



St Thérèse of Lisieux Catholic Multi Academy Trust Driver Document Checks Policy September 2021

Audience:	Directors, Local Governing Bodies, Central Team and all other CMAT employees
Approved:	Board – 19/10/2021
Other related policies:	Travel Expenses Policy
Policy Owner:	Emily Harman – Estates and Facilities Advisor
Policy Model:	Compliance – all CMAT academies use this policy
Review:	Annually
Version Number:	2.0 (September 2021)

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INTRODUCTION

1. The Health and Safety at Work etc Act 1974 requires employers to take appropriate steps to ensure the health and safety of their employees and others who may be affected by their activities when at work. This includes the time they are driving, or riding at work, whether this is in a company or hired vehicle, or in the employees own vehicle. This includes occasional or short journeys.
2. As an employer it is important to minimize the risk of work-related road safety. It is therefore necessary for Schools to ensure that driver document checks are undertaken on a regular basis.
3. It is the responsibility of individuals with management responsibilities to ensure:
 - That the checks are done regularly;
 - That completed declarations are filed securely in the employee's personal file, and
 - That employees who have not been checked for whatever reason are not permitted to drive on work related business.

POLICY AND LEGAL FRAMEWORK

4. It is the policy of the school that all of its employees who are required to travel on business using vehicles owned by the council or a school will be checked six monthly. Those employees driving their own vehicles (or lease vehicle) on business use will be checked annually. If business travel is necessary less frequently local arrangements can be made to ensure the necessary checks are undertaken before the required journey.
5. Where the job involves driving council or school vehicles, the driving licence* of the employee must be checked to ensure that the appropriate level of driving qualification has been attained and that the employee is able to carry out the duties of the post.
**Refer to point 17 of Notes for Guidance*
6. If the employee will use their own vehicle/s for work purposes their driving licence*, current motor insurance (which must include cover for business use) and where required a valid MOT certificate must be checked.
7. For the drivers of council lease cars, it will only be necessary to check the driving licence and, if appropriate, MOT certificate.

Note: After their third birthday vehicles must pass an MOT annually and the vehicle owner must possess a valid MOT certificate.

8. If the employee drives or is likely to drive more than one vehicle, then the insurance cover and MOT certificate (if applicable) must be checked for both vehicles.
9. The appended declaration form has been agreed for use for this purpose.

NOTES OF GUIDANCE

10. The requirement for a driver document check will be mentioned in the job advertisement and when a job is offered if driving is or may be required. Any offer of a post that requires the candidate to drive will be made conditional upon the document check being undertaken successfully.

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11. The checking of a driver's documents will be undertaken at the same time that other pre-employment checks take place. For internal appointments, the check will be part of the induction programme so that every employee who drives or is likely to drive is checked before they commence driving duties.
12. For existing employees it is recommended that checks are carried out as part of the annual staff appraisal.
13. The managers of employees whose main task is to drive will make their own arrangements for a further check after six months.
14. Completed declaration forms will be signed by the employee and the manager concerned and then forwarded to HR or the appropriate location to be held securely in each employee's personal file.
15. Business use in the context of this policy is defined as all travel for work related purposes regardless of whether or not mileage allowance is claimed. Travel to and from training courses or to seminars and other work related events is included. Home to work travel is not included unless the mileage is claimed under the lesser than rule.
16. Any employee who refuses to make their documents available and/or sign the declaration form will not be allowed to drive on school business and no mileage will be paid. A continued refusal to comply may lead to disciplinary or other action to remedy the situation if not being able to drive has a significant impact upon their ability to fulfil their contract of employment.
17. The DVLA withdrew the paper counterpart to the photo card driving licence from 8 June 2015 so this is no longer a valid means of verification. The changes do not affect paper licences issued before the photo card was introduced in 1998 and photo card licences issued by the DVA in Northern Ireland. Further information can be found at <https://www.gov.uk/government/news/driving-licence-changes>.
18. From the 8 June 2015, employees will be responsible for providing evidence of current entitlement to drive and/or any endorsements and should use the free online Share Driving Licence service at <https://www.gov.uk/view-driving-licence> to obtain the necessary verification. The information summary sheet generated can then be printed and produced for verification.

Driver Responsibilities

19. A driver must not use their own vehicle for business related journeys unless they have obtained authorisation to do so from their line manager.
20. It is the responsibility of the driver to ensure that their vehicle is maintained in a roadworthy condition and that their Road Fund Licence is always renewed on time.
21. A driver must provide documentation/information as requested and respond in a timely manner in respect of the following:

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- Driving Licence*
 - Insurance Certificate covering 'business use' (policies of insurance should include a clause indemnifying the school and the council against all third party claims, including those covering passengers, arising out of use of the vehicle on official business).
 - MOT certificate if appropriate
22. To notify the employer of any change in circumstances that could affect an employee's entitlement to drive as soon as possible.

Manager Responsibilities

23. The manager must carry out the necessary document checks and ensure that the driver has signed the declaration form before authorising the driver to use their own vehicle for business related journeys.
24. The manager reserves the right to challenge anyone who is using a vehicle for business use, which appears not to be roadworthy.

FREQUENTLY ASKED QUESTIONS

Regularity of checks

For staff who frequently or occasionally drive every year, annual checks are appropriate. Staff who regularly drive a school owned minibus should be checked six monthly. Where staff don't normally drive for business purposes a check should be made before the required journey.

Schools may find that if they don't implement checks then their own insurance premiums may go up (for a school minibus for instance).

Should I do checks on all staff?

Checks are necessary on staff who have been requested/authorised to drive on school business (including training courses). It is not necessary to check staff who never drive in the course of school business.

As a head/governor would I be liable/ what would I be liable for?

There are cases of Directors being prosecuted because of failing to ensure that adequate checks of a driver's documentation had been carried out (in one instance a driver had been banned but didn't inform his employer and their checks weren't up to date enough so they weren't aware!).

Can I refuse to show my documents?

If someone refuses then they are not conforming with the school's policy and if a manager condones that behaviour by allowing someone to drive (on council or school business), whilst not knowing if they are appropriately insured, taxed MOT'd and licenced then they may well be liable in the civil sense in the event of a claim.

Must I pay an increased premium for insurance?

Not all companies charge extra for appropriate business cover especially if you are able to provide details of the extent and type of business travel. The mileage allowance rates allow for some additional costs associated with using your own car for business use.

Data protection issues if school copies my documents

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It is not necessary to take copies of documents as long as the manager responsible sees the documents and signs the declaration form in line with the policy.

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Driver Declaration Form Appendix I

Directorate _____ Job title: _____
:

I _____ declare that:
(Print name)

The following documents, which I have provided for visual inspection, are relevant to me and/or to the vehicle I will use for work purposes:

Insurance certificate no: _____ Expiry date: _____

Confirm business use included on insurance certificate:

MOT certificate no: _____ Expiry date: _____

Last seven digits of driving licence no: _____ Issue no: _____ Expiry date: _____

The driving licence number is the 16 digit number that starts with the first five letters of your name. The issue number is the 2 digit number that follows the driving licence number on newer credit card size licences or appears separately on older paper licences.

Categories (Please tick and enter expiry dates as appropriate):

- | | | |
|---------------------------------------|--------------------------|-------|
| B Motor vehicle >3500kg | <input type="checkbox"/> | _____ |
| BE Motor vehicle with trailer | <input type="checkbox"/> | _____ |
| CI Motor vehicle 3500kg -7500kg | <input type="checkbox"/> | _____ |
| CIE Motor & trailer combined >12000kg | <input type="checkbox"/> | _____ |
| DI Bus 9-16 seats | <input type="checkbox"/> | _____ |
| DIE Bus 9-16 seats & trailer >12000kg | <input type="checkbox"/> | _____ |
| F Agricultural tractor | <input type="checkbox"/> | _____ |
| K Mowing machine | <input type="checkbox"/> | _____ |
| L Electrically propelled vehicle | <input type="checkbox"/> | _____ |
| N Exempt from duty | <input type="checkbox"/> | _____ |
| P Moped (up to 50cc) | <input type="checkbox"/> | _____ |
| Other Please specify _____ | <input type="checkbox"/> | _____ |

Please confirm the following:

I am not currently disqualified from driving.

I have no pending convictions or endorsements that could result in disqualification.

I have had no change in my health, which could affect my entitlement to drive.*

If any changes occur that could affect my entitlement to drive I will notify my employer in writing as soon as possible.

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

*(See overleaf for guidance)

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Signed: _____ Date: _____
(Employee)

I confirm that I have seen:

- The above documents and that they were original and not copies, and;
- Evidence of the employee's driving record/ entitlement/endorsements.

Signed: _____ Date: _____
(Manager)

Print name: _____

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**Driver Declaration Form
Appendix 2
Notes of guidance**

The following are examples of health conditions that could affect your entitlement to drive:

For all licences:

- an epileptic event (seizure or fit)
- sleep apnoea
- sudden attacks of disabling giddiness, fainting or blackouts
- severe mental handicap
- a pacemaker, defibrillator or anti-ventricular tachycardia device fitted
- diabetes controlled by insulin or tablets
- angina (heart pain) while driving
- Parkinson's disease
- any other chronic neurological condition
- a serious problem with memory
- a major or minor stroke
- any type of brain surgery or tumour
- severe head injury involving in-patient treatment at hospital
- any severe psychiatric illness or mental disorder
- continuing/permanent difficulty in the use of arms or legs
- dependence on or misuse of alcohol, illicit drugs or chemical substances in the past three years (do not include drink/driving offences)
- any visual disability that affects both eyes (do not declare short/long sight or colour blindness)

For vocational licences:

- any heart condition or heart operation
- any visual problem affecting either eye

If you suffer from, or suspect that you suffer from, any of the above and have not yet done so, you should consult your GP and/or medical consultant without delay.

If you are declared medically unfit to drive you must inform the Driver and Vehicle Licensing Agency (DVLA) by writing to the: **Drivers Medical Group, DVLA, Swansea SA99 1TU**. Failure to do so is a criminal offence punishable by a fine of up to £1,000.

If you are driving on school business and do not have insurance cover **for business use**, you run the risk of being prosecuted for driving without insurance.

If you claim a mileage allowance using a paper form or the electronic car plan system, you are accepting as a condition of payment that you have business cover. If you do not, you are making a fraudulent claim.

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