

5.1.20 Company Vehicle and Driving Expectations

Scope of this procedure

An essential element of the work that we do is to ensure, as far as possible, the safety of the children and young people who live with us and that they have access to the same opportunities as a child who does not live in a residential care setting. It is for this reason that during employment staff members may be required to drive company vehicles and transport children, young people and other staff members.

As a measure to assist BMC in creating a safer environment, all company vehicles are fitted with telematics boxes (Black Boxes) that continually monitor driving styles, driving speeds and driving locations.

This procedure is designed so that our workforce understands how the data retrieved from the telematics boxes will be used, what our expectations are in terms of driving styles and caring for our vehicles, and how we will deal with instances where our expectations around driving safety have not been met.

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1. Legislation, Regulations, Government Standards and associate BMC Policies

1. Highway Code
2. Road Traffic Act
3. Health & Safety at Work Act 1973
4. Employment Rights Act 1996
5. Other UK legislation that form part of the law in the UK
6. 5.1.19 Driver Fobs
7. Employee Handbook – Disciplinary policy

2. Driving expectations

It is a legal requirement that anybody driving a vehicle (unaccompanied) holds a full Driving Licence. Upon commencement of employment all driving licences are checked as part of our pre-employment on boarding process, however it is the responsibility of the staff member to ensure they maintain a full valid UK driving licence. Any staff member who has their driving licence revoked (even if for a temporary period) must notify their Manager and HR immediately.

No staff member is permitted to drive a company vehicle without a valid UK driving licence.

Company Vehicles are the property of Bryn Melyn Care and as such must only be driven by designated staff members. Staff must not allow any other individual to drive the vehicle without prior approval (such as at a garage mechanic).

It is essential that all staff comply with the legal driving requirements set out in the Highway Code and either pieces of legislation associated with driving and maintaining a driving licence – this includes not exceeding designated speed limits. Data surrounding driving speeds and driving styles will be submitted to BMC via the telematics box on a daily basis. Staff will be presented with individual ‘fobs’ that will be used to login to the vehicle (further details on this can be found in policy 5.1.19 Driver Fobs), under no circumstances should fobs be shared with other staff members and if they are lost it should be immediately reported to the Finance Department.

Neither alcohol consumption nor substance misuse is allowed within the workplace and staff must not be under the influence of alcohol or drugs at any time, this includes when using company vehicles. If staff are taking prescribed medications with potential drowsiness side effects or they have been advised not to drive, then they must immediately discuss this with their manager.

Staff will have the responsibility for refuelling company vehicles. All vehicles are different, so it is essential that staff establish whether the vehicle is petrol or diesel prior to putting fuel into the vehicle. If you mis-fuel a vehicle this can have serious consequences for the vehicle and will require automotive support to drain the fuel tank and assess the damage to the engine. Not only does this have a cost implication but it also takes a vehicle away from being able to support a young person and is therefore not acceptable.

It must be recognised that company vehicles are used to transport young people to educational settings, recreational activities and appointments. It is therefore essential that the vehicle is appropriately maintained (as per homes vehicle checks procedure), is kept clean and that all rubbish is removed.

We expect staff take reasonable care of the vehicle when driving over potholes, driving through narrow country lanes, parking the vehicle and driving on car parks or driveways. This list is not exhaustive but is indicative of historical common areas of concern. Any damage to a vehicle that could have been reasonably avoided will be the liability of the staff member.

3. What is a Telematics Box?

A Telematics Box is a small electronic device that has been fitted to all of our company vehicles. It records how you drive by measuring a number of factors such as cornering, braking, accelerating, and the speed you are driving at.

In addition to this it can locate where the car is being driven which means it can act as a location tracker if stolen or if needed for safeguarding reasons.

The same company vehicle can be driven by a variety of individuals, so to ensure the Telematics system allocates driving data to the right individual, each staff member is issued with a personal driver fob which is used when entering the vehicle.

When assessing driving speed, the Telematics Box is programmed to pick up the speed limit on each road you drive on and records information every 30 seconds. Where it identifies speeding, the Telematics Box is able to provide exact coordinates of where the speeding occurred.

The Telematics Box does not have any control over the vehicle or an individual’s driving style and therefore it should not be assumed that it will brake for the driver or alert them to any danger.

Telematics Boxes have been fitted by professionals and should not be tampered with or removed by any individual.

4. How will Telematics Box data be used?

Once a driver has activated the box by using their driver fob, the Telematics Box will record who is driving and will send specific information back to a central data point every 30 seconds. The data returned will include the location of the Vehicle, the time the data was obtained, the speed it was travelling and the driving style.

Where the Telematics system identifies a concern with the speed the vehicle is travelling at, the driving style or that the vehicle has been involved in an accident an immediate email notification will be sent to the Finance Department. In addition to this organisation wide weekly reports are sent to the Finance Department for assessments.

These reports are then forwarded to the HR Department and the Regional Managers so that trends can be identified and where appropriate, additional action taken.

5. What happens if expectations aren't met?

Driving in excess of the speed limit

Not only is it against the law to speed but it is also unsafe and for that reason isn't deemed to be acceptable to BMC. If speeding occurs, then it will be dealt with as follows:

- We will consider speeding in terms of journeys.
Example: If you travel from home to school to drop a young person to it will be deemed as one journey. If you then return or go on to training for example your next travel would be deemed as a second journey. If you exceeded the speed limit on both journeys this would be classed as two instances of speeding.
- Speeding up to 20% over the recognised speed limit on more than one instance in a month will be reported to the Home Manager who will issue a verbal warning on the first occasion thereafter however the sanction severity will increase dependant on the frequency and severity of the speeding offences.
- Speeding 21-30% over the recognised speed limit will be notified to the Regional Manager / Learning Disabilities Manager for disciplinary action with the lowest sanction being a first written warning. (Examples 36+ in a 30 zone, 73+ in a 60 zone)

Speeding at 31% or higher over the recognised speed limit) will be dealt with by the HR Department and will normally trigger disciplinary action with the lowest sanction being a final written warning. For the most reckless driving dismissal will be considered even for a first offence. (Examples 40+ in a 30 zone; 66+ in a 50 zone). Normal disciplinary process will apply in line with the Employee Handbook

Whilst exceeding speed limits may be the most common issue the company reserves the right to also take action against other notified driving occurrences such as severe cornering, harsh breaking and rapid accelerating.

Avoidable damage to company vehicles – including mis-fuelling

Most damage to company vehicles is avoidable and can often be caused due to recklessness and lack of consideration/care for company property. Costs associated with this type of damage cause a direct financial loss to the company and as such, consideration as to whether staff should reimburse the company in line with clause 6 of their employment contract must be made.

All factors will be taken into account prior to making this decision and staff will have the opportunity to discuss the circumstances around the damage prior to any deduction.

Where deductions are agreed, they will be taken directly from the staff member's salary through the payroll system. Staff will be given notice of this deduction and where appropriate will be given the opportunity to enter into a repayment plan.

Failing to maintain a valid UK driving licence

If a staff member has a driving licence revoked or are instructed not to drive by the DVLA staff members must immediately report it to their line managers and the HR Department for further discussion and consideration. If a staff member drives a company vehicle when they do not hold a valid UK driving licence, their actions will be deemed as gross misconduct and disciplinary action will be taken with a potential outcome of dismissal.

In addition, driving without a valid UK driving licence is a criminal offence and BMC will report your actions to the authorities.

Driving under the influence of alcohol or drugs (including prescription medication that impairs driving ability)

Driving under these circumstances is illegal and is not accepted by BMC. Should any staff member be found to be driving in these conditions then it may be considered as gross misconduct and disciplinary action considered with a potential outcome of dismissal.

Where appropriate BMC will also report your actions to the relevant authorities

8. Who to contact if you have concerns

If a staff member has a concern regarding a colleague's driving, then it is encouraged that those concerns are discussed with line managers or the HR Department. HR can be contacted via email hrsupport@brynmelyncare.com

Any staff member who is facing potential disciplinary action under this policy will be given the opportunity to discuss the circumstances surrounding the offence prior to a disciplinary sanction being issued. Independent advice can also be sought from a Union or ACAS.

9. Revision History

Date of next review: 1 July 2021

Reviewed and amended 15 October 2020

Date of release: 1 July 2020

End