



Olive Academies

Use of private vehicles on work related business

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<p>Please note that should staff be using private vehicles on work related business, they must sign the transport policy slip annually, and provide the relevant documentation.</p> <p>It is OA policy that no children are transported in private vehicles owned by OA staff.</p>	

Introduction

At Olive Academies (OA) trust, it is recognised that there may be instances where academy staff need to use their own vehicles for work related matters. Examples of when this is needed include:

- attendance at off-site training events
- making a home visit to check on a pupil
- representing the academy at meetings and community events
- attendance at review meetings relating to specific pupils
- and moving between academies if a member of staff works across academies

The policy within Olive Academies with regard to transportation of pupils in a private vehicle is that it is not permissible in any instance. The trust believes that it is in the best interest of both the pupils and our members of staff if this does not happen and there should be no instance where it is needed. OA has in place other mechanisms for transporting pupils to off-site activities, including minibuses and taxis. Please refer to the minibus policy when planning any activity which involves transportation of pupils by minibus.

In all instances where a private vehicle is used by a member of staff for a business purpose it is important that proper insurance is in place.

The distinction between driving while at work and commuting

It is important to distinguish between the regular journey to and from the usual place of work as stated in each employee's employment contract (the daily commute) and driving while at work (the activities described above). This guidance is focused on the latter activities where a member of

staff is using their own private vehicle on work related business. This is an area where OA as an employer has some measure of responsibility for ensuring staff health, safety and welfare.

If a member of staff is using their own vehicle to travel on academy or trust related business, no matter how infrequently, insurance that covers business use is essential. The Health and Safety Executive has estimated that up to a third of all road traffic accidents involve somebody who is at work at the time of the incident.

Insurance and other documentation

Every vehicle driven on the road must have a valid:

- road fund licence (car tax);
- insurance certificate; and
- MOT certificate (if the vehicle is at least 3 years old);

Some employers will make regular checks on this documentation as part of their duty of care to employees who are using their own vehicles. This is because some police forces expect employers to make these checks. If an employee is involved in an accident involving his or her vehicle while driving to and from work, or while at work, the employer may be contacted by the police as part of the accident investigation.

Staff who make work related journeys need to be aware that this is classified as 'business use'. This is regardless of whether or not mileage allowances are claimed. Staff who fall into this category need to insure their vehicles for business use. Failure to do so will result in insurance cover being invalidated in the case of an accident whilst engaged in a work-related journey.

Unless staff members are absolutely certain that they will never use their vehicle for any of the activities described below, they are strongly advised by the trust to take out business cover. Where there is any doubt, the insurance company should be contacted and further advice taken. The majority of staff use their vehicles for some kind of work-related activity and so it is important to be properly insured even if business use is on an occasional basis.

It is sometimes the case that staff members without business cover, in pressing circumstances, use their car for purposes that fall under business use. Such use is then uninsured and so all staff are advised to consider carefully their decisions regarding motor insurance cover and the inclusion of business use.

Examples of business use

Some examples of business use are set out below:

- attending professional development activities
- attending trust meetings at a central office
- driving between academy sites within the same trust
- attending a conference or exhibition
- driving between sites in an academy on split sites
- union duties e.g. to represent a member at a meeting

It is important to note that even with adequate insurance, staff members will not be directed to transport pupils in their own vehicle.

Vehicle roadworthiness

Staff should be aware that they are legally responsible for the roadworthiness of any vehicles they drive. It makes no difference if, for example, the car is brand new, has recently been serviced, or belongs to another person. If there are faults and staff are stopped by the police, as drivers, they are responsible.

Use of mobile phones

It is illegal to use a mobile phone while driving, even while delayed in traffic. Hands-free sets are legal but because of the potential to distract the driver the Health and Safety Executive discourages their use.

Academy car parks

OA staff do not have an automatic right to park on trust premises and should not assume that if their vehicles are damaged whilst parked on trust premises that they will receive compensation. Indeed it is most unlikely that any compensation would be paid as parking is at the staff member's own risk.

Taking reasonable breaks when driving

According to the Highway Code no driver should drive for longer than two hours without taking a break of at least 15 minutes. It is important that staff travelling on work related business stop driving and take time to eat, drink and rest before continuing with the day's activities. It is not solely at lunchtime that a break is important - staff are strongly advised to take breaks at the end of afternoon sessions before setting off on anything other than the shortest of journeys.

Incident reporting

If accidents occur, however minor, while driving on work related business, it is important that the incidents are reported in writing to the appropriate line managers.

If OA staff are injured in any way, however minor, the details must be recorded in the academy's accident book. All appropriate paperwork should be completed within 24 hours of an incident occurring, wherever possible. Following incidents, many employers will conduct risk assessments and, where possible.

Eyesight

Driving with uncorrected defective vision is an offence and carries a fine of up to £1,000, 3 penalty points and possible disqualification.

Drivers are legally required to be able to read a number plate from a distance of 20.5 metres and to wear their corrective prescription eyewear at all times. Insurance may be invalidated if a driver does not meet this standard.

Certain eyesight conditions, such as cataracts, glaucoma and double vision, must be reported to the DVLA.

The police have the power to test a driver's eyesight if they have reason to believe he or she is driving with uncorrected defective vision.

It is recommended that all members have eye tests at least once every two years, or more often if advised by health professionals.

Trust expectations

- Staff should have relevant paperwork in place should they be using their vehicle for business purposes: full and valid driver's license; road fund license; insurance certificate; and MOT certificate.
- Staff should not use their mobile phones when driving.
- Line managers and others should not attempt to contact staff when they are known to be driving.
- Where appropriate, staff should build in adequate breaks both before beginning a work-related journey or whilst driving.
- Staff should ensure that their vehicles are at all times road worthy before embarking on a work-related journey.
- Vehicles used on work-related journeys should have business insurance cover.
- Staff should be aware of the risks of parking on a trust site.
- Staff must report all work-related road incidents in writing to their line manager.
- Regular documentation checks will take place where staff are required to use their vehicles on academy business.

Use of vehicles on business policy slip – to be completed annually

Name in block capitals:

Role:

I confirm that I have read and understood this policy, and that the vehicle(s) that I will use for business:

- 1) conforms to legal requirements (tax, adequate insurance and MOT).
- 2) is serviced regularly in accordance with the vehicle manufacturer's recommendations.

I have a full and valid UK driving licence for the class of vehicle to be used

I understand that I am responsible for ensuring I follow the guidelines outlined within this policy when I am using my car for business purposes and that I will abide by this policy.

My car make and colour is as follows:

Car Registration Number:

Signed:

Date:

Documentation seen by academy business manager or equivalent:

Documentation	Date seen
Road fund licence	
insurance certificate	
MOT certificate (if the vehicle is at least 3 years old);	
UK driving licence	

Signed:

Name in block capitals:

Agreed date by which documentation should be seen again (at least annually):