



DRIVING POLICY

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Expert Advice

Date	Organisation	Sections amended / Comment
	Staffordshire Police	Lind Report 1998, advice on speed capping, mobile phone & callers to mobile phone
	West Mercia Police	As per Staffordshire
	Highways Agency	Noted policy
	DTAG	Noted policy
	West Midlands Police	No comment
	Trust Legal Advice	Legal definitions, sections 9, 10 & 20

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1 Policy Statement

- 1.1 West Midlands Ambulance Service NHS Trust (the Trust) acknowledges the inherent risks that driving poses to individual road users, pedestrian, employees, the organisation, the provision of their services, and to the NHS overall and is committed to reducing these risks as far as is reasonably practicable.
- 1.2 Working together with staff, the Trust is committed to developing and implementing an effective risk management system to reduce the number and consequence of road traffic collisions by ensuring:
- Staff are competent and medically fit to drive the required class of vehicle appropriate to their role
 - All Trust vehicles are fit for purpose and maintained in a safe and fit condition

2 Introduction

This policy incorporates and ensures the Trust follows the applicable legislation:

- Health and Safety at Work Act 1974
- The Road Vehicles Lighting Regulations 1989 (Amended 2005)
- Road Traffic Act 1988 (Amended 1995)
- Vehicle & Driving Licence Act 1969
- Motor Vehicles Regulations 2010
- New Drivers Act (appended to Road Traffic act 1995)
- The Traffic Sign Regulations and General Directions 1994

3 The purpose of the policy is to:

- 3.1 Set out the required high standards of driving within the West Midland Ambulance Service NHS Trust to reach its service users as quickly and safely as possible. (quickly – referring to emergency responses).
- 3.2 Ensure a standard approach to the driving development of staff throughout West Midlands Ambulance Service NHS Trust.
- 3.3 Minimise the number of Road Traffic Collisions (RTCs) and accident damage involving WMAS vehicles.
- 3.4 Ensure vehicles operated by the Trust are fit for purpose and maintained to a safe standard.
- 3.5 Promote, maintain and improve the professional image of WMAS staff and vehicles providing response and transportation.

- 3.6** Outline to staff and management their legal requirements and responsibilities with regard to emergency and non-emergency driving to deliver a consistent approach across all Areas and Directorates. This includes their responsibility to advise of any changes to their medical status or the taking of any medications which may affect their ability with regards to driving emergency and non-emergency vehicles.

4 Scope

This policy applies to all Trust employees, volunteers, Approved Volunteers, Bank Workers and agency staff carrying out their duties, and is supplementary to any other policies e.g. Health & Safety, and Incident Reporting.

5 Definitions

- 5.1** “Emergency response driving” is required when an emergency is considered to be an event which needs immediate preventative action to avoid a risk to life or health.
- 5.2** “Patient Carrying Vehicles”. Are vehicles operated within or on behalf of the Trust, which have the capability of carrying patients.
- 5.3** “Satisfactory driving licence”: To drive a vehicle you must:
- hold the appropriate driving licence for the vehicle being driven
 - meet driver minimum age requirements
 - meet the legal eyesight standards
 - < 12 points within a three year period (‘Totting up Penalty Points)
 - < 6 points within two years of passing your driving test (New Drivers Act)
- (DVLA, 2011)
http://www.direct.gov.uk/en/Motoring/DriverLicensing/EndorsementsAndDisqualifications/DG_4022550
- 5.4** “NHSTA/NHSTD”: National Health Service Training Authority & National Health Service Training Directorate.
- 5.5** “Third Party Contracting”. Is a voluntary arrangement in which the Trust pays for a contractor to assist in delivering parts of its services. For example, a Voluntary Aid Society (e.g. St John Ambulance, Red Cross).
- 5.6** “Approved Volunteers” from Basics, MARS, Care Team and voluntary aid societies are individuals who have successfully completed an approved emergency driver training programme and are permitted by the Trust to respond to emergencies using visual & audible warning devices.
- 5.7** “High Speed Register”. is an electronic register held by the Trust, managed by the Education & Training Department that contains the details of

employees & Approved Volunteers permitted to undertake Emergency Response Driving.

5.8 “Careless Driving”

Careless Driving is an offence under Section 3 of the Road Traffic Act 1988:

“If a person drives a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, he is guilty of an offence.”

A person is to be regarded as driving without due care and attention if (and only if) the way he drives falls below what would be expected of a competent and careful driver.

In determining what would be expected of a careful and competent driver in a particular case, regard shall be not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.

A person is to be regarded as driving without reasonable consideration for other persons only if those persons are inconvenienced by his driving.

The driver does not have to be driving a motor vehicle but any mechanically propelled vehicle and the offence can take place not only on public roads but any other place to which the public has access.

5.9 “Dangerous Driving”

Dangerous Driving is an offence under Section 2 of the Road Traffic Act 1988.

“A person who drives a mechanically propelled vehicle dangerously on a road or other public is guilty of an offence.”

A person is to be regarded as driving dangerously if (and only if) the way he drives falls far below what would be expected of a competent and careful driver, and it would be obvious to a competent and careful driver that driving in that way would be dangerous.

A person is also to be regarded as driving dangerously if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.

“Dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware, but also to any circumstances shown to have been within the knowledge of the accused

In determining the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.

5.10 “Satisfactory driving assessment”. Is an assessment against the new Department for Transport ‘High Speed’ competencies supported by the Driver Training Advisory Group, where each competency is scored 3 or more.

5.11 “True Speed Limit”. Is defined as the maximum speed at which it is safe and possible to proceed having due regard to the prevailing road, weather and traffic conditions, the handling characteristics and limitations of the vehicle being driven and, finally, the abilities of the driver.

6 Equality & Human Rights Impact Assessments

This policy embraces Diversity, Dignity and Inclusion in line with emerging Human Rights guidance. We recognise, acknowledge and value difference across all people and their backgrounds. We will treat everyone with courtesy and consideration and ensure that no one is belittled, excluded or disadvantaged in any way shape or form.

7 Accountability & Responsibility

7.1 The **Chief Executive Officer** has overall responsibility to ensure a safe and effective service is provided.

7.2 **Directors** are responsible for the ensuring compliance with this policy.

7.3 The **Director of Workforce and Organisational Development** is responsible:

- for the provision of driver training as required under this policy;
- for the provision of timely and effective Occupational Health services;
- monitoring compliance with and effectiveness of this policy;
- ensuring policy reviews and updates occur in a timely fashion.

7.4 **Director of Finance** has the responsibility to ensure adequate insurance, in consultation with fleet of all Trust vehicles.

- 7.5** This policy will be reviewed in 3 months from the date of approval, and thereafter every 2 years. The **Regional Head of Education and Training** will ensure an earlier review of this policy takes place if there are changes in legislation and/or national guidance.
- 7.6** The **Head of Fleet** has the responsibility to ensure all vehicles are roadworthy and fit for purpose.
- 7.7** **All Managers** have responsibility to ensure,
- staff are aware of this policy, through Local Induction and when changes occur.
 - all employees within their area of responsibility comply with this policy
 - that early management intervention takes place where standards appear to be falling below the standards set out in this policy
 - triggers of driving assessments are referred to the Education & Training Department
 - when appropriate, investigations into incidents are made in accordance with the Trusts Incident Investigation policy.
 - perform annual vehicle licence checks and insurance suitability where appropriate.
 - review all Notification of Intended Prosecutions (NIP's) and action accordingly
 - investigate/review all vehicle incidences to determine refresher training in conjunction with the Education & Training Department.
 - Action appropriately notifications from employees about changes to their health in accordance to this policy and other policies of the Trust.
- 7.8** **All employees and Volunteers** have a responsibility to
- familiarise themselves with the content of this policy,
 - seek advice from line managers for clarification where required
 - adhere to the requirements set out in this policy and its appendices
 - report any condition or injury sustained which may affect their ability to drive immediately to their line manager
 - attend training and assessments as instructed
 - notify their line manager if they have not received notification to attend training or assessment in accordance with this policy
 - notify their line manager of any changes to their medical status or the taking of medications which may affect their ability with regards to driving emergency and non-emergency vehicles
 - hold the necessary categories of driving licence commensurate with the types of vehicles they are required to drive
 - ensure that any vehicle they are required to drive on behalf of the Trust is roadworthy and legal to drive by undertaking the vehicle inspection procedures set out at Appendix 4

- drivers of privately owned vehicles must ensure that any vehicles used for Trust activities are maintained in a safe and roadworthy condition at all times and that they are adequately insured (business insurance applies)
- hold a valid driving licence, appropriate for the vehicle being driven
- drive in accordance with the Highway Code and in accordance with their training and relevant legislation.

8 Risk Assessment

8.1 As part of its overall risk assessment programme The Trust strives to ensure all risks associated with its driving activities are identified, evaluated and controlled consistently so far as is reasonably practicable by the following:

8.1.1 Appropriate vehicle risk assessments (including use of warning devices) in accordance with the Risk Management Strategy and Risk Assessment Policy

8.1.2 Training needs analysis based on evidence based risk assessments.

8.1.3 Assessing all routes undertaken on blue light training programmes.

8.2 As a result of those assessments, the Trust has implemented the following control measures.

9 Driving Standards

9.1 All employees, volunteers and Approved Volunteers who are required to drive as an essential part of their occupational duties must hold a valid driving licence, appropriate for the vehicle being driven and be competent and fit to drive. In addition all employees and Approved Volunteers who are required to drive under emergency conditions must undertake training and/or assessments as detailed below in Section 10 and referenced in the Education and Training Needs Analysis (ETNA).

9.2 The driving standards of the Trust for urgent & emergency high speed response follows the Institute for Health Care & Development (IHCD) D1/D2 driver training competencies and from 2012 that of the new Department for Transport (DfT) 'High Speed' driving competencies once finalised.

9.3 The driving standards of the Trust for planned & scheduled transports (Patient Transport Services) follows the Trust approved driving programme.

9.4 A summary table of education & training requirements against employee/volunteer status can be found at **Appendix 5**.

- 9.5** All materials used within driver training are referenced against approved driving standards. (e.g. Roadcraft, IHCD Driver Training Manual).
- 9.6** WMAS driver training delivers the standards of recognition and observance of the “True Speed Limit”. The true speed limit may be well below the Statutory Speed Limit and equally true to say that it can sometimes be well in excess of the Statutory Speed Limit, permitted under section 87 of the Road Traffic Act. (*section 87 exemption from statutory speed limits whilst engaged on emergency driving*). Any speed selected has to be constantly reviewed and appropriate adjustments immediately made. This vital skill & standard is extensively assessed for both capability and consistency before any candidate is permitted to drive. This is widely regarded as the Gold standard.
- 9.7** A vehicle being used for ambulance purposes may exceed any statutory speed limit (those governing roads and vehicles) if observance of the limit would hinder the use of the vehicle for its official purpose on that occasion. (Section 87 of the Road Traffic Act) The exemption could be claimed when travelling to an emergency call but on the journey to hospital it would not normally be relevant unless the patient's condition justifies the exemption. The attendant dealing with the patient is best to provide information to the driver on best transit arrangements.
- 9.8** Whilst exemption from statutory speed limits exist when engaged on emergency response driving and authorised driver training courses, there still remains an overriding statutory requirement for the driver, and in the case of driving courses, the Instructor, to maintain safety margins. The exemption afforded the Ambulance Service does not allow staff to drive at a speed or in a manner which would amount to driving dangerously or without due care and attention.
- 9.9** The various Police Authorities covering the WMAS region may view excessive use of speed as dangerous driving and instigate the appropriate proceedings against the driver.
- 9.10** Emergency vehicles responding to designated ‘Cold response’ calls and ‘Urgent’ cases will comply with normal prevailing road speeds.
- 9.11** The following table is not a cap or limit and is not intended to replace the skills & attitude given through the standards of driver training in selecting the appropriate speed in the given circumstances. However, it is considered helpful and can be used as a general reference point.

Statutory speed limit	WMAS Guide
20mph	30mph
30mph	45mph
40mph	60mph
50mph	75mph
60mph	90mph
70mph	105mph

10 Education & Training

- 10.1** All employees driving under emergency conditions on behalf of the Trust are required to complete, satisfactorily, an approved emergency driver training programme either with the Trust or an equivalent recognised course during previous employment prior to being operationally deployed.
- 10.2** All employees driving patient-carrying vehicles under non-emergency conditions are required to undertake the Trust basic driving course prior to undertaking driving duties.
- 10.3** All Approved Volunteers as specified at section 5.6 that are required to drive under emergency conditions on behalf of the Trust must attain and qualify in an accredited and validated programme in accordance with national requirements to demonstrate competence prior to being operationally deployed.
- 10.4** All volunteers who are required to carry patients such as Volunteer Car Driver's will receive a driving assessment prior to commencement of service by a Trust driving assessor or driving instructor.
- 10.5** Employees who were employed prior to 1986 and received training under the former NHSTA and/or NHSTD, who cannot provide evidence of obtaining an approved driver training qualification will be required to undertake a competency assessment to gain entry onto the 'High Speed' Register and thereafter 5 yearly assessments as per section 10.9.
- 10.6** Driving assessments deemed unsatisfactory against the 'High Speed' competencies will result in a suspension of high speed driving duties and a remedial action plan created, mutually agreed and training delivered. Reinstatement of high speed driving duties will be subject to a satisfactory reassessment and retraining. See **Appendix 3** for procedure.
- 10.7** Employees who have completed an approved driver training qualification as detailed in section 9.2 will automatically be placed onto the 'High Speed' Register.
- 10.8** Regular assessment every 5 years will be completed by an accredited driving assessor or driving instructor to those staff undertaking 'High Speed' emergency response driving to ensure competency is maintained. This assessment may be called for earlier following an incident investigation recommendation. A satisfactory assessment is required to remain on the 'High Speed' Register.
- 10.9** Only those employees and Approved Volunteers on the 'High Speed' Register are permitted to undertake emergency response 'High Speed' driving.

- 10.10** All voluntary ambulance services [e.g. St. John Ambulance; Red Cross, SARA; Mountain Rescue] acting on behalf of the Trust will be required to complete regular driving and health assessments for all their drivers at least every five years to ensure their competency, these requirements must be documented in all service level agreements with these organisations.
- 10.11** All Fleet Services staff, managers and other staff expected to drive service vehicles will receive a driving assessment on commencement of service by a Trust driving assessor or driving instructor.
- 10.12** A summary table of education & training requirements against employee/volunteer status can be found at **Appendix 5**.
- 10.13** The Education & Training department operates an appeals process, which can be accessed through the normal educational operating procedures.
- 11 Triggers of Driving Assessments other than the 'High Speed' 5 yearly**
- 11.1** Two driving incidences resulting in any exterior vehicle damage within a six month period, or one depending on its severity, may, following an investigation and route causes analysis, trigger a driving assessment.
- 11.2** Following a complaint, or internal reports either verbal or written on two or more occasions within a six month period regarding poor driving standards and following an investigation and route cause analysis, may trigger a driving assessment.
- 11.3** Employees and Approved Volunteers may trigger a driving assessment themselves if they personally identify a training need in their own capability. In this instance, this assessment trigger is not recorded against the individual, other than the reports held on file accordingly.
- 11.4** All Driving assessments to be arranged through the Education & Training department. **Appendix 3**.
- 11.5** Assessments & Reassessments of employees / Approved Volunteers are recorded accordingly on file and linked to the 'High Speed' Register
- 11.6** Any employee or Approved Volunteer who continually trigger driving assessments will be subject to an investigation, which may enact the disciplinary and/or capability policy. In this instance, the individual will be suspended from 'High Speed' and or full driving duties which will be enacted and managed by the General Manager.

12 Driving Licence Checks & Endorsements

- 12.1** All employees, volunteers and Approved Volunteers engaged on driving duty or with the potential to be engaged on driving duty must hold a current valid, Full European Driving Licence for the vehicle category being driven. For entry into the Trust, it is acceptable to have a licence with a maximum of 3 (three) points only in certain categories. Please see **Appendix 1** for endorsements accepted.
- 12.2** Driving Licence checks will be performed on an annual basis. Employees and volunteers must produce their driving licence where required to their line manager annually for inspection. Photocopies will NOT be accepted for inspection. All parts of a driving licence must be surrendered for inspection. See **Appendix 2** for procedure. Driving Licences will be checked on all reassessments and/or driver training programmes.
- 12.3** Employees, volunteers and Approved Volunteers who fail to provide their driving licence in accordance with 12.2 for inspection following two consecutive requests within two weeks of date of request will be suspended from driving duties. Failure to provide a driving licence for inspection during the suspension period (third request), will invoke the disciplinary procedure. A satisfactory driving licence is required to remain on the 'High Speed' register.

13 Mobile Phones

- 13.1** Handheld mobile phones must not be used whilst driving as it is illegal. This includes "texting" and whilst stopped in traffic, unless the phone is being used to call 999 (or 112) in a genuine emergency, where it is unsafe or impractical to stop.
- 13.2** The Trust will ensure that when employees and volunteers are required to drive on behalf of the Trust and use a mobile phone, this is done within the law and under the safest conditions possible.
- 13.3** Drivers must be aware though that using a mobile phone under any circumstances (including hands free) whilst driving may still distract attention from the road and must not be used without justification to avoid any unnecessary distraction. It remains the driver's responsibility to ensure that the standard of driving is not detrimentally affected by such activity. Failure to do so could leave the driver open to prosecution for dangerous or careless driving.

14 Fixed Airwave Radios & Mobile Data Terminals (MDT)

- 14.1** In line with legal requirements drivers of vehicles that operate a fixed radio system and or MDT's whilst driving must only do so when it is safe. All messages passed must be brief to avoid any unnecessary distraction. It remains the driver's responsibility to ensure that the standard of driving is not detrimentally affected by such radio activity. Failure to do so could leave the driver open to prosecution for dangerous or careless driving.
- 14.2** Solo responders will receive cases via AVL and voice via ARP

15 Fitness to Drive

- 15.1** In addition to the legal minimum standard, the higher Group 2 medical fitness standards apply within the Trust for employees either driving under emergency conditions or transporting patients. A summary of the disorders which could affect an individual's eligibility for Group 2 Licensing can be found at:
- At a Glance Guide to the current medical standards of fitness to drive, issued by the Drivers Medical Group, DVLA Swansea.
<http://www.dft.gov.uk/dvla/medical/ata glance.aspx>
- 15.2** Health Assessments including eyesight tests are available for all staff via the Trusts Occupational Health Providers on appointment or promotion. Eye sight tests will be undertaken where an individual has notified the Trust of a change in their health that may impact on their ability to comply with DVLA Group 2 medical standards. Snellen Eye Sight Tests will be conducted on driver training programmes and assessments by approved driving instructors.
- 15.3** Any employee, volunteer or approved volunteer undertaking driving activities on behalf of the Trust must inform the Trust immediately of any health change, eyesight problem or other condition which could impair his/her ability to drive safely. In addition all employees and Approved Volunteers who drive under emergency conditions or who are responsible for transporting patients must inform the Trust via their line manager if they develop any of the medical conditions outlined in the DVLA Group 2 Standards.
- 15.4** Where employees and/or volunteers, Approved Volunteers develop a medical condition which prevents them either temporarily or permanently from undertaking driving duties which are essential for their role, every effort will be made to re-deploy staff into a suitable alternative role. Suitable alternative roles may not always be available and therefore development of such medical conditions could ultimately lead to termination of an employee's contract.

- 15.5** Guidance can be provided by the Trusts Occupational Health Providers on the medical conditions which could affect an employee's ability to drive safely both under normal and emergency conditions.
- 15.6** It is the driver's responsibility to ensure they are fit to drive at all times and be aware of the implications which alcohol, illicit substances and medication could have for driving safely. Information can be found at:
1. At a Glance Guide to the current medical standards of fitness to drive, issued by the Drivers Medical Group, DVLA Swansea.
<http://www.dft.gov.uk/dvla/medical/ataglance.aspx>
 2. Secretary of State Honorary Medical Advisory Panel Guidance on Diabetes and Driving.
http://www.dft.gov.uk/dvla/medical/medical_advisory_information/
- 15.7** All employees, volunteers and Approved Volunteers to whom this policy applies will be sent a 'Declaration' form on which, they will declare any medical condition which may affect their ability to drive under the DVLA Group 2 Standards. This declaration will remain in place however, staff are required to notify the Trust of any changes in their health or of any condition that has or may have an impact on their ability to comply with Group 2 medical standards. All declaration forms will be assessed by the Occupational Health provider.

16 Vehicles

- 16.1** All drivers have a legal responsibility to ensure that the vehicles they drive are roadworthy and legal to drive. Drivers must ensure that basic observational safety checks are carried out on a daily basis to ensure vehicles remain safe and roadworthy. See **Appendix 4**.
- 16.2** A Community First Responder is permitted to drive an Officers lease car where instructed to do so under normal driving conditions, should the Officer be required to travel in another vehicle with the patient.
- 16.3** Vehicles used by CFR's & Approved Volunteers must satisfy the Trust Fleet department. Vehicle must be of roadworthy condition, have a valid MOT and appropriate insurance. Copies of MOT, service history and insurance details must be sent to Fleet on an annual basis.

17 Privately Owned Vehicles

- 17.1** Privately owned vehicles must not be used for Trust activities unless they are adequately insured for business use. It is the vehicle driver's responsibility to ensure adequate insurance is in place for any such privately owned vehicle.

- 17.2 For all journeys, drivers using privately owned vehicles for Trust activities must provide a copy of their car insurance certificate to the Payroll Department that confirms the addition of business insurance. This must be confirmed to the Payroll Department annually. Employees are reminded that failure to do so will result in a lower mileage claim being paid and back pay will not be permitted.
- 17.3 Staff and volunteers are not authorised to use visual and/or audible warning devices on their private vehicles for responding and as such are prohibited from doing so, (The Road Vehicles Lighting Regulations 1989) (Amended 2005). This does not apply to lease cars authorised by the Trust.
- 17.4 Staff responders using privately owned vehicles are required to submit in addition to 17.2, a copy of their MOT.

18 Use of Audible & Visual Warning Devices

- 18.1 When deployed on an emergency case, the assigned response **MUST** proceed using visual & audible warning devices (sirens, blue warning lights and flashing headlights) at all times unless there is a justifiable reason not to do so. In addition, the driver must also give regard to all hazards (potential and actual) as well as prevailing road and traffic conditions.
- 18.2 When using blue lights and audible warnings you remain responsible under Road Traffic Legislation for your actions and omissions. The fact that you were responding to an emergency or major incident will not be a defence in law to a charge of dangerous or careless driving.
- 18.3 Whilst claiming recognised legal exemptions to certain offences under the Road Traffic Legislations, employees and Approved Volunteers **MUST** ensure that audible and visual warning devices are utilised, with care and consideration for other road users, and that the driver does nothing that could be classed as careless or dangerous driving. Staff are reminded that justifications are required for turning sirens off (18.1).
- 18.4 Flashing headlights are not to be used in the periods where headlights are required, as their use is likely to be confusing to the general public.
- 18.5 Vehicles fitted with alternate flashing rear red lights, these are to be used to make the vehicle as conspicuous as possible when attending a scene. They are only to be used whilst stationary, and must be extinguished whilst mobile.
- 18.6 Only unmarked responder cars approved by the Director of Service Delivery as appropriate, to be fitted with blue lights, will be authorised.
- 18.7 Approved volunteers as specified at section 5.6, responding on behalf of the Trust are permitted to use emergency audible or visual warning devices including signage to claim exemptions to the Road Traffic Act, [as

authorised see 18.6] and they have complied with the training requirements outlined in section 10 & Appendix 5. As for voluntary aid societies, evidence of compliance will be required for auditing purposes.

- 18.8** Community First Responders (Staffordshire CFR's) using approved marked responder vehicles, fitted with visual & audible warning devices, **WILL NOT** be eligible for claiming exemptions to the Road Traffic Act. Failure to observe this ruling may result in your voluntary status being terminated.
- 18.9** All employees that are driving an emergency Trust vehicle and claiming Road Traffic Act exemptions [e.g. exceeding the statutory speed limits] who are found to have **NOT** used appropriate visual & audible warning devices fitted, will be subject to an investigation, which could be classified as misconduct under the Trusts Disciplinary Policy.

19 Exemptions & Non Exemptions

- 19.1** There are **no exemptions** in law from the following for the driver of an ambulance vehicle, even when responding to an emergency call:

Dangerous Driving
Careless Driving
Failing to stop if involved in a road traffic collision
Dangerous Parking
Driving without a seat belt subject to those exemptions available to other motorists.
Failing to obey traffic lights controlling a railway level crossing, fire station bridges etc.
Crossing or straddling a solid white line nearest to the driver other than those listed in the Highway Code or passing a road maintenance vehicle, a pedal cyclist or a horse being ridden or led, all of which must be travelling at 10mph or less.
Failing to obey a 'No Entry' sign.
Failing to obey a 'One-Way' sign
Failing to obey a 'Stop' or 'Give Way' sign.

This list is not exhaustive

- 19.2** There is no automatic right to claim an exemption and the driver **MUST** be able to demonstrate a responsible approach by justifying the need for the exemption if required to do so by the Police or member of the Service.

- 19.3** The following exemptions are the **ONLY** exemptions that are applicable to WMAS drivers, where justified:

Stopping on Clearways
Parking within the zig-zags of a pedestrian crossing
Parking in areas controlled by double white/yellow lines
Keeping the engine running whilst parked
Parking on the offside of the road at night
Parking on footway/verge/central reservation
Exceeding statutory speed limits
Treating a red traffic light as a Give Way
Using audible warnings at night
Observing 'Keep Left/Right' signs
Motorway regulations (where you need to do so to avoid or prevent an accident, or to obtain or give help required at an accident or emergency)
Entering a bus lane/street
Entering a pedestrian precinct

- 19.4** The driver should, wherever possible, attempt to make good progress, claiming exemptions where appropriate and justified, using their driver training, experience and professional judgment to assess road, traffic and weather conditions at all times, with the aim of producing a safe but progressive drive, operating within their training with regards to the "True Speed Limit".
- 19.5** Reminder that to claim an exemption the driver **MUST** have visual & warning devices activated, unless there is justifiable reasons in not using audible warning devices. The driver must always give regard to all hazards (potential and actual) as well as prevailing road and traffic conditions.

20 Code of Practice for Emergency Driving & Speed

- 20.1** WMAS acknowledges and follows the IHCD Ambulance Driver Training Manual, Roadcraft manual & the newly approved Ambulance Emergency Response Driver's Handbook.
- 20.2** These handbooks provide a summary of the standards and practices expected of a driver of an ambulance service vehicle, for both emergency and non-emergency use.
- 20.3** It clearly identifies that technical mastery alone is insufficient to enable a driver to be safe and progressive, this has to be in conjunction with a sound knowledge of the Highway Code, Police Roadcraft Handbook 2008 edition [or any subsequent published revision] and Road Traffic Law relating to the exemptions and non exemptions applied to emergency response driving.

- 20.4** All employees & volunteers should refer to these approved handbooks, which can be accessed via the Intranet and/or Virtual Learning Environment.

21 Notices of Intended Prosecution (NIP)

- 21.1** Notices of Intended Prosecution (NIP's) will be reviewed by the General managers within the organisation. Refer to **Appendix 6**.
- 21.2** Where NIP's are received and no supporting exemption evidence is available such as the use of blue lights and sirens, the incident will be investigated and appropriate action taken.
- 21.3** All NIP's received will be reviewed and audited against the Trusts Driving Policy standards. Where the policy standards are not met, an investigation will take place and appropriate action taken.
- 21.4** Any employee, volunteer and/or Approved Volunteer will be liable to the consequences of the law if the exemption is not approved.
- 21.5** Repeat offenders may invoke the disciplinary policy.

22 Monitoring & Auditing

- 22.1** Regular monitoring and auditing of the Trust Driving policy will be undertaken.
- 22.2** Managers of the Education & Training department will audit and monitor 20% of every driver training programme for educational compliance against the driving standards regulations and as part of that audit/monitor, will check all documentation meets a high standard.
- 22.3** The 'High Speed' register will be monitored regularly by Education & Training department, who will then escalate any issues/concerns to the appropriate committees and or senior managers for action.
- 22.4** Annual random audits and inspections of driving standards will be performed by approved driving assessors and/or driving instructors. The findings and recommendations will be reported to all relevant managers, who will then be reporting to relevant Directors for communication through the Trust Committee structure to the Trust Board.
- 22.5** Driving incidences and vehicle damage will be investigated / reviewed by line managers. Findings will be recorded and actioned accordingly, in accordance to this policy and other approved Trust policies.
- 22.6** Responsibilities will be checked through performance objective review

meetings.

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Appendix 1 – Enforcement Offences Categories Acceptable for Employment

Enforcement Offences Categories Acceptable for Employment

1	Careless driving	3 - 9
	CD10 Driving without due care and attention	
	CD20 Driving without reasonable consideration for other	
	CD30 road users	
	Driving without due care and attention or without	
	reasonable	
	consideration for other road users	
2	Construction and use offences	3
	CU10 Using a vehicle with defective brakes	
	CU20 Causing or likely to cause danger by reason of use	
	of unsuitable vehicle or using a vehicle with parts or	
	accessories (excluding brakes, steering	
	or tyres) in a dangerous condition	
	CU30 Using a vehicle with defective tyre(s)	
	CU40 Using a vehicle with defective steering	
	CU50 Causing likely to cause danger by reason of load or	
	CU80 passengers	
	Using a mobile phone while driving a motor vehicle	
3	Licence Offences	3 - 6
	LC20 Driving otherwise than in accordance with a licence	
	LC30 Driving after making a false declaration about fitness	
	when applying for a licence	
	LC40 Driving a vehicle having failed to notify a disability	
	LC50 Driving after a licence has been revoked or refused	
	on medical grounds	
4	Miscellaneous Offences	
	MS10 Leaving a vehicle in a dangerous position	3
	MS20 Unlawful pillion riding	3
	MS30 Play street offences	2
	MS50 Motor racing on the highway	3-11
	MS60 Offences not covered by other codes	■
	MS70 Driving with uncorrected defective eyesight	3
	MS80 Refusing to submit to an eyesight test	3
	■ = As Appropriate	
5	Motorway Offences	3
	MW10 Contravention of special roads regulations	
	(excluding speed limits)	
6	Pedestrian Crossings	3
	PC10 Undefined contravention of pedestrian crossing	
	PC20 regulations	
	PC30 Contravention of pedestrian crossing regulations	
	with moving vehicle	
	Contravention of pedestrian crossing regulations	
	with stationary vehicle	

7	Speed Limits	3 - 6
SP10	Exceeding goods vehicle speed limits	
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicle)	
SP30	Exceeding statutory speed limit on public road	
SP40	Exceeding passenger vehicle speed limit	
SP50	Exceeding speed limit on a motorway	
8	Traffic Direction and Signs	3
TS10	Failing to comply with traffic light signal	
TS20	Failing to comply with double white lines	
TS30	Failing to comply with "STOP" sign	
TS40	Failing to comply direction of a constable/warden	
TS50	Failing to comply with a traffic sign (excluding stop signs, traffic lights or double white lines)	
TS60	Failing to comply with a school crossing patrol sign	
TS70	Undefined failure to comply with a traffic direction or sign	
9	Aiding, Abetting, Counseling or Procuring	
	Offences as coded, but with 0 changed to 2, i.e. LC10 becomes LC12	
10	Causing or Permitting	
	Offences as coded, but with the end 0 changed to 4, i.e. CU10 becomes CU14	
11	Inciting	
	Offences as coded, but with the end 0 changed to 6, i.e. TS10 becomes TS16	

Appendix 2 - Driving Licence Audit Procedure

A photocopy of the full driving licence (photo card and paper licence) for all successful applicants, on entry to the Trust after 2008, will be retained on their personnel file.

When required to do so by any manager of the Trust, Trust Driving Instructor or Trust authorised/approved Driving Assessor, driving licences must be made available for inspection within 24 hours or at a time and date agreed between them. All employees and volunteers who drive for the Trust will have their Driving Licences inspected at least annually. Photocopies will not be accepted for inspection purposes. Driving Licences are required for inspection before any driving assessment is undertaken. This instruction for inspection will be sent out to individuals who require a driving assessment, whatever the reason.

The HR department will alert all those staff via a bulletin that annual driving licence checks are due and for those that have already consented to a Third-party checker, access will be made to the DVLA Database to check these licences.

If any licence reported has more than six current penalty points, information will be sent to a nominated Manager with instructions that the licence is surrendered each month until current penalty points are six or less.

Where an employee is unable to drive to the required DVLA standard including the medical standards, the Trust will be informed and wherever possible will consider reasonable adjustments or redeployment in accordance with Capability Policy.

Any employee who declares a medical problem which may affect their fitness to drive under the DVLA Group 2 Standards, or who have been informed by the DVLA that they are not fit to drive to these standards, will be required to attend the Occupational Health Department for further medical assessment.

Licence Groups :-

Group 1 – Includes Motor Cars and Motor Cycles.

For category B (Motor Car) licence issue is valid until age 70 unless restricted to a shorter duration for medical reasons.

Group 2 - Includes large lorries (category C) and buses (category D)

The medical standards for Group 2 drivers are very much higher than those for Group 1 because of the size and weight of the vehicle.

Group 2 licences, lorries (Category C) or buses (Category D) are normally issued at age 21 and valid until age 45. Group 2 licences are renewable thereafter every five years to age 65 unless restricted to a shorter period for medical reasons. From age 65 Group 2 licences are renewable annually without upper age limit. All Group 2 licence applications must be accompanied by a medical application form D4

Staff with Group 2 licences that require to be renewed thereafter every 5 years from their 45th birth date will be responsible for the renewal and for costs.

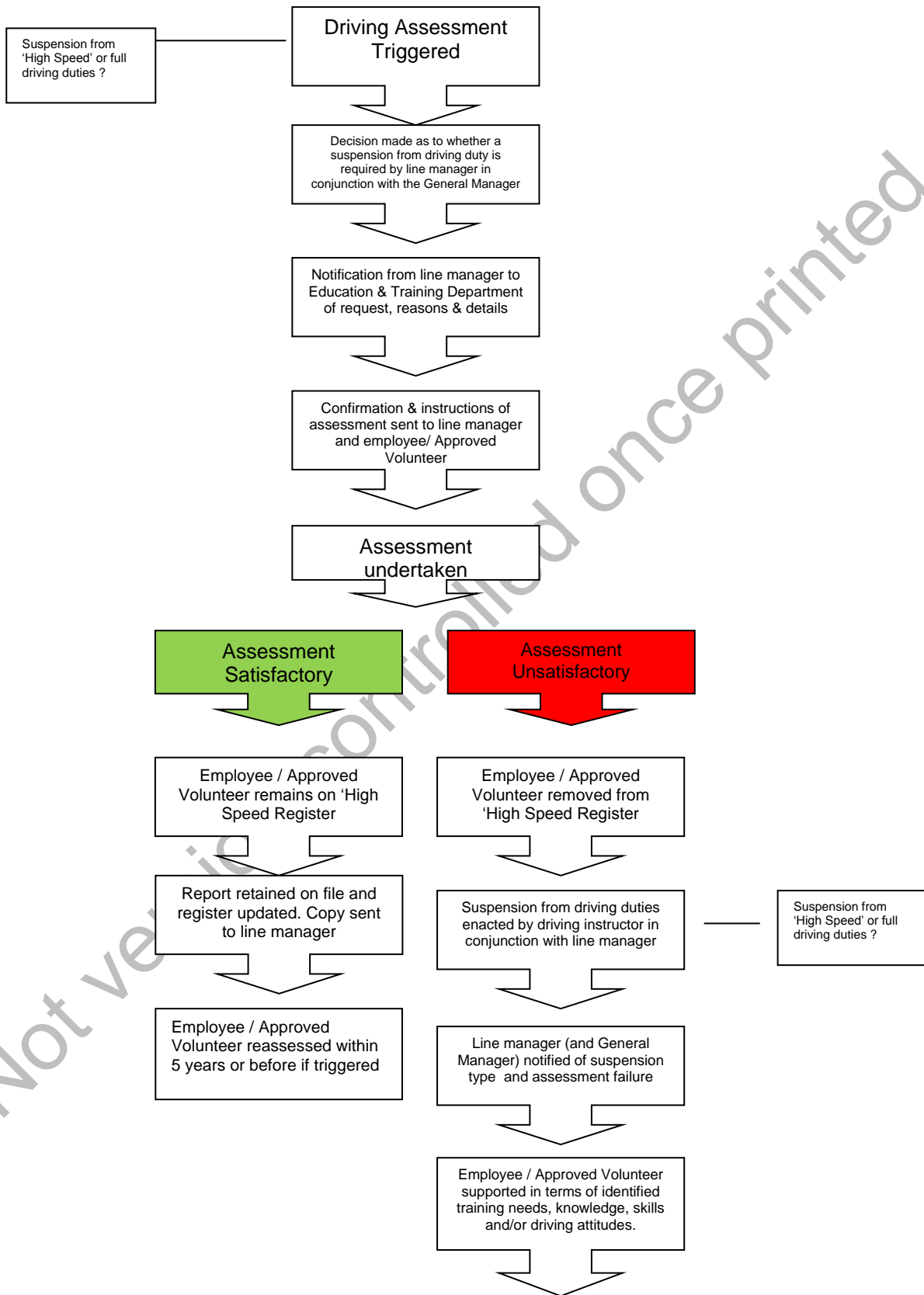
All drivers who obtained entitlement to Group 1, category B (motor car) before 1st January 1997 have additional entitlement to category C1 and D1. Holders of C1/D1 entitlement retain the entitlement until their licence expires or is medically revoked. On subsequent renewal the higher medical standards applicable to group 2 will apply.

Fitness to Drive medical standard guidelines is provided by the Drivers Medical Group, DVLA. This document can be seen at www.dvla.gov.uk

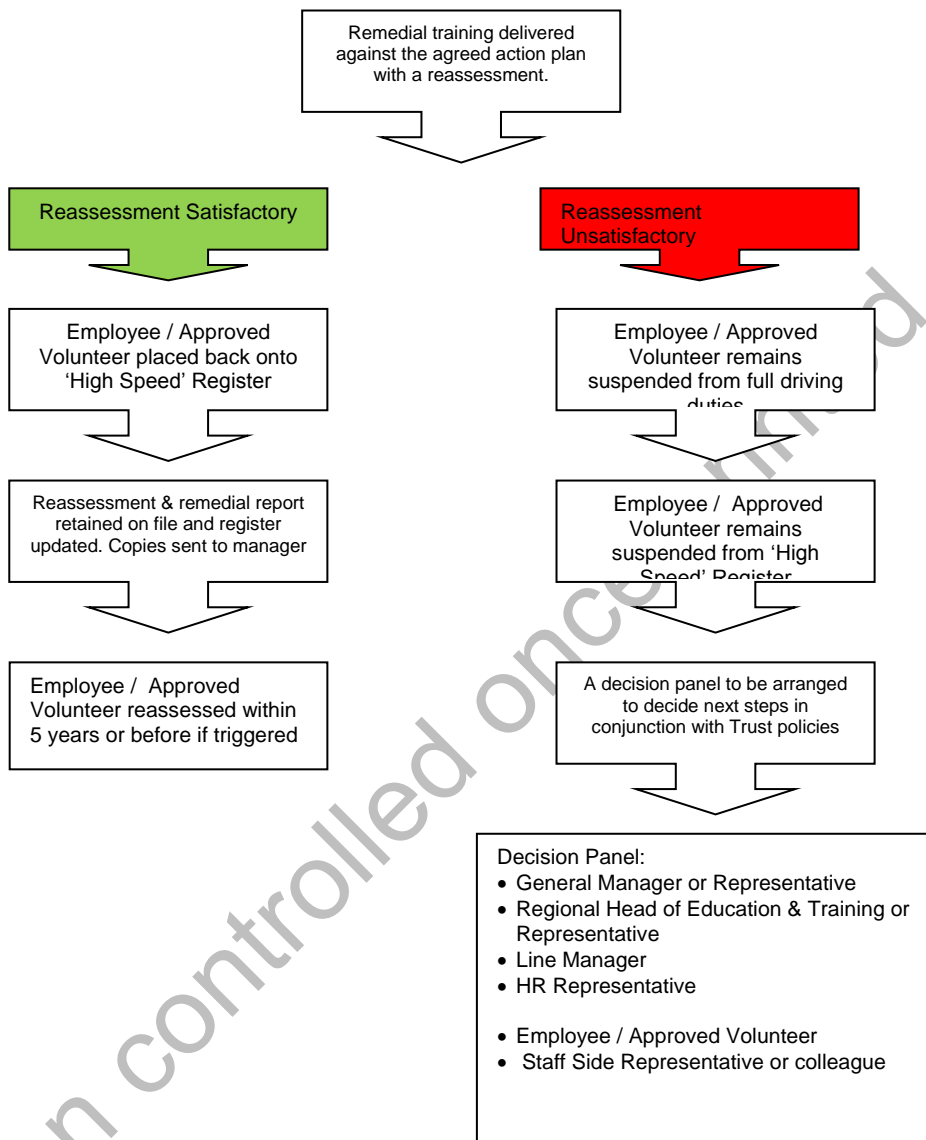
Staff who have additional entitlement must ensure they notify of any pending likely loss of licence through expiration or refusal of renewal.

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Appendix 3 - Driving Assessment Algorithm (Section 11.2)



WEST MIDLANDS AMBULANCE SERVICE NHS FOUNDATION TRUST
DRIVING POLICY



Appendix 4 - Vehicle Inspection Procedures

The inspection requirements are:

- a. **Exterior Damage**. There is no exterior damage that interferes with the operation of the vehicle.
- b. **Wheels**. Wheel rims are in good order and nuts can be seen to be secure.
- c. **Tyres**. Check visually for damage, depth of tread and pressure.
- d. **Lights**. All fitted lights are in working order. Where duplicate bulbs are fitted, only one needs to be working.
- e. **Windscreen**. Windscreen not cracked, wipers and washers work.
- f. **Horn**. The horn works.
- g. **Glass**. Glass and mirrors clean.

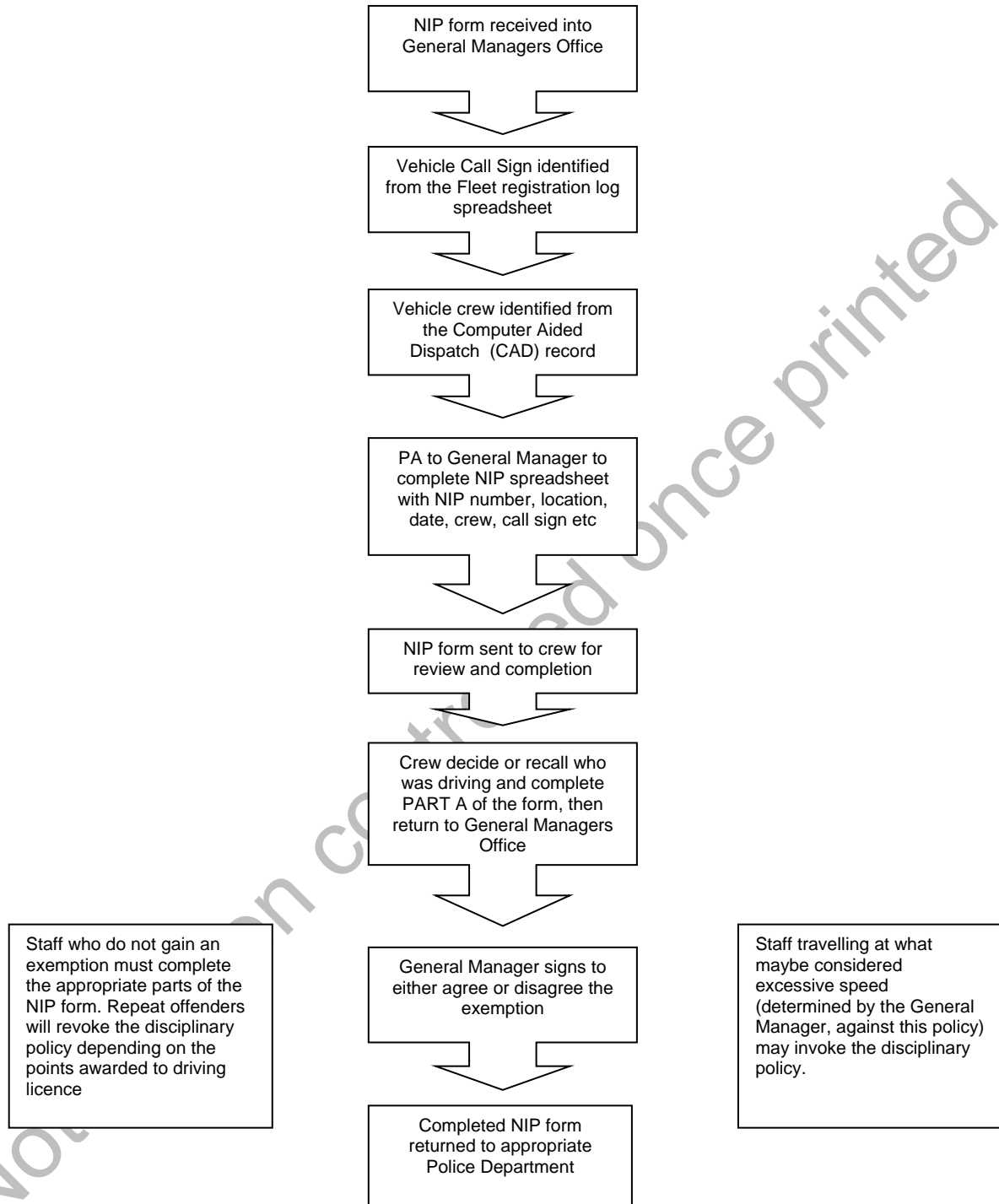
Appendix 5 - Education & Training Summary

	Pre Employment/Volunteer Driving Assessment	Trust 2 Day	IHCD D1 *	IHCD D2 *	C1	RRV Cat B (5)	4x4 (5)	HGV (5&6)	DfT High Speed (1)	Initial High Speed Register Assessment
Clinical Employed Staff (2)	■		■	■	■	■	■		OR ■	
NHSTA / NHSTD Employed prior to 1985	■				■	■				■
Voluntary Car Services	■									
Patient Car Services	■	■								
Patient Transport Services	■	■			■					
Health Care Referral Team	■	■			■					
Employees required to drive as part of their role (3)	■									
Approved Volunteers (4)			■	■		■			OR ■	■
Community First Responders										
HART	■		■	■	■	■	■	■	OR ■	

Key:

(1)	Department of Transport 'High Speed' Competencies as from 1 st October 2011
(2)	Clinical Managers, ECP, CCP, FCP, Community Paramedic, Paramedic, Adv Technician, Technician, ECA etc
(3)	Non Emergency driving
(4)	Basics, MARS, Care Team
(5)	Role, Individual & Operational requirement specific
(6)	D1, E1 & Forward Command Vehicles (6.7 tonne Iveco)
*	Or an approved equivalent (e.g ROSPA Gold, AIM)

Appendix 6 (Section 21) - Notification of Intended Prosecution (NIP) Procedure



This process is audited on a random basis by the Safety camera Partnership Committee to ensure that all forms are appropriately processed.

The above procedure supports section 22 of this policy:-

All NIP's received will be reviewed and audited against the Trusts Driving Policy standards. Where the policy standards are not met, an investigation will take place and appropriate action taken.

References

The Health & Safety at Work Act *Provision and Use of Work Equipment Regulations 1988*
<http://www.opsi.gov.uk/si/si1998/19982306.htm>

The Construction of Use Act *Road Vehicles (Construction of Use)*
<http://www.opsi.gov.uk/si/si2003/20032695.htm>

The Road Traffic Act 1988 (and amended versions)

The Corporate Manslaughter & Homicide Act 2007
<http://www.justice.gov.uk/docs/manslaughterhomicideact07.pdf>

Medical Information – Driving and Vehicle Licensing Agency
<http://www.dft.gov.uk/dvla/medical.aspx>

Risk Management Strategy and Risk Assessment Policy.