
    - Persons being carried in the event of an emergency
    - Persons being transported as part of a Trust service
    - Other persons as authorised by management.

It remains the legal responsibility of the driver to ensure that passengers and goods are carried safely and securely at all times. If genuine concerns are raised by passengers regarding unsafe driving (e.g. too fast, driving too close, etc.) the matter should be raised with the driver immediately. If the passenger does not feel able to discuss the style of driving with the driver, they must report it to the Development Officer at the earliest opportunity.

No goods are permitted to be carried in a Trust vehicle other than property which belongs to the Trust, or tools, equipment and materials being used on behalf of the Trust, or as otherwise authorised by management.

**Any passengers must travel in the cab of the vehicle unless express authorisation has been granted. In the case of specialised plant and equipment, it is forbidden to travel on any part of the vehicle other than the vehicle seat(s).**

**Seat belts must be worn at all times unless otherwise exempted.**

**It is strictly prohibited to carry tools and equipment within the cab of the vehicle** unless stowed within a fixed container or tool box specifically designed for this purpose.

All tools and equipment must be properly secured at all times and any fuel must be carried in an appropriate container which must be placed in a lockable unit when the vehicle is traveling or left unattended.

Any breach of 7.5 ’Acceptable Use of Trust Vehicles’ which may be considered to be unsatisfactory conduct on the employee’s part, will be investigated and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures.

**7.6 Vehicle Cleanliness**

In the interests of road safety and in order to project a positive image to the public, all Trust and hired vehicles must be kept clean and tidy, inside and out.

The cabs of vehicles should be maintained in a clean and tidy condition. All equipment, tools, materials and fuel must be stowed within the loading area of the vehicle in reasonable order and secured as appropriate.

**Drivers are responsible for the vehicle they are driving** and periodic inspections will be carried out by Development Officers, Development Co-ordinators and the TSU to ensure that vehicles are being maintained in a reasonable state of cleanliness.

**7.7 Securing Loads**

Ensuring that tools, materials and equipment is stowed and secured correctly whilst in transit is crucial for road safety. Unsecured loads can become projectiles in the event that the driver has to stop or turn abruptly or, if the vehicle is involved in an accident.

It is the driver’s responsibility to ensure that all tools, equipment and materials carried in or on their vehicle is properly secured, whilst it is the responsibility of management to ensure that adequate means of securing loads is available for use.

The following appropriate means of securing loads are available, although this list is not exhaustive:

* + - Fixed racking systems
    - Fixed containers and tool boxes
    - Bungee cords
    - Netting
    - Ratchet straps

The method of securing the load should be suitable for purpose and robust enough to ensure that tools, equipment and materials do not move around; fly forward or fall from the vehicle, where they could cause injury.

**It is strictly prohibited to carry tools and equipment within the cab of the vehicle** unless stowed within a fixed container or tool box specifically designed for this purpose.

**7.8 Driving Pre-Checks and Vehicle Defect Procedure**

Drivers of fleet vehicles are required to carry out and record a **pre-use vehicle inspection on any vehicle they use.** This may include additional equipment safety checks, such as trailer attachments, security of loads, tail lifts etc.

Drivers will be given training on carrying out vehicle safety checks and additional equipment, such as trailers.

The minimum vehicle safety checks which should be carried out **before the vehicle is driven or at change of driver** are: -

* + - Vehicle coolant level is correct
    - Oil and fluid levels are correct
    - Windscreen wipers and washers are operating correctly
    - Windscreen washer reservoir is topped up
    - There is sufficient fuel in the tank for the journey
    - Tyres are not excessively worn or damaged
    - Loose and/or missing wheel nuts, studs or bolts
    - All lights, reflectors and horns are undamaged and working correctly
    - All mirrors are free from damage and correctly adjusted
    - All windows are free from damage and visibility is not obscured
    - Obvious damage to the vehicle, particularly sharp edges from bodywork or trim damage
    - Seat belts are free from obvious damage and operating correctly
    - Fire extinguishers are in good condition, fixed in their holding bracket and serviceable e.g. gauge indicator in green segment where fitted
    - First aid kit is present in the vehicle
    - Number plate is clean, legible and free from damage
    - A current “O” licence or small bus permit disc is fitted where applicable
    - Air pressure or vacuum gauges in the braking system are operating correctly where fitted

**Additional checks:-**

* + - Vehicle load carried is properly secured
    - Trailer towing attachments and electrical connections are suitable and operational
    - Trailer board lights and indicators are operational
    - Trailer licence plate corresponds with the vehicle plate
    - Trailer breakaway cables are in good condition and secured
    - Trailer jockey wheel or leg is correctly and securely stowed before moving off.

The pre-use vehicle inspection must be recorded using the relevant recording system, noting and recording any identified defects. In most vehicles this would be through the electronic system but where this is not available then using a check book.

Any defects must also be recorded using the electronic system which will generate a defect email to the Council’s Transport garage, in vehicles where this is not available defect details must be emailed to the garage. Failure to complete pre-use vehicle checks will be investigated and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures.

When carrying out the inspection, should the driver notice a defect or damage which the driver feels will affect the roadworthiness of the vehicle (see below for examples), the **Development Officer/Development Co-ordinator must be informed immediately** and the vehicle must not be driven unless the driver is given authorisation to do so.

**7.9 Vehicle Defect procedure – Defect noted whilst driving**

It is recognised that driving a vehicle with a known defect **which affects the roadworthiness of the vehicle** not only makes the vehicle unsafe to drive, but could also result in action being taken against the driver and the Trust should, the vehicle be stopped and subjected to inspection by an enforcement officer e.g. the Police or DVSA.

Drivers must therefore safely park the vehicle (if already out on site) and notify their Development Officer/Development Co-ordinator immediately when they become aware of the following defects:

* + - Headlight, tail light or indicator defects
    - Steering defects
    - Braking defects
    - Damage to the structure of tyres e.g. bald spots, wires showing, bulges etc.
    - Damage which impairs driver vision e.g. damage to mirrors and windscreen
    - Damage to bodywork of vehicle leaving sharp edges e.g. bumpers, panels etc.
    - Vehicle leaking fuel or brake fluid.

The above list is set out as an indicator of the types of defects which may affect the roadworthiness of a vehicle but **it is not exhaustive.** If drivers are in any doubt regarding whether to take a vehicle to the garage or other location for repair **with a known defect** they must consult their Development Officer/Development Co-ordinator in the first instance.

Drivers may become aware of defects **which do not affect the roadworthiness of the vehicle,** such as:

* + - Beacons not working
    - Tail lifts or bin lifts not working
    - Reversing cameras not working
    - Reversing sound alert not working
    - Minor damage to bodywork or trim

In these circumstances, it would be acceptable to drive the vehicle to the garage for repair. However, the Development Officer/Development Co-ordinator must be notified in the normal manner of the nature of the defect and will advise the driver of the appropriate action to be taken e.g. take the vehicle for repair or await repair at the location.

**7.10 Vehicle Telematics**

Identified fleet vehicles are fitted with vehicle telematics systems that allow the live tracking of the vehicle. Where required vehicles are fitted with additional telematics equipment such as satellite navigation unit. If required drivers must identify themselves using the equipment fitted with the use of their driver number. All Trust drivers are issued with a number on completion of their driving assessment. Drivers will be required to sign into the telematics devices using this number.

The driver number is personalised to each driver and must be used at all times where a telematics device is fitted to the vehicle. **The driver number must not be shared with others**. It will be the drivers’ responsibility to prove that they were not the driver of a vehicle in the event of any traffic violations or traffic incident, if their driver number was used to sign in.

In vehicles fitted with a tachograph the driver’s card may be used to identify the driver.

Where the driver cannot identify themselves though any of these systems, for example within short term hired vehicles; the Development Officer must ensure that suitable procedures are in place to identify drivers and confirm their locations.

Employees who are required to drive vehicles fitted with vehicle telematics systems will receive appropriate training. Training will be delivered as part of the driver assessment ensuring all drivers of fleet vehicles are fully aware of the vehicle systems installed.

Any interference with vehicle telematics devices can be clearly identified both in the vehicle and by the TSU. The unit continues to record even when attempts have been made to deactivate it and information can be accessed once the unit is reporting again. Deliberate attempts to disable the unit or any of the components will be investigated and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures.

Some fleet vehicle are fitted with additional telematics systems, such as on-board weighing systems, CCTV cameras etc. Where fitted, the on-board weighing system must be used at all times to ensure the vehicle is not overloaded.

Vehicle reports are produced and include vehicle positioning, journey information, vehicle speed, idling, fleet utilisation, etc. Reports will be produced specific to the vehicle or driver and provided to Development Officers to assist with the day to day management of fleet vehicles under their control.

Vehicle telematics systems will also be used by the TSU to assist with the strategic management of the Trust vehicle fleet, including the management of occupational, road risk and workplace health and safety.

Reports and images may also be used as evidence in employee disciplinary investigations and hearings, in accordance with the Trust’s Disciplinary Policy and Procedures. The compilation of any such evidence will be carried out in accordance with the Data Protection Act 1998.

The use and management of the telematics system within the Trust is outlined in the Vehicle Telematics System – Service Level Agreement.

**7.11 Specification of new Purchased and Hired Vehicles**

Where new fleet vehicles are being purchased or hired, the responsible Development Officer must liaise with the TSU to ensure vehicle familiarisation has taken place with the drivers/ operators**.**

The Development Officer is responsible for ensuring drivers have the necessary licence and other relevant certificates of competence to operate any new vehicles and associated equipment.

Any proposed changes in the use of vehicles must be discussed with the TSU to ensure changes or modifications meet the relevant Road Traffic legislative requirements and do not impact upon the Operators’ Licence.

Vehicle service, maintenance, testing or examination requirements must all be identified and planned, as part of vehicle specification by the Development Officer, in consultation with the TSU.

**7.12 Specialist Vehicles**

Some vehicles will have a specialist function or operation and therefore may have specific licence requirements. Classes of vehicle identified within the Driver Permit will cover these vehicles. Any specialist features and functions of a vehicle must be under the direct control of a trained and competent operator. Where specific licenses or other relevant certificates of competence are required, the drivers must have achieved them before the specialist vehicle is brought into service.

**8. PRIVATE VEHICLE USE (Grey Fleet)**

Where an employee has been authorised to use a private vehicle for Trust business, the Corporate Services Team within Investing In Our People and Embracing Our Values must be satisfied that the employee has the appropriate licence and other statutory documentation. This should be recorded on a VF1 form, attached as **Appendix 2.**

The Corporate team must ensure that checks of the validity of the DVLA driving licenses, certificates of insurance and MOT certificates, wherever applicable, are carried out and recorded on an annual basis.

The driving licence must conform to the requirements of 6.1. If a non-UK driving licence is presented, confirmation in writing from the Council’s TSU is required that the licence meets the essential criteria as in 6.1 and identifies any restrictions required.

Vehicle(s) being driven on Trust business must be covered by a valid certificate of insurance **which includes using the vehicle for business purposes**. Business use must be included on the insurance policy, regardless of whether the driver chooses to claim mileage allowance or not.

Vehicles must have a valid MOT certificate, where required, and be maintained in a roadworthy condition at all times.

If any individual driver commits a traffic offence whilst driving on Trust business, which is reportable to the Procurator Fiscal, they must report it to their Development Officer/Line Manager at the earliest opportunity or before the end of their shift at the latest.

Where any individual driver receives points on their licence for an endorsable offence, whether or not it is connected to driving on Trust business, they must inform their Development Officer/Line Manager, who will review their driver documentation and authority to drive on Trust business.

If any driver is stopped by an authorised enforcement officer e.g. Police, DVSA or Customs and Excise for any reason while driving on Trust business, they must report it to their Development Officer/Line Manager at the earliest opportunity or before the end of their shift at the latest.

**9. SMOKING IN VEHICLES**

Smoking is strictly prohibited in all Trust establishments and workplaces, including Trust vehicles, in compliance with the Smoking, Health and Social Care (Scotland) Act 2005 and the Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006.

Smoking, including the use of e-cigarettes is **strictly forbidden in** any Trust vehicle at any time.

Private vehicles are exempt under the legislation, however, where an employee uses their private car on Trust business and on occasion carries passengers who do not smoke, they should respect the wishes of the non-smoker by not smoking during these journeys.

Failure to comply with smoking legislation is a criminal offence and any failure to comply with the Trust’s Smoking Policy will be subject to investigation and dealt with in accordance with the Trust’s Disciplinary Policy and Procedures.

**10. THE USE OF MOBILE PHONES OR SIMILAR WHILE DRIVING**

Using **hand held** phones or similar device such as PDAs or vehicle display terminals e.g. hand held satellite navigation systems, and two way radios is **strictly prohibited whilst driving any vehicle on Trust business.**

Where it is necessary for an employee to make or receive a call, they must first stop in a safe and legal place and **turn the engine off and remove the keys from the ignition**. It must be remembered that the driver can still be prosecuted for using a hand held device whilst sitting in a stationary vehicle with the engine running or with the keys still in the ignition, as they can still be deemed as being *in control of a vehicle.*

Mobile phones should be turned to ‘silent’ or turned off during journeys and placed somewhere which does not cause a distraction whilst driving, e.g. in the glove box.

Mobile phones used for work purposes should have the voicemail activated, to ensure that messages can be left and retrieved when it is safe to do so.

Where vehicles are fitted with fully integrated hands free systems, drivers are permitted to make or receive calls. Calls made or received **without** a hands free system are strictly prohibited.

Use of satellite navigation systems is permitted where the system is fully integrated.

**11. REPAIRS AND BREAKDOWNS**

The TSU is the only authorised service to carry out or instruct repairs to be carried out on Trust vehicles.

Oil and coolant levels should be checked before the vehicle is driven. If it is noted that coolant levels are low, the TSU should be contacted as soon as possible. Drivers should not attempt to “top-up” without authorisation, as low coolant level may be an indication of an underlying fault.

Drivers may “top up” engine oil to a maximum of half a litre. If more than this is required the TSU must be informed immediately.

No other fluids, with the exception of windscreen wash, must be topped-up or running repairs made without the authority of the TSU.

In the event of a breakdown, immediately contact the TSU who will either attend the vehicle at the road-side or arrange for the vehicle to be recovered.

**Never await recovery inside the vehicle**, unless it is sitting in a position which is not at risk from being struck by other vehicles. Always position yourself in a safe and clearly visible location, a safe distance from the vehicle and the road-side and await assistance.

In the event of a flat tyre, drivers must never attempt to change the wheel. In all circumstances either the TSU or the term contractor for tyre repair/replacement must be contacted to carry out the necessary works in a safe and controlled manner.

**12. VEHICLE ACCIDENTS AND DAMAGE**

When driving a fleet or private vehicle on Trust Business, drivers must immediately report any vehicle damage or accident to the Development Officer. When informed of any fleet vehicle accident or damage, the Development Officer must ensure the details are passed immediately to the TSU and to the Police in relation to any road traffic accident.

For fleet vehicles, an accident report **must** be submitted by the driver to the TSU within 24 hours together with a post-accident investigation form completed by the relevant Manager. All damage should be recorded in the vehicle defect book and be attended to as soon as possible. Any damage that affects safety or the legal use of a vehicle should be attended to immediately.

A vehicle accident or near miss event must also be reported via the Trust’s SHE Incident Reporting system and in compliance with the Incident Reporting Health and Safety Standard.

**13. VEHICLE FIRES**

Whilst unlikely, vehicle fires can occur and therefore it is important to know what measures to take to reduce the risk of a fire occurring and what procedures need to be followed in the event of a fire breaking out in the vehicle or the smell of smoke being detected.

Most vehicle fires occur in the engine bay and therefore it can be difficult to detect hazards which could cause a fire, such as cracked or loose wiring, as it is likely that this will be obscured from view. However, it is important to recognise possible warning signs, including:

* Oil or fluid leaks
* Rapid changes in fuel or fluid level, or engine temperature
* Fuses blowing

If you note any of the above these need to be reported immediately to your Development Officer/Development Co-ordinator.

Vehicles within the Trust’s fleet are serviced and maintained on a regular basis and this reduces the risk of fire as any issues can be quickly identified. Grey fleet drivers can also reduce the risk of fire in their own vehicle be ensuring that they have their vehicle serviced in line with the manufacturers service schedule, as a well-maintained vehicle is less likely to have a fire.

Further measures which can be taken to reduce the risk of vehicle fires include:

* Check the vehicle fire extinguisher is in good condition and serviceable as part of your driver checks
* Keep the vehicle clean and tidy inside and out
* Clear all combustibles (where relevant) such as paper and cardboard etc. from components that can become hot e.g. the exhaust and engine.
* Transport fuel in small quantities in a suitable container. **Note:** fuel must never be carried in the passenger compartment and fuel containers must be properly secured inside a ventilated box/compartment
* Gas must never be carried in the passenger compartment and must be properly secured.

In the event of a fire breaking out in the vehicle or if the smell of smoke is detected, the following procedure should be followed:

1. Pull in as quickly as possible to somewhere safe e.g. lay-by, open ground, quiet side road etc. **put the handbrake on and switch off the engine**
2. Get everyone out of the vehicle and check for visible signs of fire. **Note: never open a compartment door to check inside if you suspect there is a fire**
3. If you see smoke or flame tackle with an extinguisher **only if safe to do so**
4. Get everyone back a safe distance from the vehicle and call the Fire Service on

**999**

1. Contact your line manager as soon as possible
2. Stay with the vehicle (at a safe distance) until assistance arrives.

**14. CONTACT DETAILS FOR BREAKDOWNS**

Drivers of fleet vehicles must report any breakdown incidents to the TSU as soon as possible.

# For all fleet vehicle breakdowns, punctures, damaged windscreens etc. the contact details are:

Monday: 0700 - 1645

Tues – Thurs: 0700 - 2200 **Transport Service Unit, East Ayrshire Council (TSU)**

Friday: 0700-1645 Tel: **01563 503262/503264**

Out with the above hours contact East Ayrshire Council Helpline on **0345 724 0000**

**Hire vehicle breakdowns**

Employees driving hire vehicles should contact the Council’s TSU on the numbers provided. Contact the appropriate hire company or Council Helpline out with the Council’s TSU opening hours.

**Grey Fleet Drivers**

Employees who use their own vehicle on Trust business are strongly recommended to subscribe to a break-down/ recovery service, such as the AA, Green Flag or RAC etc.

**15. FURTHER INFORMATION**

Transport Service Unit, East Ayrshire Council

Tel: 01563 503250 or [TransportServices@east-ayrshire.gov.uk](mailto:TransportServices@east-ayrshire.gov.uk)

Health and Safety Strategy Group, East Ayrshire Leisure

Tel: 01563 554057 or [EALHealthandSafety@eastayrshireleisure.com](mailto:EALHealthandSafety@eastayrshireleisure.com)

Health and Safety Helpdesk, East Ayrshire Council

Tel: 01563 554825 or [HealthandSafety@east-ayrshire.gov.uk](mailto:HealthandSafety@east-ayrshire.gov.uk)

**APPENDIX 1 - FLEET DRIVERS MEDICAL DECLARATION**

If any of the following affects me I will inform my employer as soon as possible. I understand that I must also inform DVLA by writing to the: Drivers Medical Group, DVLA, Swansea SA99.

* Any condition affecting both eyes, or the remaining eye only (not including short or long sight or colour blindness)
* Any condition affecting your visual field (the surrounding area you can see when looking directly ahead)
* Any persistent limb problem for which driving has to be restricted to certain types of vehicles or those with adapted controls.

Also, for vocational licences e.g. where holding a valid licence is a requirement of the post:

* Angina, other heart conditions or heart operation
* Diabetes controlled by medication e.g. injection or tablets
* Visual problems affecting either eye
* Any form of stroke, including TIA’s (Transient Ischaemic Attacks)

Failure to do so is a criminal offence punishable by a fine of up to £1,000. I will inform my employer of any road traffic incidents, convictions, endorsements or disqualifications that occur, which could affect my entitlement to drive, as soon as possible.

I have read and fully understand the information above.

Name (block capitals): ………………………………………………………………….

Signed: ………………………………………………………………………………….

Date of Declaration: ……………………………………………………………………

Please return this form once completed to the Corporate Team.

**APPENDIX 2**

**VALIDATION OF DRIVING LICENCES AND SUPPORTING DOCUMENTATION (GREY FLEET DRIVERS)**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Name of Employee | Valid Driving Licence (yes/no) | Other Licence  / Training | No. of Points | Date Points Issued | Valid Insurance | Valid MOT | Fitness to drive  Declaration of any changes in health which may affect fitness to drive – **see guidance note below** |
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I confirm that I have reviewed the above employees’ driving licenses and where applicable supporting documents which are valid in terms of the Trust’s Road Risk Standard.

**Manager’s Name: Designation:**

**Signature:**

1. Please complete the boxes as appropriate.
2. Original documentation only must be exhibited.
3. No photocopies should be taken of documentation.
4. This form should be stored in a secure central file, and available for auditing purposes.
5. Validation of employees’ driving licenses; insurance documents and MOT certificates where applicable must be undertaken on an **annual basis.**

**VALIDATION OF DRIVING LICENCES AND SUPPORTING DOCUMENTATION (GREY FLEET DRIVERS)**

**Fitness to Drive Guidance Note**

Employees who drive on behalf of the Trust should inform both their manager and the DVLA of any changes to their health which may affect their fitness to drive. The following conditions apply to ALL types of licences:

* + Epilepsy
  + Fits or blackouts
  + Repeated attacks of sudden disabling giddiness ( dizziness that prevents you from functioning normally)
  + Diabetes controlled by insulin
  + An implanted cardiac pacemaker
  + An implanted cardiac defibrillator (ICD)
  + Persistent alcohol abuse or dependency
  + Persistent drug abuse or dependency
  + Parkinson’s disease
  + Narcolepsy or sleep apnoea syndrome
  + Stroke, with any symptoms lasting longer than one month, recurrent mini stokes or TIA's ( Transiant Ischaemic Attacks)
  + Any type of brain surgery, severe head injury involving inpatient treatment, or brain tumour
  + Any other chronic (long term) neurological condition
  + A serious problem with memory or episode of confusion
  + Severe learning disability
  + Serious psychiatric illness or mental ill-health
  + Total loss of sight in one eye
  + Any condition affecting both eyes, or the remaining eye only (not including short or long sight or colour blindness)
  + Any condition affecting your visual field (the surrounding area you can see when looking directly ahead)
  + Any persistent limb problem for which driving has to be restricted to certain types of vehicles or those with adapted controls.

Also, for vocational licences:

* + Angina, other heart conditions or heart operation
  + Diabetes controlled by tablets
  + Visual problems affecting either eye
  + Any form of stroke, including TIA’s (Transient Ischaemic Attacks)
  + **Managers should notify the Council’s Transport Service Unit where an employee who has also been issued with a Trust Driver’s permit declares any of the conditions listed above.**