



Disabled Children's Service

People Carrier Policy

Introduction:

This People Carrier Policy must be followed.

This document contains standards and guidance on the operation and management of the people carriers purchased by the Disabled Children's Service. It is the responsibility of Key Managers to ensure that the people carriers are managed and operated in line with this document in any area under their control.

This policy aims to increase the standards of health and safety associated with people carrier transport.

This policy came into force in February 2010 and applies to all persons who are involved in the use of the people carriers.

A separate agreement document must be signed by any employee who is expected to drive the people carriers as part of their duties and must make reference to the relevant requirements of this policy.

Once the policy has been read and the employee agrees to the policies and procedures a document will need to be signed and dated (Appendix 6).

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Key Managers Checklist for Operating People

Carriers:

Key managers are the managers who are responsible for managing a service or an establishment, in this case Disabled Children's Service.

Key Managers must:

- Ensure that a **risk assessment** for using the people carriers is carried out and that any necessary remedial actions identified are taken.
- Ensure that any person driving the people carriers are authorised to do so by **checking their driving licence** (this is to establish their legal entitlement to drive the people carriers)
- Ensure that any person who is to operate the people carriers has been given **adequate information, instructions and training to do so**. (This will include anyone associated with the Disabled Children's Service – Casual workers and volunteers included)
- Ensure that people carrier drivers carry out the documented checks at least once a week of the people carriers before use (Appendix 2)
- Ensure that **schedule maintenance** of the people carriers is carried out to the manufacturer's specification through Leicester City Council Transport Servicing Team.
- Ensure that all **accidents and incidents** involving the people carriers are **investigated and reported** to the Leicester City Council Risk Management Services.

Risk Assessment:

When undertaking a risk assessment for using the people carriers it will be necessary for any person conducting the assessment has been on the relevant training and is in a position to be able to assess the whole procedure, identifying who can be at risk, what the risks/hazards are, child protection issues plus other factors which are discussed further in this policy. Any person conducting the assessment must be in a position to ensure that any remedial actions can be carried out.

Please refer to the risk assessment (Appendix 1)

Driver Licensing for People Carriers:

Driver licensing with regards to people carriers is simple in comparison to minibuses. Provided the employee obtains a valid full UK category B license they will be entitled to operate the people carriers.

The people carriers accommodate up to 6/7 people as a maximum (Including the driver, 6 for the wheel chair accessible people carriers, including the wheel chair user.)

Please refer to the Minibus Policy (page 3) for further information about driver licensing for minibuses.

Driving Standard:

Any employee who drives a vehicle on the Leicester City Council business can and is encouraged to contact the Traffic Development Officer in the Road Safety Section of the Leicester City Council on 0116

223 2101 who can arrange and advise a variety of driving training courses for Leicester City Council drivers.

Drivers Hours – Legislation:

The hours that drivers of people carriers can accrue (actually driving the vehicle) are governed by two items of legislation:

1. Domestic driver rules:

These rules apply only to those drivers who are **paid and engaged on driving** a people carrier. Under these rules there will be drivers whose main duties are **not usually connected with driving** but by some form of signed agreed contract or overtime payments etc, whilst driving a people carrier are deemed to be **paid** for carrying out the driving task.

2. EC/EEA rules (European community/European Economic Area):

These rules apply to all vehicles operated abroad and for those operating in the United Kingdom under the full terms of Public Service Vehicle legislation.

It is likely that the vast majority of drivers authorised to operate the people carriers will not need to operate under legislation 2 as stated above.

Driving Hours

Rule	Domestic Rules	EC/EEA Rules
Maximum length of working day	16 hours	13 hours
Daily driving	10 hours	9 hours
Time driving without a break	5 hours 30 mins	4 hours 30 mins
Minimum length of break	30 mins	45 mins
Daily rest period	10 hours	11 hours

RoSPA Recommendations – (Best Practice)

Volunteer drivers are advised to operate under the **Royal Society for the Prevention of Accidents (RoSPA)** recommendations. These recommendations are advisory for volunteer drivers who **do not receive specific payment for their driving duties or payment in kind.** However, Leicester City Council as a local authority would consider them as best practice in respect of all uses of the people carriers.

The RoSPA Code of Practice advises:

1. When considering a driver's fitness to drive a vehicle, consideration should be given to a number of factors, including how many hours have already been spent working or engaged in some other tiring activity earlier in the day (or preceding days), how many breaks there have been and how much vehicle driving and other work involving responsibility is expected to be undertaken before the end of each day. **If a driver is tired, statistically there is an increased chance of being involved in an accident.**
2. Drivers who drive for more than two hours after a full days work are significantly more likely to be involved in an accident. **Around half of motorway collisions resulting in road death during the hours of darkness involve drivers who have fallen asleep at the steering wheel.**
3. Drivers **should not** be required to supervise service users during their breaks from driving as this would technically not be a break. With each additional driving period the break time should be extended.

Drivers should **NEVER** carry out a full day's work (regardless of the type of work) or be awake for a full day and then drive for several hours in the evening. Planning trips/visits is essential and must be taken in to account as a key factor.

RoSPA Recommendations

Item	Driving Only	Driving & Other Work
Maximum length of working day	13 hours	10 hours
Of which spent driving	9 hours	4 hours
Maximum time driving without a break	2 hours	2 hours
Minimum length of break	15 mins*	15 mins*
Daily rest period	11 hours	11 hours

***After 4 hours and 30 minutes of driving, the accumulated length of breaks from driving should be at least 45 minutes.**

Wearing Seatbelts:

Seatbelts should be worn at all times by service users and staff. There is a legal requirement that seatbelts are worn in all vehicles. **The driver has a legal responsibility for enforcing and ensuring that seatbelts are worn,** except in the case of adults and children and young people aged 14 and over who are responsible for the wearing of their seatbelt.

The responsibility of children and young people aged 14 and over that have disabilities which prevent them from understanding that they are responsible for their seatbelt lies with the carer and driver.

Seatbelt Responsibilities

Person	Front or rear seats	Responsibility
Driver	Seat belt must be worn	Driver
Child under 3 years	Appropriate child restraint must be worn if available*	Driver
Children aged 3 to 11 years and those under 1.35 meters in height	Appropriate child restraint must be worn if available If not, an adult seat belt should be worn	Driver
Child aged 12 or 13 and those over 1.35 meters in height	Adult seat belt must be worn	Driver
Adult passengers and children aged 14 years and over	Adult seat belt must be worn	Passenger
Adult passengers and children aged 14 years and over with disabilities	Adult seat belt must be worn unless a medical exemption certificate can be provided	Carer/Driver

*Please refer to the Child Car Seats section

Exemptions from compulsory seat belt wearing are rare. They include:

1. The driver whilst reversing
2. Those holding a medical certificate from their GP.

The later stages of pregnancy are **NOT** automatically grounds for exemption, unless a certificate is obtained.

The responsible person may face personal fines where seat belt offences are committed.

Child Car Seats:

The law states that all children and young people up to 1.35 meters in height (around 4 foot 5 inches), or the age of 12, whichever comes first, in the front or rear seats in cars (including people carriers) must travel in the correct child restraint for their weight with very few exceptions.

Exceptions to the rules

1. If in a licensed taxi or private hired vehicle the correct restraints are not available then, in the **rear seat only**, children under the age of 3 years may travel unrestrained. Children aged 3 years and over **must** use an adult seat belt.
2. If in the case of an unexpected necessity of a short distance the correct restraints are not available then, in the **rear seat only**, a child of 3 years or more **must** use an adult belt. This exemption **does not** apply to children under 3 years and does not cover school runs or other journeys which have been planned in advance.
3. If there are two occupied child restraints in the rear seat which prevent you from fitting a third, provided the front seat is occupied, a third child aged 3 years and over can use an adult seat belt (lap OR lap and diagonal) in the rear. If the front seat is free then the correct child restraint must be used.

What are Child Restraints?

Child restraints are divided into categories, according to the weight of the children for whom they are suitable. These correspond broadly to different age groups, but it is the weight of the child that is most important when deciding what type of child restraint to use.

Child restraints refer to the following:

Child restraint	Group type	Explanation
Baby seats	Group 0	For babies up to 10 kg (22lbs) from birth to 9 months
Baby seats	Group 0+	For babies up to 13 kg (29lbs) from birth to 15 months
Child seats	Group 1	For children between 9-18 kgs (20-40 lbs) from 9 months to 4 years
Booster seats and cushions	Group 2	For children between 15-25 kgs (33-55lbs) from 4-6 years
Booster seats and cushions	Group 3	For children between 22-36 kgs (48-79 lbs) from 6-11 years

The below table is a summary of the new rules for cars and people carriers

Ages	Front Seat	Rear Seat	Who is responsible
Child up to 3 years old	Correct child restraint must be used	Please refer to exemptions	Driver
Child from 3 years old up to the height of 1.35 meters or up to the age of 12 years whichever they reach first.	Correct child restraint must be used	Please refer to exemptions	Driver
Child over the height of 1.35 meters in height or 12 to 13 years	Seat belts must be worn	Seat belts must be worn if available	Driver
Passengers aged 14 years and over	Seat belts must be worn	Seat belts must be worn if available	Passenger
Passengers aged 14 years and over with disabilities	Seat belts must be worn	Seat belts must be worn if available	Driver

Further information with regards to Child car seats:

http://www.dft.gov.uk/think/focusareas/children/childincar?page=FAQ&whoareyou_id=

Checks and Maintenance:

It is an offence to operate any vehicle which is deemed to be dangerous because of inadequate maintenance. **Each driver can also be potentially liable to prosecution if a vehicle is inspected by the police or the Department of Transport and found to be unsafe.** It is essential that various checks need to be carried out.

The people carriers have been placed on the Leicester City Council Transport servicing pool and they will carry out any maintenance work. **But you will still be responsible for the overall vehicles condition.**

1. The Key Manager in charge of the vehicle must ensure that regular checks are carried out each time the people carriers are used and at a minimum of at least one per week.
2. The driver must ensure that he/she has carried out a pre-journey check every time they use the people carriers (Appendix 2). **It is advisable to have a witness for pre-journey check (Preferably a work colleague)**
3. The vehicle must be serviced regularly by a qualified mechanic in accordance to the manufacturer's specification.
4. A competent person (Leicester City Council Transport service team) must carry out regular safety inspection. An inspection should be carried out on the vehicle every 22 weeks regardless of mileage. **For MOT information please refer to Appendix 3.**

CRB Checks:

Any person driving or escorting children and young people in the vehicles must have a CRB/Police check completed. HR will provide this service in the usual manner on receipt of the necessary application and supporting documentation.

Fitness to Drive:

Anyone transporting children and young people driving the people carriers must inform their Key Manager of any medical problems and/or prescribed medication they are taking prior to driving the vehicle if it is likely to affect their driving i.e. medication which specify that they can make you drowsy etc.

Some of the medical conditions that are likely to bar an individual on the Leicester City Council business are defined by the DVLA who have a responsibility to decide if a person is medically unfit to drive, further information can be found at:

www.direct.gov.uk/en/motoring/driverlicensing/medicalrulesfordrivers

An employee who develops a medical conditions whilst in employment that could be a risk factor whilst driving, must notify their Key Manager so they can be referred to the councils occupational health provider (OHP) for an assessment for suitability to continue to drive. The recommendations made by the councils OHP and the decision taken on fitness to drive on council business will be made in consultation with the individual and their own GP.

All drivers between the ages of 45 and 64 will be required to undergo health screening with the OHP every 5 years.

Those aged between 65 and 69 will be required to undergo health screening with the OHP every year, annually.

For more information on health checks please contact Leicester City Council's Occupational Health Provider (currently: Occupational Health – Heales, 17 De Montfort Street, Leicester, LE1 7GE, 08707 461 303).

Substance Misuse Policy:

The problems of driving whilst under the influence of alcohol and drugs are well documented and known. The council has a corporate policy 'Substance Misuse Policy' which deals effectively with the consumption of alcohol or use of drugs during the hours of employment which **must be strictly adhered** to by employees.

The policy clearly re-affirms that employees, volunteers and designated drivers **must not drive whilst under the influence of alcohol or using unauthorised drugs.** As specified under the Fitness to drive section, authorised drug use **must** be declared to the Key Manager and assessed as to whether they will impair judgement (if appropriate in conjunction with HR). Persons under the influence of alcohol or illegal drugs, or who have consumed such substances within the past eight hours are **strictly prohibited** from driving any vehicles on the Leicester City Council business where passengers are carried.

Mobile Telephones/Radios:

The council has a corporate policy on the use of mobile phones and radios. **The use of hand held mobile phones and radios by the driver are not permitted whilst the vehicle is in motion.** Before calls are answered or initiated the vehicle must:

- Be stationary
- Be in a safe position
- Have its engine turned off

Mobile phones and radios must not be used on fuelling stations forecourts.

The use of hands free telephones or radios whilst a vehicle is in motion must not be attempted. Listening or responding to messages is a distraction from driving and is, therefore inherently dangerous. Employees, volunteers and designated drivers will need to be prepared to justify the circumstances and alleged negligence should an incident arise where the use of a hands free telephone or radio is implicated.

Greener Driving:

Careful driving and planning ahead will reduce the environmental impact of driving and also save money. The council is committed to improving its environmental impact and asks that all drivers consider the principles set out below:

- Plan the journey; is there a shorter route? Can congested areas be avoided?

- Check all tyres. Tyres under inflated by more than 7 psi can waste **half a gallon** of fuel per tank (Full).
- Check the load. Are there any unnecessary items which can be removed to improve efficiency?
- Anticipate the road. Accelerating gently, engaging the gears smoothly and avoiding sudden braking can improve fuel consumption by **25%**.
- Slow down. Driving at 70 mph uses **30%** more fuel than driving at 50 mph.
- Switch off the engine if the vehicle is stationary for a long period of time. This will save fuel and reduce engine wear.

The Council's Eco Management and Audit Scheme (EMAS) provide a telephone helpline on 252 7258.

Bus Lanes:

People carriers are **not permitted** to drive in the bus lane unless signs specify times which they can be used by all road users.

Picking Up/Dropping Off:

When stopping the people carriers to collect/drop off passengers the vehicle must, where possible, be parked with its doors to the kerb so that passengers are not endangered by having to walk on the road. With the wheel chair accessible people carriers please ensure that there is at least 8 feet clearance behind the vehicle so that there is a safe and clear distance between the ramp and other obstacles.

Smoking:

Smoking in Leicester City Council vehicles is **not allowed**. Please obey the signs located within the vehicle.

First Aid Equipment:

A suitable first aid kit must be available. The kit must be kept safe, be signposted, be checked regularly and only contain relevant items applicable for use depending on passengers. The following items must be kept in good condition and in date (First Aid Kit which complies with Public service vehicles to PSV regulations 1980):

- Ten antiseptic wipes, foil packaged
- One conforming disposable bandage (no less than 7.5cm wide)
- Two triangular bandages
- One packet of 24 assorted adhesive dressings
- Three sterile unmedicated ambulance dressing (no less than 15cm x 20cm)
- Two sterile eye pads, with attachments
- Twelve safety pins
- One pair of rustproof, blunt ended scissors.

Fire Extinguishers:

A suitable fire extinguisher must be safely secured to the vehicle, accessible, meet British Standards and be in good order.

Ensure that the fire extinguisher is of the correct type. They must contain foam or water and is marked BS 5423 or EN 3 and has a minimum test fire rating of 8A or 21B

The fire extinguishers should be checked as part of the normal maintenance regime.

Drivers and escorts should be trained in their use – Fire safety and portable fire fighting equipment (2 hour session).