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Date	May 2018
Person Responsible	
Approval/Review Body	ELAS / Senior Leadership Team
Frequency of Review*	12 months

*Policies will be reviewed more frequently if legal changes or good practice require

Purpose

The purpose of this document is to outline:

- the relevant procedure to ensure maintenance and management of our company vehicles is carried out correctly
- employees', and workers' responsibilities and obligations with regard to company vehicles
- all relevant company guidelines associated with the health and safety of all employees and workers who drive on company business.

Scope

This policy applies to all employees and workers who:

- use a company owned vehicle or hired vehicle, and / or
- all employees and workers who drive on company business

Procedure

Private Car usage on company business

Only those employees who have been pre-authorised to use their private car for business use may do so. Authorisation will only be granted once Recruitment & Personnel Administrator is satisfied that the employee has a valid driving licence, insurance in place for business usage, valid MOT and tax on the vehicle to be used.

The employee is responsible for ensuring that their vehicle is roadworthy and must sign a declaration to this effect on each mileage form submitted.

Company vehicles

- **Maintenance of Company Vehicles**

All employees using a company vehicle are expected to undertake daily checks of their vehicles in accordance with the advice contained within the manufacturer's handbook supplied with the vehicle and at all other times

recommended by the manufacturer, thereby ensuring that appropriate fluid levels and general road worthiness of the vehicle is maintained.

- **Insurance**

At the discretion of the Head of Department, drivers will be responsible for any excess set by the Company's insurers for:

- any fault accident (or accidents where the other driver cannot be traced, or in cases where liability is disputed and cannot be established).
- any accident where an employee is involved and it is determined that the employee was negligent or at fault. A full investigation and reasonableness will be used in the determination of an employee's fault. An employee may appeal if they consider that the decision of 'at fault' is unreasonable to the Finance Director who, after reviewing all evidence will dismiss or uphold the original decision. An 'at fault' decision may result in disciplinary action being taken including, where appropriate, dismissal for gross misconduct.

- **Young People**

No young person should be left or allowed in an Oracle Care vehicle unaccompanied by an employee. No young person should at any time have access to vehicle keys. Vehicles must be locked at all times, including when at school or at the home.

The management of Oracle Care reserves the right to refuse the use of its vehicles at its discretion

Driving Licences

Driving Licence/Documentation

All persons driving on company business must hold a full current U.K. driving licence, a copy of which you are required to produce to the management upon request. A copy will be retained by the company and placed in your personnel file. In addition the Recruitment & Personnel Administrator will take responsibility for checking the following:-

- The employee's driving licence to check validity, categories and points/offences.

Disqualification from driving or the loss of licence for any other reason may result in your dismissal. The loss of your licence may be viewed as gross misconduct.

In cases where non-employees of the Company (such as agency staff) are required to drive on company business, they will undergo the same examination of driving

licence and be approved by the Recruitment & Personnel Administrator. In the case of non-employees of the Company driving a company vehicle, should an 'at fault' accident occur the Company will approach the driver's employer to recover excess.

Employees, workers and any other nominated drivers must advise Recruitment and Personnel Administrators of any changes to their driving licence in writing including endorsements, disqualification and health reasons that may affect their right / ability to drive. Failure to comply with this clause of the policy may be seen as a disciplinary offence and may result in disciplinary action being taken including, where appropriate, dismissal for gross misconduct.

Safe Driving Practices

It is a requirement for employees to follow safe driving practices. This includes steps to ensure the driver's total concentration and safe operation of vehicles such as:

- determining clear directions before departing;
- refraining from operating equipment such as mobile phones; and
- not operating a vehicle when the driver's ability is impaired.

Drivers are expected to follow defensive driving principles and driving regulations, i.e. The Highway Code, to prevent accidents.

The Company expects all employees, whilst driving on business, to comply with traffic legislation, be conscious of road safety and demonstrate safe driving and other good road safety habits when driving. The following actions will be viewed as serious breaches of conduct which may result in disciplinary action being taken including, where appropriate, dismissal for gross misconduct:

- being under the influence of drugs or alcohol whilst driving
- driving whilst disqualified, or not correctly licensed
- reckless or dangerous driving causing death or injury
- failing to stop after an accident
- any actions that warrant suspension of licence
- a road rage incident

Driver responsibilities

Employees and workers, who drive on company business, must:

- ensure they hold a full current driving licence for the category of vehicle being driven;
- immediately notify their line manager and the Recruitment & Personnel Administrator if their driving licence has been suspended or cancelled or has limitations placed on it, including any charges or driving offences brought against them by the police and of any endorsements imposed;

- be responsible and accountable for their actions when driving on company business;
- assess driving hazards and anticipate 'what if scenarios'
- check all vehicles prior to journey to ensure that vehicles are within safe operating conditions. Checks should include proper inflation of tyres, clean windows, mirrors properly adjusted, brakes and lights in working order, windscreen wipers and wash in working order.
- wear safety belts;
- drive within legal speed limits;
- report company vehicle defects to your line manager or Head of Department before the start of their journey (unless journey starts prior to working day, then as soon as reasonably practicable);
- comply with traffic legislation;
- ensure that they are not taking any medication that may impair their driving ability;
- report any accident or near miss to the Finance Department and their line manager, including those that do not result in damage or injury;
- take regular and adequate rest breaks and stop when tired;

Use of hand-held mobile telephone / devices and in-vehicle technology

Mobile phones

It is illegal to be driving and using a hand-held mobile phone at the same time. From 1st March 2017 drivers will face a £200 fine plus 6 points on their licence. New drivers could face a total ban. The law now states that employers can be liable for accidents where employees are found to be using a hand-held mobile phone at the time. As a consequence, any individual found to be answering the hand-held telephone whilst their vehicle is in motion will be subject to the Company's disciplinary procedure, which may lead to severe disciplinary sanctions.

Mobile phones are only to be used in conjunction with a recognised legally compliant hands-free kit.

Satellite Navigation

Satellite Navigation Systems can be a useful tool for drivers; however, they can also be a dangerous distraction. All destinations should be entered while the vehicle is stationary in a safe place. All drivers should stop if it is necessary to take their eyes off the road to check routes. They should not impair vision when positioned inside the vehicle. They should not be positioned where they are likely to cause injuries in the event of a collision. All in vehicle distractions should be kept to a minimum and it is the responsibility of the driver to ensure that they are not likely to be distracted.

Employees will be responsible for the payment of any fines imposed for the use of mobile phones, hand-held devices when driving. The Company accepts no

responsibility for any accident caused whilst the employee is using a mobile phone or hand-held device, hands free or otherwise.

Failure to comply with this clause of the policy may be seen as a disciplinary offence and may result in disciplinary action being taken including, where appropriate, dismissal for gross misconduct.

Driving whilst under the influence of drugs or alcohol

Persons working for the Company who are required to drive on company business are responsible for ensuring that they are physically fit to drive. Should this change, they must inform their line manager as soon as possible. Drivers should also remember that some prescription and non-prescription medication, e.g. hay fever tablets, can cause drowsiness and affect their ability to drive safely. In the event that medication is necessary, employees should check with their GP or pharmacist before driving, even short distances. Under no circumstances must an employee drive whilst under the influence of alcohol, recreational or classified drugs or related substances. Any breach of this rule will result in disciplinary action being taken

Changes to the Drug Driving Law from 2 March 2015

Drug drive law is changing to make it easier for the Police to detect and prosecute drug drivers. A new office of driving with certain controlled drugs above specified limits is in force from 2nd March 2015. These new rules will mean it will be an offence to be over the specified limits for each drug whilst driving, as it is with drink driving. The new offence will work alongside the existing offence of driving whilst impaired through drink or drugs. Drugs covered by the new rules include cannabis, cocaine, ecstasy and ketamine.

The new limits for illegal drugs will be extremely low - one smoke of cannabis could put you over the limit - see below

Generally prescription drugs	Illicit drugs
clonazepam, 50 µg/L diazepam, 550 µg/L flunitrazepam, 300 µg/L lorazepam, 100 µg/L methadone, 500 µg/L morphine, 80 µg/L oxazepam, 300 µg/L	benzoylecgonine, 50 µg/L cocaine, 10 µg/L delta-9-tetrahydrocannabinol (cannabis and cannabinol), 2 µg/L ketamine, 20 µg/L lysergic acid diethylamide (LSD), 1 µg/L methylamphetamine (Crystal Meth or Ice), 10 µg/L methylenedioxymethamphetamine (MDMA - ecstasy), 10

temazepam, 1000 µg/L	µg/L 6-monoacetylmorphine (6-MAM - heroin and diamorphine), 5 µg/
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Traces of illicit and prescription drugs can remain in your body for many days, which is why a panel of experts assisted the government in setting levels at which they are likely to impair driving ability.

However, the amount of time it will take for drug levels to fall to an acceptable level will depend on various factors, such as a person's weight, tolerance and amount of substance taken.

Alcohol and drugs are not permitted within the workplace or whilst on company business, failure to comply will result in disciplinary action being taken

Smoking in vehicles

Smoking will not be permitted in any company or rented vehicle at any time.

Failure to comply with this clause may be seen as a disciplinary offence and may result in disciplinary action being taken including, where appropriate, dismissal for gross misconduct.

What to do if you have an accident in a company vehicle please also refer to Policy Form 36a

1. Stop your vehicle at the scene or as close as is safe. It is an offence not to stop.
2. Stay calm. Ensure the scene of the accident is safe by checking that all engines are switched off, hazard lights are switched on and oncoming traffic is alerted.
3. Call 999 if:
 - anyone is hurt or the accident has caused a dangerous situation
 - there is a disagreement over the accident
 - if you damage property other than your own
 - if you feel unsafe
 - to get an incident reference number

Alert the police if the other driver leaves without stopping or does not give you their details. Tell the police if you suspect that the other driver's judgement was impaired by alcohol or drugs.

4. Obtain / make a note of the following information:
 - names, addresses and telephone numbers (home numbers as well as mobile numbers) of all drivers, passengers and pedestrians involved in the accident, as well as any witnesses
 - registration numbers, makes, models and colours of all vehicles involved
 - insurance company and policy numbers of all drivers involved in the incident - they have to give you this information by law
 - speeds, distance, road layout, road signs and anything else that may have been blocking your view, or the view of the other drivers.
5. If you have a mobile phone with a camera, take photographs of the vehicles and the damage, but be careful not to put yourself at risk.
6. The driver should telephone a nominated person, usually their line manager or on- call colleague to inform them of what has happened.
7. Once all personnel are safely back on site a traffic accident form, available from Finance or from the shared drive, needs to be completed. You will need to make a sketch of the accident, showing street names, position of the vehicles and pedestrians involved, both before and after the accident, and show where the witnesses were located. You should also include the information you have obtained regarding the road layout, road signs etc. listed under point 4.
8. Once the form has been completed you should email / post to finance who will then notify the insurance company.

What to do if your company vehicle breaks down

1. In the event of a breakdown, if it is possible and safe to do so, move the vehicle off the carriage way (onto the hard shoulder if on a motorway). Details of the relevant breakdown information should be located in the glove box of the vehicle.
2. On motorways or other busy roads passengers should be taken onto the embankment and as far from the traffic as practicable. The driver and

passengers should keep together in one group. However in some circumstances, it may be safer to leave the passengers in the vehicle, e.g. if it seems too dangerous or if there is no safe waiting area.

3. The driver will need to give the police or breakdown service accurate details of the vehicle's location and should also inform them of the size of the party travelling in the car. Please inform them that you are a priority due to the nature of our business.
4. The driver should telephone a nominated contact person, usually their line manager or on call colleague, to inform them of what has happened.
5. If the breakdown occurs on a motorway, it is better to use the roadside emergency telephone as this will enable the police to pinpoint the vehicle's location. Arrows and numbers on small marker posts at the edge of the hard shoulder indicate the nearest emergency telephone. The number on the post nearest to the vehicle should be given to the telephone operator.
6. The breakdown service will usually tow you to the nearest garage to repair the care. If they cannot repair the vehicle at that garage they will ensure that you are taken home safely.

Fines

Any fines incurred in connection with driving on company business will be the responsibility of the driver concerned. Any sums the company is required to pay in respect of fines will be deducted from employees' salary under an agreed recovery plan.

Training

Should an employee have an unacceptable level of accidents whilst driving on company business, the company may request that the driver completes safe driver training, before being allowed to drive on company business again.

Effective Date

3rd August 2016

Review Date

May 2019 or earlier if legislation changes

Questions

Please contact your Line Manager if you have any questions regarding this policy and procedure.

I have read, understood and accepted the Company Vehicle & Driving on Company Business Policy & Procedure.

Print Name:

Signed: Date: