



# DRIVING AND CARE OF TRUST VEHICLES

## **DOCUMENT INFORMATION**

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## Contents

DOCUMENT INFORMATION .....	2
Index for abbreviations .....	7
EQUALITY STATEMENT .....	7
1.0 INTRODUCTION .....	8
2.0 SCOPE .....	9
3.0 AUTHORISATION TO DRIVE SPECIFIC TRUST VEHICLES.....	9
DVLA Licence entitlement .....	9
Internal authorisation to drive .....	9
Authorisation for sub contracted staff to drive under SCAS motor insurance.....	9
Private Ambulance Providing (PAP) organisations working on behalf of SCAS .	9
4.0 LEGAL ASPECTS .....	10
Vehicle Daily Inspection (VDI) .....	10
Driving related Terrafix responsibilities (Frontline vehicles only) .....	10
Spectacles/contact lenses .....	11
Sunglasses.....	11
Fitness to drive.....	12
Removal of driving licence category entitlements for medical reasons .....	13
Speed limits for specific vehicles.....	13
Mobile communications equipment.....	14
Mobile telephones.....	14
Entertainment radio.....	15
5.0 NON-EMERGENCY STAFF DRIVING PROCEDURES.....	15
General.....	15
Speed limited vehicles .....	15
Bus Lanes .....	16
Doctors Co-operative Vehicles.....	16
Voluntary Ambulance Car drivers.....	16
Community First Responders (CFR) .....	16
Other qualified persons driving SCAS frontline vehicles .....	17
Neighbouring qualified frontline NHS staff .....	17
Private Ambulance Providers / HEMS .....	17
Police Officers .....	18
St John (SJA) and British Red Cross (BRC).....	18

SCAS / Military Responder Scheme .....	18
6.0 EMERGENCY DRIVING EXEMPTIONS.....	19
Speed limits/ emergency driving.....	19
Traffic control signals .....	21
Temporary traffic signals and Pedestrian crossings .....	22
Pedestrian crossings.....	22
Refuges - Passing on the offside (keep left/right signs) .....	22
Use of bus lanes .....	22
Clearways.....	22
Parking within restricted areas surrounding pedestrian crossings .....	23
Double White / Double Yellow lines .....	23
Floodlights .....	23
Stopping the engine whilst parked .....	23
Exemptions continued.....	23
Non Exemptions.....	24
No Left / No Right Turn and No U Turn signage.....	24
7.0 USE OF AUDIBLE AND VISUAL WARNINGS .....	24
General.....	25
Following other emergency vehicles whilst engaged on emergency response .....	26
Hazardous Area Response Team (HART) emergency response .....	26
Emergency escorts by SCAS / BASICS vehicles .....	26
Transportation of a friend or relative with patient.....	27
Police escorts from scene.....	27
Escort by site staff at larger establishments .....	27
8.0 GENERAL GUIDANCE .....	27
Smoking .....	27
Distractions whilst driving .....	27
Reversing .....	27
Reversing / Double manned vehicles.....	28
Reversing / Single manned vehicles .....	28
Re-fuelling .....	29
Wearing of seat belts .....	29
Equipment carried within Trust vehicles.....	31
Pedi-mate infant restraint.....	31
Rough ground .....	31
Recovery, winching and or towing of Trust vehicles.....	31
Traffic calming measures.....	31

Attending incidents on a motorway .....	32
Use of the hard shoulder .....	32
Total carriageway blockage / Reverse-flow .....	32
Positioning of vehicle (non-motorway) .....	33
Interior vehicle cleanliness.....	33
Exterior vehicle cleanliness .....	33
Driving through floods, standing water and fords .....	34
Carrying Babies, Infants and Children in Trust vehicles.....	34
Speed restrictors.....	35
Personal items .....	35
9.0 VEHICLE SECURITY.....	35
In vehicle CCTV (Image Recording Information Systems/ IRIS) and Incident Data Recording Information System (IDRIS).....	35
Securing of vehicles.....	36
Transport of Animals by Trust Vehicles .....	36
10.0 EMERGENCY WARNING DEVICES FITTED TO TRUST LEASED / OWNED VEHICLES.....	36
Permanently mounted roof-rail mounted LED units.....	36
Deployment of removable roof mounted blue lens light units.....	36
11.0 AMBULANCE VEHICLE INCIDENTS (AVI).....	37
Duties of drivers .....	38
At scene .....	39
Deployment and attendance of management at scene .....	39
Reporting to police .....	39
Contributory factor in a road traffic collision.....	39
Reporting (general).....	40
Injury to person(s).....	40
Fatal or serious incidents.....	40
Previously unreported damage.....	40
Criminal damage to Trust vehicles.....	41
Alleged or Inferred mechanical defects following an AVI .....	41
Suspected defects to Trust vehicles following an incident .....	41
Appropriate forms for AVI reporting (Insurance / Internal).....	41
DATIX Reporting of AVIs.....	42
12.0 INCIDENT INVESTIGATION AND ADJUDICATION PROCESS.....	43
Serious AVI investigations.....	43
Serious Incident Requiring Investigation (SIRI) .....	43
Less serious incident investigation.....	43

Capture of CCTV footage and IDR downloads .....	43
Suspension from driving duties .....	43
Assessment of driving.....	44
Reinstatement .....	44
Extended periods of absence from the driving role .....	44
Disqualification from holding a driving licence .....	45
Notice of Intended Prosecution (NIP).....	45
Reporting of previous incidents to insurers .....	46
Court proceedings.....	46
Poor driving standard reports / complaints.....	46
13.0 THE INTERNAL POINTS SYSTEM .....	47
Introduction.....	47
The Points Table .....	48
Internal Point Allocation Forms (IPAF) .....	48
Driver History Records.....	49
Driving progression within the Trust.....	49
Police interest.....	50
Monitoring AVI trends .....	50
IPS Driver Management Pathway .....	50
IPS Driver Management Pathway table .....	52
Appeal process against Internal Point Award .....	54
Expired Points .....	55
Links to other policies .....	55
Drivers IPS history and the Police.....	55
Information Requests by staff or management.....	55
Appendix 1 - VEHICLE INCIDENT REPORTING PATHWAY .....	56
Appendix 2 - MOTOR VEHICLE INTERNAL ACCIDENT REPORT FORM .....	56
Appendix 3 - VEHICLE INCIDENT INFORMATION CARD.....	56
Appendix 4 – INTERNAL POINT SYSTEM PATHWAY.....	56
Appendix 5 – DRIVING LICENCE CHECKS.....	57
Equality Impact Assessment Form Section One – Screening .....	59
Equality Impact Assessment Form Section Two – Full Assessment.....	59

## **Index for abbreviations**

ADSS	Assistant Director of Support Services
DSM	Driving Standards Manager
ADSM	Assistant Driving Standards Manager
SEM-D	Senior Education Manager - Driving
DEM	Driving Education Manager
MCL	Motor Claims Lead
HoF	Head of Fleet
DSD	Driving Standards Department
WBAD	Work Based Assessor - Driving
DCA	Dual Crewed Ambulance
EOC	Emergency Operational Control
SRV	Solo Response Vehicle
VDI	Vehicle Daily Inspection
HWC	Highway Code
AERDH	Ambulance Emergency Response Driver's Handbook
MVIARF	Motor Vehicle Internal Accident Report Form
OSD	Operational Support Desk
PALS	Patient Advisory Liaison Service
PAP	Private Ambulance Provider
IDRIS	Incident Data Recorders Information System
IRIS	Image Recording Information System (In vehicle CCTV)

## **EQUALITY STATEMENT**

The Trust is committed to promoting positive measures that eliminate all forms of unlawful or unfair discrimination on the grounds of age, marital status, disability, race, nationality, gender, religion, sexual orientation, gender reassignment, ethnic or national origin, beliefs, domestic circumstances, social and employment status, political affiliation or trade union membership, HIV status or any other basis not justified by law or relevant to the requirements of the post.

By committing to a policy encouraging equality of opportunity and diversity, the Trust values differences between members of the community and within its existing workforce, and actively seeks to benefit from their differing skills, knowledge, and experiences in order to provide an exemplary healthcare service. The Trust is committed to promoting equality and diversity best practice both within the workforce and in any other area where it has influence.

The Trust will therefore take every possible step to ensure that this procedure is applied fairly to all employees regardless of race, ethnic or national origin, colour or nationality; gender (including marital status); age; disability; sexual orientation; religion or belief; length of service, whether full or part-time or employed under a permanent or a fixed-term contract or any other irrelevant factor.

Where there are barriers to understanding; eg, an employee has difficulty in reading or writing or where English is not their first language, additional support will be put in place wherever necessary to ensure that the process to be followed is understood and that the employee is not disadvantaged at any stage in the procedure. Further information on the support available can be sought from the HR Department.

## 1.0 INTRODUCTION

The very nature of an Ambulance Trust leads the public to associate ambulance personnel with a high standard of driving skill and road behaviour. Trust personnel generally fulfil these expectations, however, there have been occasions where these standards have not been achieved. These higher expectations apply not just to the driver and their actions, but also to the behaviour and actions of those travelling as attendants or passengers. Any Trust vehicle involved in a collision results in disruption to the operation of the Trust, an unacceptable personal injury risk to employees and other road users, delay in responding to calls, considerable money and materials being wasted in repairing damage, unnecessary 'down time' whilst vehicles are being repaired as well as damage to the public's perception of the Ambulance Service and an increased insurance premium.

The purpose of this document is to draw attention to certain aspects of driving and vehicle care which will result in reduced accidents and lessen risk to patients, other road users and Trust personnel. Reference is made to the Ambulance Emergency Response Driver's Handbook (AERDH) and the Highway Code (HWC) in this document. Copies of these publications are available on the Trust intranet or on request. Staff have a responsibility to maintain a sound understanding of the relevant documents commensurate with their level of training and duties.

The vehicle you are driving or a passenger in gives others an insight into your professional standards and every effort should be made to ensure that you display a professional, polite and courteous behaviour at all times, especially when driving a marked SCAS vehicle.

It must be emphasised that if staff receive a **Notice of Intended Prosecution (NIP)**, or they receive **any points** to their licence they **MUST** inform their Manager immediately. This is a legal requirement and failure to comply could result in claims involving the individual being void and that individual becoming personally liable.

Throughout this document, the term 'Trust vehicle' refers to any vehicle owned, hired, leased or borrowed by the Trust and included in Trust motor insurance.

Trust vehicles engaged on normal non-emergency duties must, at all times, comply with all associated legislation and the Highway Code

As with the current Official Highway Code where the words **MUST** or **MUST NOT** are used within this document, they refer to a specific legal requirement. Failure to do so would mean the driver is committing a criminal offence or a deviation from Trust policy and would be open to prosecution or internal action, or both.

The wording **SHOULD** or **SHOULD NOT** and **DO** or **DO NOT** refers to advice to be followed to maintain the required standards. Failure to do so could be used to assist in determining accountability should an incident, collision or complaint occur.

Staff who fail to adhere to the required standards or are incapable of maintaining the required standard may be managed under the Disciplinary and Conduct / Capability Policies as appropriate.

**[IMPORTANT] All Trust employees should strive to display the highest standards of driving. Those employees who have received additional driver training must strive to apply their skills at all times to present a demeanour and behaviour that sets an exemplary example to others and gains the respect and co-operation of the general public.**

## **2.0 SCOPE**

The principles of this policy apply to all driving Trust personnel, this includes issued company car drivers. Certain sections or information within this policy will only be applicable to trained emergency drivers. The Trust also has a reasonable expectation that any staff driving for Trust business will drive safely and in full compliance with all associated rules and regulations and the Highway Code.

## **3.0 AUTHORISATION TO DRIVE SPECIFIC TRUST VEHICLES**

### **DVLA Licence entitlement**

Staff **MUST** hold the appropriate DVLA licence entitlement to drive any given vehicle within the Trust and also have successfully completed the appropriate level of training, assessment or familiarisation where stipulated by the Trust.

### **Internal authorisation to drive**

Only in exceptional circumstances, and with authorisation from the Trust, will a member of staff be permitted to drive a vehicle without completion of the appropriate training, assessment or familiarisation relevant to that particular vehicle. There will be no exemptions from road traffic law on these occasions. Persons using a Trust vehicle without authorisation are uninsured.

Frontline staff **MUST** gain 6 months continuous emergency driving experience in a DCA and be nominated by their direct line Manager before being eligible to be put forward for the Trust's SRV course. Prior to acceptance on this course the DSD would review any 'accountable' decisions entered against the member of staff with a view to deferring progression for staff who had attracted 4 or more points to their internal licence within the live 3 year period. This decision can be reviewed as the allocated points are removed and the 'live' level diminishes below 4. Staff attracting points to a level of 5 or more following completion of the SRV course would be considered for removal from SRV response work until such time as their point level decreases below 5. This decision is at the discretion of the DSM. (See Section 13.0)

### **Authorisation for sub contracted staff to drive under SCAS motor insurance**

The Trust may employ the services of sub-contractors to assist in frontline duties or support services on occasion. Prior to inclusion on Trust motor insurance these members of staff must have successfully completed a driving assessment undertaken by a Trust approved driving instructor.

### **Private Ambulance Providing (PAP) organisations working on behalf of SCAS**

The Trust may employ the services of selected PAP organisations on occasion. With regard to the driving qualifications required, SCAS will only accept the IHCD D1 D2 or FutureQuals equivalent qualification or pre-agreed equivalent, in consultation with the Trust's SEM-D and DSM.

## 4.0 LEGAL ASPECTS

**The driver is responsible in law**, for ensuring that the vehicle is in a roadworthy condition (See also Operational Policy and Procedure Opp. No 10. Shift Start and End, and Change Over Procedure)

### **Vehicle Daily Inspection (VDI)**

At the beginning of each shift or each time during shift a new vehicle is to be used, Trust drivers must check their vehicles to ensure they comply with the law. The following items form the VDI and **MUST** be checked: **BUGLAW**

- **B**odywork and number plates
- **U**nder bonnet checks
- **G**lass, mirrors and windscreen wash and wipers (condition and operation)
- **L**ights (condition, cleanliness and operation) including emergency lights where fitted
- **A**udible warning device (horn) including sirens where fitted
- **W**heels and tyres (including spare where present) Tread depth 1.6mm across the central  $\frac{3}{4}$  section of the tyre and around the entire circumference. Must be free from certain cuts and other defects (check correct fitting if directional tyres) Note; Frontline and other vehicles used for emergency response driving should have their tyres changed at 3mm because of the potential for additional expectations to be placed upon them. It is not permitted to VOR or refuse to use a response vehicle if the tyres are worn between 3mm and 1.6mm, but the driver should inform their line manager, supervisor and/or the fleet department or OSD, who will arrange for replacement at the earliest convenience. The correct tyre pressure should be checked and adjusted accordingly if required.

It is the driver's legal responsibility to ensure the above safety checks have been carried out at the start of shift and at any subsequent change of vehicle during shift prior to taking the vehicle on the highway.

Make Ready staff may have prepared a vehicle for the start of a shift, however, it still remains the driver's legal responsibility to ensure the relevant checks are made to the vehicle prior to its use.

### **Driving related Terrafix responsibilities (Frontline vehicles only)**

The VDI **MUST** be recorded as completed by the first driver on the shift via the vehicles Terrafix system, or the first driver following a vehicle change during shift.

When driver and attendant responsibilities are changed during shift, the staff member taking over the driving role **MUST** record this role change on the Terrafix system immediately. Should a driving offence come to light during shift, the DSD will interrogate the Terrafix system to identify the driver in accordance with the Trust's legal obligation to do so. This information will then be used to identify the driver to the Police. It is therefore essential that the initial log on and change over processes are followed rigidly by all frontline staff. It would be the responsibility of the named driver to defend themselves from prosecution if they wished to challenge the evidence provided by the Trust. The same process of identification will be employed when driving related complaints or issues are raised.

### **Spectacles/contact lenses**

Drivers who wear spectacles to correct their vision **should** carry, where available, a spare pair at all times.

Drivers who wear contact lenses to correct their vision **should** carry, where available, a spare set of lenses or pair of spectacles at all times.

### **Sunglasses**

If the driver elects to wear sunglasses whilst driving the onus is on them to ensure the glasses conform to the legal requirements to maintain clear vision, and allow sufficient light in to see properly. Some sunglasses sold for general use may not conform to the require standards for driving. The driver should check with their optician prior to driving in sunglasses if they have any concerns regarding the suitability of their sunglasses. As with any medical condition that affects driving, failure to manage the condition or take rectification actions, if required, renders the driver open to prosecution and potentially invalidates insurance. The wearing of unsuitable sunglasses is dangerous and could result in a developing or existing hazard not being readily seen.

### **Driving Licence checking**

In April 2014, following guidance from Trust motor insurers, the Trust commissioned a third-party supplier, Drivercheck, to undertake driving licence checks via a web portal. This decision was made by the Trust to recognise that manually checking licences is open to fraudulent licences being presented and potentially driving offences or time elapsed categories not being visible and therefore going un-noticed. This switch from the manual checking of licences also removes the onus to check licences correctly from untrained checking / management staff.

The driver is required to sign a mandate which allows the Trust (or an agent acting on its behalf) to contact the DVLA for information regarding their driving licence and eligibility to drive. The Trust reserves the right to contact the DVLA on a regular basis, but not less than annually to check on the validity of the driving licence and any possible endorsements. Failure to sign a mandate within a reasonable time may result in a suspension from driving duties until such time as a mandate has been signed and checked. Continued refusal to sign a mandate may result in disciplinary action being taken.

It is the individual's responsibility to ensure that their licence details are accurate and that the licence itself can be made available if requested. Individuals are legally required to inform the DVLA of any changes of name and/or address. It is an offence not to keep driving licence details up to date. The individual should also note that photo-card licences have a 10 year lifespan, and it is their responsibility to ensure that their licence not does lapse past this period as it is an offence for which the driver is liable. The expiry date is shown as 4b on the card section of the licence. The expiry of the photo does not prevent the driver from driving a Trust vehicle but once identified they must attend to the lapse without delay.

It is the individual's responsibility to ensure they notify their line manager immediately of any endorsements to their licence as described in section 1.0 above.

The DSD will receive information from Drivercheck to highlight any issues. These issues will be disseminated to the appropriate driver and their line manager without delay. Reports into the status of licences will be made available to the Strategic Health Safety and Risk Group.

Where a member of staff has 6 points or more on their licence then monitoring will become more frequent and where an individual has 9 or more points on their licence the DSD will undertake a risk assessment to identify the most appropriate support and / or action. Any accumulation of points above this total will be assessed on a case by case basis. Should a member of staff lose a necessary entitlement to carry out their job role, HR will be informed immediately. (See Appendix 6).

### **Fitness to drive**

It is the driver's responsibility to ensure they are fit to drive. If you are in any doubt as to your fitness to drive following being prescribed medication or taking 'over the counter' medication, or following a medical event, you **MUST** seek advice from your Doctor or pharmacist. Guidelines surrounding medical fitness to drive can be found within the current Highway Code and most recent DVLA Medical Guidance document ([www.dft.gov.uk/dvla/](http://www.dft.gov.uk/dvla/)) and from the Trust's occupational health provider. Failure to declare any medical reason that precludes the driver from operating a vehicle is likely to invalidate the Trust's motor insurance and render the vehicle uninsured whilst being driven by that person.

Drivers who are required to drive under emergency conditions will have undertaken the higher Group 2 medical fitness assessment (by the Trust's Occupational Health provider) in addition to the legal minimum standard.

The Secretary of State's Honorary Medical Advisory Panel on Diabetes and Driving has recommended that drivers with insulin treated diabetes should not drive emergency vehicles, however it is for the Trust to decide whether or how those recommendations should be interpreted for their own areas of interest, in knowledge of their specific circumstances. This should be undertaken in conjunction with the Trust's occupational health provider.

Any person who drives on behalf of the Trust, upon recruitment, must satisfy the Trust there are no medical restrictions on their driving licence.

Any employee or 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.

Employees 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 which precludes them from driving.

## Removal of driving licence category entitlements for medical reasons

Any removal of licence category entitlement will be dealt with on a case by case basis in consultation with the Trust motor insurers, Occupational Health, DVLA guidelines, DSD and HR.

## Speed limits for specific vehicles

### SPEED LIMITS APPLICABLE TO TRUST VEHICLES WHILST UNDER NORMAL DRIVING CONDITIONS

Vehicle	Built up area MPH	Single Carriageways MPH	Dual Carriageways MPH	Motorway MPH
Cars/motorcycles Car derived vans up to 2t (B category)	30	60	70	70
DCA (C1 category)	30	<b>50</b>	<b>60</b>	70
Decon / HART / CBRN trucks under 7.5t (C1 category)	30	<b>50</b>	<b>60</b>	70
Mobile Control Vehicles (C1 category)	30	<b>50</b>	<b>60</b>	70
All PTS minibuses and any van over 2t (C1 category)	30	<b>50</b>	<b>60</b>	70
Recovery truck (C category)	30	<b>40</b>	<b>50</b>	60
Any B or C1 vehicle towing a trailer	30	<b>50</b>	<b>60</b>	60

The above table details the maximum speed limit for Trust vehicles. They apply to all roads unless signs show otherwise and the lower speed limit will always apply. See also 'Speed limited vehicles' within Section 5.

Trust vehicles **MUST**, at all times, be driven at a speed compatible with safety, passenger comfort and with reasonable consideration for other road users. Trust drivers are governed by the same regulations as other drivers using the road and it is only when engaged on emergency calls allocated by EOC that the legal exemption from statutory speed limits can be claimed when and where safe to do so (see advisory limit table on page 17).

### **Mobile communications equipment**

SCAS staff have an exemption in law relating to the use of 'fixed in-vehicle radios'. Whenever possible the attendant should be tasked with communications. Where this is not possible the driver **MUST** ensure messages are short and succinct and **MUST NOT** affect the driver's control the vehicle.

This exemption, as with all exemptions **MUST** be carried out when safe to do so, and as the driver has elected to act outside of the normal behaviour required on the road, the driver **MUST** be able to justify not only that the use of the equipment was necessary but also that it was done so safely.

Should an incident occur whilst the driver was engaged in the use of the 'fixed, invehicle radio' they are likely to be open to prosecution under the appropriate section of Road Traffic Act.

There is no such exemption granted to the use of hand held communication devices (walkie talkies etc).

### **Mobile telephones**

The Road Traffic Act 1988 (section 41D) states the following regarding the use of mobile telephones;

*No person shall drive or cause or permit to be driven a motor vehicle on a road if the driver is using :-*

- *a hand-held mobile telephone, or*
- *a hand-held device, other than a two-way radio, which performs an interactive communication function by transmitting and receiving data (including sending or receiving voice or text messages, fax, pictures and videos and internet use).*

### **Exceptions**

- *to call the emergency services on 999 or 112 in response to a genuine emergency if it is unsafe or impracticable to stop driving,*
- *two way radios (dual use devices which can also operate on mobile telephone frequencies are not exempt even when being used as a two way radio).*

A phone or other device mounted in a cradle is permitted providing it can be operated without holding it (the driver can still operate the buttons without holding device), however if the driver is distracted when operating the device the following offences may be considered – failing to have or maintain proper control of the vehicle or careless/dangerous driving.

**'Road'** can include verges and lay-bys.

**'Driving'** can include when the vehicle is stationary.

**The Trust insists that the above is adhered to and in addition offers the following advice:**

**Hand held mobile telephones.** The vehicle is to be parked in an appropriate place, the engine switched off and ignition keys removed before the device can be used for any purpose other than to call the emergency services on 999 or 112 in response to a genuine emergency if it is unsafe or impracticable to stop driving

**Hands free mobile telephones.** Whilst the Trust provides and installs hands free car kits for many of its vehicles, the use of these devices by the driver **MUST ONLY** occur when safe to do so and be kept to an absolute minimum. They **MUST NOT** be used at any point whilst driving if they distract the driver. Records relating to the use of the equipment prior to a road traffic collision or reported incident are likely to be investigated internally and possibly by the Police. If usage is confirmed the appropriate action and / or charges considered.

The Trust may consider any breaches of the above standpoint as serious misconduct, which may lead to disciplinary action.

#### **Entertainment radio**

Where fitted, the entertainment radio may be used when engaged on non-emergency driving. It **MUST NOT** be used at a level that could prevent the driver from absorbing information around them. It **MUST NOT** be used during emergency driving.

### **5.0 NON-EMERGENCY STAFF DRIVING PROCEDURES**

#### **(Non-Emergency Patient Transport Service (NEPTS) and all other nonemergency driver trained staff)**

##### **General**

SCAS does not permit non-emergency personnel to claim the Road Traffic Regulations exemptions afforded to Emergency vehicles. Operational NEPTS drivers may claim the 'stopping' or 'parking' exemptions listed in the AERDH. If these are claimed the driver must do so safely and there must be no legal stopping / parking alternative available to the same effect. The Highway Code and Road Traffic Regulations for normal road use **MUST BE** complied with at all other times. If nonemergency personnel have been diverted by Ambulance Emergency Operations Centre (EOC) to assist at an emergency incident they must adhere to normal driving conditions throughout.

##### **Speed limited vehicles**

When a Trust vehicle has a speed limited engine, it **MUST NOT** be driven in the right hand lane of a motorway with three or more lanes unless there are road works or other diversionary instruction permitting it. Limited vehicles will normally have a sticker advising the driver of its restriction, where limited, this would normally either be to 62mph (100kph) or 56mph (90kph) depending on the vehicle type.

## **Bus Lanes**

The only exemption NEPTS vehicles are permitted to claim relates to the use of the bus lanes and would normally only be claimed should any of their passengers' condition deteriorate and not to claim the exemption may have a detrimental effect on the well-being of the patient.

There may be localised differences regarding this subject and therefore advice should be sought.

## **Doctors Co-operative Vehicles**

**NO EXEMPTIONS** are afforded to any driver using any of the Drs Co-operative vehicles under any circumstances, even where green visual warning lights are fitted. There are **NO EXEMPTIONS** provided whilst using these devices. If used, there is a distinct probability that the driver would be contravening the Road Traffic Law and be liable to prosecution in addition to the possibility of internal disciplinary actions.

## **Voluntary Ambulance Car drivers**

No exemptions are afforded to Voluntary Ambulance Car drivers. It is the responsibility of the Divisional PTS scheme Manager to ensure that the legal requirements are met by these volunteers relating to their vehicle, licence, insurance and conduct whilst carrying out SCAS appointed journeys. The DSD will investigate and record any upheld complaints or observations regarding these drivers on the Trust's accident database. Should any driver within this scheme accumulate a number of points they may be removed from the scheme following consultation at the Driver Risk Review Group (DRRG).

## **Community First Responders (CFR)**

No exemptions are afforded to CFR's, whether driving their own vehicle or one owned and operated by the Trust or a community scheme. The purpose of a community based scheme is to allow appropriately trained members of the public to respond to certain clinical calls within their local area. This negates the need to act outside of the normal rules and regulations in force for all road users whilst responding. There is absolutely no dispensation of excessive use of speed, crossing red traffic signals or dangerous parking for example. Any breach of normal road traffic law or associated regulations would be investigated at the appropriate level and reported to the DSD. The Trust is extremely unlikely to support any CFR acting outside of normal driving rules and regulations should a prosecution be sought by the authorities following such an event. Where authorised by SCAS, and only under in exceptional circumstances, is the fitting and use of an amber light-bar permitted. These units are to be hard wired to only operate / illuminate when the vehicle is stationary and the handbrake is activated. They **MUST NOT** be used whilst mobile. Application for such equipment must be made to the CFR Management and the DSD.

Any livery or signage displayed to CFR vehicles must be approved by CFR Management and the DSD.

### **Other qualified persons driving SCAS frontline vehicles**

The following advice has been disseminated to clarify who is permitted, authorised and insured to drive SCAS front line vehicles from scene to hospital following attendance at certain medical emergencies.

### **Neighbouring qualified frontline NHS staff**

The vast majority of NHS Ambulance Service Trust vehicles are covered by motor insurance provided by the same insurer, QBE. These policies are also subject to predominantly the same terms and conditions and in addition to this assurance, all NHS frontline staff hold the IHCD D1 D2 driving qualification or Future Qualls equivalent and are therefore qualified to drive.

SCAS permits other qualified front line NHS ambulance staff to drive our vehicles should the situation leave no other reasonable option and the patient's condition could be adversely effected were they not to do so. The following criteria must have been met to the satisfaction of the senior most SCAS person on scene at the time, or as instructed by EOC;

- i) the member of staff being asked to drive the vehicle holds the appropriate licence (verbal confirmation required)
- ii) the member of staff being asked to drive holds the appropriate qualification within their Trust to drive under the conditions required, normal or emergency (verbal confirmation required)
- iii) the member of staff being asked to drive the vehicle is familiar with the vehicle controls and happy to assist as requested (verbal confirmation required)
- iv) the patient outcome is likely to be adversely affected if they are not transported to a place of definitive care without delay
- v) emergency driving conditions may be employed providing the patient's condition requires this action
- vi) normal driving conditions must be employed for all other journeys

Only the patient carrying vehicle can claim emergency driving exemptions from scene to the required destination. Any vehicles that are not engaged in emergency patient movement must be driven to chosen destination under normal driving conditions and the original crews repatriated with their vehicles.

### **Private Ambulance Providers / HEMS**

Should the situation arise where it would be operationally beneficial for a Private Ambulance Provider staff member to drive a SCAS vehicle from scene to hospital in order to allow essential patient care from more senior clinicians in attendance, this can only be permitted providing the following criteria has been satisfied;

- i) the member of staff being asked to drive the vehicle holds the appropriate C1 licence (verbal confirmation required)
- ii) the member of staff being asked to drive attained their IHCD D1 D2 or equivalent qualification in a C1 vehicle (verbal confirmation required)
- iii) the member of staff being asked to drive the vehicle is familiar with the vehicle controls and happy to assist as requested (verbal confirmation required)
- iv) the patient outcome is likely to be adversely affected if they are not transported to a place of definitive care without delay

- v) emergency driving conditions may be employed providing the patient's condition requires this action
- vi) normal driving conditions must be employed for all other journeys

### **Police Officers**

Should it be operationally advantageous for a Police Officer to drive a Trust DCA from scene to hospital in order to allow essential patient care, and they are willing to assist in this activity, the following checks must be made;

- i) the Officer holds the appropriate licence (verbal confirmation required) ii) the Officer has cleared the action with their control centre
- iii) the Officer being asked to drive the vehicle is familiar with the vehicle controls and are happy to assist as requested (verbal confirmation required)
- iv) the patient outcome is likely to be adversely affected if they are not transported to a place of definitive care without delay.

**[IMPORTANT] Where the above has been confirmed, normal driving conditions will apply, no emergency driving conditions are permitted for these journeys.**

### **St John (SJA) and British Red Cross (BRC)**

Should it be operationally advantageous for a member of SJA or BRC to drive a Trust DCA from scene to hospital in order to allow essential patient care, or vehicle repatriation, and they are willing to assist in this activity, the following checks must be made prior to the journey;

- i) the person holds the appropriate licence (verbal confirmation required). *Note, SJA staff should be carrying their organisations internal driving permit which can be accepted as confirmation as to whether they hold the C1 entitlement required to drive a SCAS DCA*
- ii) SCAS staff MUST inform EOC of the decisions made at scene regarding SJA or BRC staff driving a SCAS vehicle
- iii) the person has cleared the action with their control centre, if appropriate
- iv) the member of staff being asked to drive the vehicle is familiar with the vehicle controls and are happy to assist as requested (verbal confirmation required)
- v) the member of staff being asked to drive holds the appropriate entitlement within their organisation to drive a vehicle of this type
- vi) the patient outcome is likely to be adversely affected if they are not transported to a place of definitive care without delay

**[IMPORTANT] Where the above has been confirmed, normal driving conditions will apply, no emergency driving conditions are permitted for these journeys.**

### **SCAS / Military Responder Scheme**

Scheme members may be asked to drive an SRV from scene to hospital in order to repatriate the vehicle with the clinician who has travelled with the patient if operationally beneficial.

**[IMPORTANT]** Normal driving conditions apply, no emergency driving conditions are necessary or permitted for these journeys. Absolutely no emergency driving from scene to a definitive place of care is authorised or permitted other than by the patient carrying vehicle.

### **REMEMBER**

**[IMPORTANT]** *You are in a privileged position when driving to or from emergencies and can rightfully be held accountable under the Law for your actions. Never abuse the exemptions. The fact that you may be responding to an emergency call does not mean that there is an automatic right to claim an exemption. YOU, the driver, must always be able to justify the need for the exemption and the manner in which it was claimed, possibly in Court of Law.*

## **6.0 EMERGENCY DRIVING EXEMPTIONS**

### **Speed limits/ emergency driving**

The driver of an emergency response 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. 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. Doctors and surgeons have commented on **the harm that ambulance staff have caused to casualties by an unsympathetic ride to hospital**, quite apart from the inevitable inability of the attendant to give proper treatment during the journey. The ambulance should always be driven at a speed compatible with the patient's condition.

**[IMPORTANT]** *Safety must always be the over-riding priority of the driver and the safest speed for the existing circumstances must be applied at all times. The vehicle must be driven at a speed whereby the driver can accurately assess, plan and deal with all existing and developing hazards safely. It must also be used to allow others time to react to your approach and presence in a calm and considered manner.*

### **Speed limits (Road Traffic Regulations Act 1984, Section 87)**

***'No statutory provision imposing a speed limit on motor vehicles shall apply to any vehicle on an occasion when it is being used for Fire Brigade, Ambulance or Police purposes if the observance of that provision will be likely to hinder the use of that vehicle for the purpose for which it is being used on that occasion.'***

Whilst exemption from statutory speed limits exist whilst 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 student and 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.

The various Police Authorities covering SCAS are within their rights under certain circumstances to view excessive use of speed as dangerous driving and allocate the appropriate proceedings against the driver.

**[IMPORTANT] You, the driver, must be able to justify the speed and manner in which you chose to drive the vehicle at all times, possibly in a court of law.**

South Central Ambulance Service staff **SHOULD** comply with the following absolute limits whilst driving. These standards apply to all vehicles including, front line Ambulances, Solo Response vehicles and responding Managers cars –

<b>Vehicle category statutory speed limit</b>	<b>SCAS advisory limit</b>
<b>20mph</b>	<b>30mph</b>
<b>30mph</b>	<b>45mph</b>
<b>40mph</b>	<b>60mph</b>
<b>50mph</b>	<b>75mph</b>
<b>60mph</b>	<b>90mph</b>
<b>70mph</b>	<b>105mph</b>

**[IMPORTANT] THE TRUST DOES NOT REQUIRE OR ENCOURAGE STAFF TO USE SPEEDS ABOVE THIS GUIDANCE AND THE DRIVER TAKES ON A MASSIVELY INCREASED PERSONAL RESPONSIBILITY IF ELECTING TO DISREGARD THIS ADVICE.**

These speeds **MUST** be regarded as absolute limits and are dependent on all other road, traffic, weather and visibility conditions having been fully assessed and being in the drivers favour.

Whilst an exemption from adhering to speed limits exists when engaged on emergency driving, there still remains a statutory requirement to maintain safety margins at all times, under no circumstances can an Ambulance Service vehicle be driven at a speed or in a manner which would amount to driving dangerously or carelessly.

Where instances come to light that indicate a vehicle has been driven at over the Trust's guidance regarding maximum speeds it may be investigated by the DSD.

Riders of Emergency Response Motorcycles must comply with the training / instruction provided during their Emergency Response Motorcycle Course and **SHOULD** adhere to the Trust guidelines regarding the use of speed under emergency conditions.

**[IMPORTANT] You must be able to stop your vehicle, at any given time, in the distance you can see to be clear on your own side of the road. No emergency is so great that it justifies an accident. It is far better to arrive late than not at all.**

## Traffic control signals

### ***Traffic Signals (Traffic Sign Regulations and General Directions 1994, Regulation 33 (1(b))***

***'When a vehicle is being used for fire brigade, ambulance, bomb or explosive disposal, national blood service or police purposes and the observance of the prohibition would be likely to hinder the use of that vehicle for the purpose for which it is being used, the requirement instead shall be that the vehicle shall not proceed in a manner or at a time likely to endanger any person, and in the case of a red light to cause the driver of any vehicle proceeding in accordance with the signals at the junction to change its speed or course in order to avoid an accident.'***

The phrase ***'treat a red traffic signal as a give way'*** means exactly that. There is no exemption whatsoever from a 'give way' afforded to emergency service vehicles. The general public are advised to assist emergency service vehicles, whilst engaged on an emergency call, to react and allow the safe passage of the emergency service vehicle. The over-riding responsibility for safety rests with the emergency service driver at all times.

When approaching a red traffic signal it **MUST** be treated as a 'GIVE WAY' sign and no attempt should be made to proceed unless the driver is certain the way is clear. On the approach to the red traffic signal consideration should be given to use of the audible warning devices, if they are not already activated. These devices are to alert other road users of your presence and do not give any *'right of way'* to your vehicle. Only when you, the driver, are absolutely certain that you have been observed by all the other road users and they have reacted in the appropriate / required manner can you proceed safely onto the junction. Progress onto and through the junction with extreme caution and at a speed appropriate to the prevailing road, traffic and weather conditions.

**Under no circumstances should the vehicle's audible warning devices be used to intimidate or force members of the public over the stop line at a red traffic signal. If the vehicles in front at the stop line have nowhere to go in order to assist you with progress you should turn the audible warning devices off and position your vehicle an appropriate distance behind so as not to force vehicles over the stop line. Audible warnings should be reactivated once the obstruction clears. Any emergency drivers who could be considered to have 'forced' members of the public to commit an offence could be open to prosecution.**

If the 'keep left' exemption is available as the most appropriate option audible warning devices are to remain active throughout approach and negotiation of the junction and indicators are to be used to inform others using the junction of the intended route of the vehicle.

**[IMPORTANT]** In order to comply with the above guidance, your approach speed to any red traffic signal **MUST** be reduced accordingly until you can be absolutely certain it is safe to enter the junction and that you will not cause danger or alarm to anyone else using the junction. If you are uncertain that you can enter safely, **STOP**.

## **Temporary traffic signals and Pedestrian crossings**

**Temporary traffic signals** - these have exactly the same legal standing as fixed traffic signals. You must be absolutely certain that you are able to negotiate the hazard without causing danger to any other road user. Whilst operatives at roadworks may be signalling you through, it is you the driver who must be satisfied it is safe to proceed.

### **Pedestrian crossings**

Owing to the nature and use of these crossings extreme caution **MUST** be exercised at all times on the approach and negotiation of these crossings. You **MUST NOT** proceed until you are completely satisfied that any pedestrians have observed your approach and you have elicited the appropriate response, enabling you to negotiate the hazard safely.

**[IMPORTANT]** You, the driver, **MUST** at all times be in a position to give way to the legal precedence of other road users.

### **Refuges - Passing on the offside (keep left/right signs)**

There are occasions when because of traffic or an obstruction, it becomes necessary for a Trust vehicle to pass on the offside of a refuge to avoid delay when engaged **on an emergency drive**. In these circumstances, the greatest care **MUST BE** exercised; the onus for ensuring that there is no possibility of a collision or of causing harm rests with the driver.

### **Use of bus lanes**

Road Traffic Law permits Ambulance Service vehicles to use bus lanes when engaged upon emergency calls only. It is at the discretion of the local council, and by written agreement that local bus lanes can be used for any other journey by Ambulance vehicles. Each SCAS Division must advise staff of any local agreements of this nature. If you are not sure, do not use the bus lane.

Drivers exercising this exemption **MUST** comply with the direction of bus flow lane at all times. If claimed, extreme caution **MUST** be applied on entering and / or leaving.

### **Clearways**

Trust vehicles are permitted to stop and park on clearways subject to it being necessary to carry out essential duties that could not be done if the vehicle were to be parked elsewhere.

It **MUST** be remembered that no driver is exempt from leaving the vehicle in a dangerous position and it is the responsibility of the driver to ensure that the vehicle is not left in such a manner, position or circumstances as would be likely to present a danger to other road users.

All precautionary means (e.g. blue lights, rear red flashing lights, flashing beacons or hazard warning lights) should be considered when stopping in potentially hazardous situations.

### **Parking within restricted areas surrounding pedestrian crossings (Zebra, Pelican, Puffin and Toucan)**

When attending scene Ambulance vehicles are permitted to park within the controlled area and on the crossing; subject to the vehicle not remaining longer than is necessary and/or it could not be parked as effectively elsewhere.

This exemption is to allow ambulance personnel to deal with an emergency and would not be justified for routine non-emergency duties. Justification **MUST** be absolute, as dangerous parking could be a strong consideration in these instances.

### **Double White / Double Yellow lines**

Parking at or near to double white or yellow lines is permitted at scene subject to the previous clause.

### **Floodlights**

White lights, other than reversing lights, are allowed and can be used whilst stationary, to illuminate an incident. These lights **MUST** be extinguished when mobile.

Side white lights may be used whilst moving slowly to assist in identifying an address at night providing it does not distract or affect other road users.

### **Stopping the engine whilst parked**

Stopping the engine whilst stationary is not necessary if there are good grounds for not doing so. This should only take place where the crew is working in close proximity to the vehicle. See also Run lock in section 9.0 Vehicle Security.

### **Exemptions continued**

- Parking on the offside of the road at night
- Parking on footway/verge/central reservation
- Using audible warnings at night
- Entering a pedestrian precinct
- Motorway regulations

## **Non-Exemptions**

There are no other exemptions for the driver of an Emergency vehicle except for those described and listed above, even when responding to an emergency call. The list below are examples of actions where a legal exemption does not exist:

- Careless Driving
- Crossing or straddling a solid white line nearest to you in the centre of the road (other than those occasions listed in the Highway Code rule 129)
- Dangerous Driving
- Reckless Driving
- Dangerous parking
- Driving without wearing a seat belt (see also 'wearing of seat belts' section)
- Using a mobile phone (or similar device) whilst driving or in control of a vehicle
- Failing to obey traffic lights controlling a railway crossing or fire station
- Failing to obey a 'STOP' or 'GIVE WAY' sign. Note: Unless instructed to by a police officer or traffic warden in uniform.
- Failing to obey a "NO ENTRY" sign. Note: Unless instructed to by a police officer or traffic warden in uniform.
- Failing to obey a "ONE WAY TRAFFIC" sign
- Failing to stop if involved in a road traffic incident

## **No Left / No Right Turn and No U Turn signage**

The Ambulance Service has no exemption from any of the above restriction. Where a negative order sign is in place to enforce this restriction, it MUST be adhered to.

**[IMPORTANT] KNOW YOUR EXEMPTIONS – EVERYTHING ELSE IS A NON EXEMPTION.**

**WHEN CONSIDERING CLAIMING AN EXEMPTION ASK YOURSELF IS IT NECESSARY AND IS IT SAFE**

## **7.0 USE OF AUDIBLE AND VISUAL WARNINGS**

**Emergency Visual Warning devices must be used when allocated to an emergency response and Audible Warning devices, where appropriate and at the driver's discretion, must be used when driving under these conditions. Any misuse of these devices is likely to be treated as misconduct.**

**ACTIVATION AND USE OF THE EMERGENCY VISUAL AND AUDIBLE DEVICES WHEN ENGAGED ON EMERGENCY DRIVES MUST BE SEEN AS A 'REQUEST' TO OTHER ROAD USERS TO ASSIST YOU WITH YOUR PROGRESS. SHOULD THIS REQUEST NOT BE RESPONDED TO, EITHER INTENTIONALLY OR UNINTENTIONALLY, YOU MUST HOLD BACK AND RE-ASSESS YOUR DRIVING PLAN.**

## **[IMPORTANT] UNAUTHORISED OR INAPPROPRIATE USE OF AUDIBLE AND / OR VISUAL WARNING DEVICES WILL BE TREATED AS MISCONDUCT**

### **General**

At the commencement of each shift (duty) the audible and visual warning devices **MUST** be checked in conjunction with the vehicle daily inspection (VDI).

It is the driver who holds full responsibility for the use of the emergency warning devices.

Visual warnings (blue lights) and alternate flashing headlights (wig-wags) are provided to assist the vehicle in achieving maximum progress when responding to emergency calls or when conveying a patient to hospital, and the audible warning should be used at the driver's discretion. The blue lights may be left on at scene if required to protect scene and alert other road users of the potential hazard if considered to be necessary.

Wig-wags would not normally operate when the vehicles dipped beam headlights are on, on some older vehicles this may not be the case and in these instances they are not to be used in the periods where headlights are required, as their use is likely to be confusing to the general public and could very well be seen as an invitation to pull out in front of the approaching vehicle. **[IMPORTANT] The manual flashing of the headlights MUST not be used during emergency driving, day or night.**

The use of audible warnings at night (23:30-07:00) is only permitted in built up areas, if the driver deems it to be beneficial or essential to the safety of the vehicle and surrounding road users.

**[IMPORTANT] The 'bull horn, where fitted, MUST NOT be used as it is viewed as aggressive and intimidating. The other siren tones should be used on the approach and negotiation of hazards, coupled with appropriate speed, positioning and sound driving plans for the situation.**

Some Trust vehicles are fitted with alternate flashing rear facing red lights, these are to be used to make the vehicle as conspicuous as possible when stationary at scene and **MUST NOT** be used at any other time. Where fitted, rear facing or side facing white 'scene lights' can be illuminated when dealing with the scene but **MUST** be extinguished when mobile.

The audible and visual warnings are not to be used when returning to a base or standby point or engaged in an urgent/non urgent journey unless the patient's condition deteriorates. If this is the case, and audible and visual warnings are used, the crew must inform/advise EOC. This can be done retrospectively having arrived at hospital if required, this decision would be determined by the patient's condition.

The rear facing blue (and red where fitted) lights and hazard lamps should be kept on as a protection whilst stationary at the incident if beneficial and providing they do not adversely affect oncoming traffic (see note below).

Front facing emergency lighting should be extinguished once parked at scene as it can cause unnecessary problems and distractions to drivers on the opposing carriageway. At the scene of a Major Incident please refer to the Trust's policy regarding this subject.

*Note: When dealing with a motorway incident, where the incident is adequately protected by Police, Fire and Rescue or Highways Agency vehicles and/or cones, all the visual warnings are to be switched off. At all motorway incidents front facing blue lights and flashing headlights MUST be extinguished to avoid causing distractions or issues to the opposing carriageway.*

**[IMPORTANT] These devices are to protect you and all other road users. Never assume you can be seen or heard, it is essential to control your speed whilst using warning devices and ensure you have gained appropriate reactions from others affected by your presence and passage.**

### **Following other emergency vehicles whilst engaged on emergency response**

SCAS does not carry out any training in 'escort' or 'convoy' driving and as a result staff should not carry this practice out. There may be occasions where a SCAS vehicle responding to an emergency call travels on the same route and in close proximity to another emergency vehicle also responding under emergency conditions.

If this situation does occur the following vehicle **MUST** increase their distance from the vehicle in front and change the audible warning tone so not to coincide with the lead vehicle. It is appreciated that you may not be able to hear the tone being used by the lead vehicle and it is therefore recommended that you alternate tones on a regular basis. It is important to remember that the public may not recognise that there is more than one vehicle responding to an emergency in their vicinity. Both drivers must be aware of the possibility of the onset of 'red mist' or any elements of competitive driving entering their thoughts whilst engaged on the drive - these **MUST** be avoided at all costs.

The advantages and safety benefits of greatly increasing the distance between emergency vehicles engaged on emergency calls far out-way the minimal amount of time that would be sacrificed regarding arrival at scene.

### **Hazardous Area Response Team (HART) emergency response**

Consideration has been given to the fact that HART vehicles will often be dispatched as a multi-vehicle response and as such every effort must be made by those driving to avoid travelling in close proximity to each other en route. Whenever possible, and if dispatched together, every effort should be made to allow HART SRV to leave base before the larger response vehicles.

### **Emergency escorts by SCAS / BASICS vehicles**

SCAS does not permit any emergency escorts for DCAs. Should the driver of the SRV's clinical skills be required then they must travel in the DCA with the patient. If possible additional SCAS staff at scene may then drive the SRV to the DCAs destination to repatriate it with its original driver. This journey **MUST** be carried out **under normal driving conditions.**

### **Transportation of a friend or relative with patient**

If appropriate, a friend or relative of the patient may be transported from scene to hospital in a Trust vehicle. This decision will be made at scene by the lead clinician. If the decision is made to transport a friend or relative in an additional attending Trust vehicle, it **MUST** be done so under normal driving conditions.

### **Police escorts from scene**

Following consultation with both Hampshire Constabulary and Thames Valley Police, the Trust has made the decision that its staff will no longer request Police emergency driving escorts for any of its vehicles. This decision has been reached having considered the following factors:

- neither parties are trained in its execution
- relative infrequency of the need to request this activity
- dangers of multiple emergency vehicles travelling together
- the increase in visibility and size of modern DCAs
- the increase in effectiveness of both visual and audible warning devices on modern DCAs

### **Escort by site staff at larger establishments**

When responding to emergency calls at some larger establishments (e.g. airports, ports HM Naval Base Portsmouth and AWE Aldermaston) the establishment may provide advice surrounding any specific lighting requirements whilst under their jurisdiction. A guide or 'pathfinder' may also be provided to assist with the route to scene. They should be followed at a safe distance and caution must be applied. Upon returning to the public highway the guide **MUST NOT** be used as an escort.

### **[IMPORTANT] REMEMBER**

**When using blue lights and audible warnings you remain responsible under Road Traffic Law for your acts or omissions. The fact that you were responding to an emergency or major incident will not be a defence in law.**

## **8.0 GENERAL GUIDANCE**

### **Smoking**

It is forbidden to smoke inside any Trust vehicle or within close vicinity. It does not portray a professional image and there is a serious risk of explosion due to the close proximity of medical gases. This includes e-devices.

See Trust Policy on Smoking

### **Distractions whilst driving**

It is the responsibility of the driver to ensure that any in-vehicle distractions are kept to an absolute minimum whilst behind the wheel. This responsibility becomes even greater whilst driving under emergency conditions. The entertainment radio **MUST NOT** be on whilst driving under these conditions.

### **Reversing**

**It should be noted that a huge amount of Trust monies are spent each year repairing avoidable damage to its vehicles inflicted whilst travelling in reverse.**

By following a few simple rules, this type of incident can be avoided. Problems whilst reversing are almost always related to a lack of concentration, a lack of awareness of the immediate surroundings or a combination of both.

### **Reversing / Double manned vehicles**

Prior to reversing, the driver and attendant/passenger must agree a safe path for the vehicle to take. The attendant/passenger should act as guide where ever possible, and the vehicle is not to be reversed until he/she has checked that the area into which the vehicle is to travel is clear. He/she is then to stand in the position from which they can best be seen and heard by the driver in their nearside mirror. Verbal instructions alone are inadequate as they may be drowned by the vehicle engine or other noise. When the attendant's/passenger's view is restricted from the front or side of the vehicle, he/she should take up a position towards the rear of the vehicle, eye contact must be maintained between the driver and attendant / passenger. The attendant must not position themselves between the reversing vehicle and a static object (wall, post etc). Where the attendant is working with the patient and cannot assist, the driver should continue single manned and should attempt to elicit assistance from any available and appropriate person at scene.

With regards to reversing incidents where damage or injury has resulted and the driver is deemed accountable, if the attendant was not engaged as a banksman and was not engaged in any other more important activities then they may be awarded a point(s) for their omissions in addition to the driver's award.

Reversing cameras are an addition to the DCA fleet, they **MUST NOT** be relied upon in isolation but are to be used as an aid to the driver. Should a collision occur whilst reversing, the camera, or faults within its functionality and cannot be sited as an excuse.

### **Reversing / Single manned vehicles**

The driver should take the opportunity to fully assess the space to be reversed into when approaching / passing it. The vehicle is not to be reversed until the driver is satisfied that the way is clear and sufficient space exists for the manoeuvre to be completed safely. Even then, particular care is to be taken in case a person approaches unseen behind the vehicle. On ambulance stations and hospital premises, other members of the Ambulance Trust are often about. There should be no hesitation in calling on them, or other responsible persons, to assist in a tight or restricted situation. A little extra care is a small price to pay for a clear conscience and an undamaged vehicle. Any driver who does not obtain assistance when they could reasonably do so, will be held responsible for any subsequent incident which occurs.

It should be noted that all reversing manoeuvres must be carried out at very low speeds and, where fitted, the reversing alarm should be used. On the majority of road surfaces, tick-over is sufficient to carry out most manoeuvres allowing the right foot to cover the footbrake.

Hand signals within the AERDH **MUST BE** used by staff who have received the training to do so.

## **Re-fuelling**

Attention is drawn to the hazards involved in over-filling fuel tanks. A rise in temperature or a change in gradient could cause spillage, creating a reduced grip on the surface area of the spill and a fire hazard. Care must be taken when re-fuelling not to overfill the tank. Disposable gloves should be worn in the interest of Health and Safety of employees.

Each year there are incidents of vehicles being incorrectly re-fuelled. Should an error of this nature occur, staff should not start the engine as this will seriously compound any damage caused and could ultimately result in irreparable damage to the engine. They must then contact their respective control centre to arrange recovery and the person who fuelled the vehicle must complete and submit an internal accident report form (see section 11.0).

An award will be allocated to the individual's Trust driving licence for each occurrence of an incorrect refuelling incident. 1 point will be awarded from the Trust's internal point system (see Section 13.0) for incidents of incorrect refuelling where the engine has not been started. 2 points will be awarded for incidents where the engine has been started and the vehicle has been driven.

Every effort should be made to ensure frontline, PTS and on-call vehicles are refuelled at the earliest opportunity when the fuel level falls below  $\frac{1}{2}$  a tank. During normal operational use, vehicles should be refuelled towards the end of the shift. This will ensure the Trust is prepared to respond to any major incidents or high operational demands without the need to first refuel. In the case of frontline vehicles this practice is of obvious importance due to the permanent role, demands and availability required of these vehicles at all times.

## **Wearing of seat belts**

Drivers and all passengers in Trust vehicles are required by law to wear front seat belts if fitted and suitable. In cars and Ambulances, rear seat belts must be worn if fitted.

The law for wearing seatbelts for ambulances purposes has recently been amended (March 2015) to permit removal of a seat belt for ambulance personnel, travelling in the rear of the ambulance, to administer a medical or health intervention if the nature of such treatment or the medical situation of the patient dictates that it cannot be delayed.

This seat belt exemption is not extended to passengers in SRV's.

Frontline staff who make the decision to remove their seat belt during a journey must be able to justify their decision if required.

The decision to remove a seatbelt to facilitate clinical management or to deal with some other matter that poses a serious and imminent danger, is the responsibility of the individual following a dynamic risk assessment.

The decision to remove the seatbelt in a moving vehicle will be made after considering the appropriateness of asking the driver to stop first.

If the decision is made to remove a seatbelt, your lack of restraint must be communicated to the driver who must consider this fact when creating and delivering their driving plans.

On being made aware of the clinician (or other) being unrestrained in the rear of the ambulance, the driver must adapt their driving to accommodate an unrestrained passenger, until they are informed that all passengers are once more restrained. This will often require adjustment to vehicle positioning and a reduction in speed, but any anticipated significant changes in acceleration, braking or direction must be communicated to the unrestrained passenger in plenty of time. This communication to the unrestrained passenger does not absolve the driver from having to make the necessary adjustments to their driving.

Whilst unrestrained and where appropriate, staff must make full use of available handrails or consider lowering their centre of gravity to increase personal stability.

When active clinical or other patient related management necessitating the removal of a seatbelt is complete, the seatbelt **MUST** be reapplied to reduce the risk of injury as soon as possible.

Additional circumstances where a seatbelt is not legally required to be worn are very rare and would only be from the following list:

- If you are driving a vehicle and are carrying out a manoeuvre which includes reversing
- If you have a valid medical exemption certificate verified by the Trust
- If your seat belt has become defective on your journey and you are on route to have it repaired.

The responsibility for wearing a seat belt rests with each individual if over the age of 14. It is the driver's legal responsibility to ensure that any child between the age of 12 and 13 or over 1.35 metres tall wears a seat belt, and any child under that age or height wears the appropriate child restraint. Failure to do so could result in a prosecution of the driver. Care should be taken when alighting from a vehicle that the seat belt has returned and it is not causing obstruction, or tripping hazard.

When engaged on an emergency call that involves transportation of a child, appropriate child restraints must be used, however, front line vehicles are exempt from the child restraint legislation due to the journey being over '*a short distance for reason of unexpected necessity*'. This exemption should be considered as a 'last resort' due

to the obvious increased risk placed upon the patient / passenger. The Pedimate infant restraint must be used for infants or small children where available.

### **Equipment carried within Trust vehicles**

Any significant portable equipment that could act as a projectile in the event of a collision must be adequately secured within the vehicle. If this is not possible the equipment cannot be transported.

Adequate means of securing staff, patients and escorts will be provided, so far as is reasonably practicable, on all Trust vehicles. Seatbelts, safety harnesses, child restraints and booster seats must be used where necessary and appropriate, unless impractical to do so, e.g. such as due to clinical interventions.

### **Pedi-mate infant restraint**

The Pedi-mate infant restraint was introduced as a much needed device to fill a void in providing proper and adequate restraint for small sick patients. Historically, babies and small children were conveyed on mothers laps or 'in arms' on the stretcher/ side seat. Now, when we have a small patient that needs to be monitored or attended to in transit we can secure them onto the main stretcher safely using the Pedi-mate. It is used for children typically between the ages of 4 weeks and 5 years. See also Operational Bulletin OB47 of 22<sup>nd</sup> March 2019 for further detail.

### **Rough ground**

Every effort must be made to avoid driving a Trust vehicle across soft ground. This may well cause damage to property (playing fields etc.) and could result in the vehicle being bogged down. When property is entered all reasonable instructions of the owner / inhabitant should be accepted and steps taken to avoid damage to premises or property consistent with the assistance to, or recovery of, the patient. If it is necessary to negotiate prepared turf to reach a casualty, and driving over the area is likely to cause damage, staff should approach the patient on foot. When attending public sites such as playing fields etc. you may be offered advice from bystanders as to the state of the surface. YOU the driver are solely responsible for the safe entry and exit of the vehicle and as a result you MUST be entirely sure that this can be achieved before you commit.

**[IMPORTANT] If you are unsure about the surface do not commit the vehicle until a survey has been completed. Always search for an alternative to taking / parking your vehicle on anything other than hard standing.**

### **Recovery, winching and or towing of Trust vehicles**

The recovery, winching and / or towing of Trust vehicles can only be carried out by trained and authorised personnel (normally from within Fleet Services Department). These activities carry a high level of often overlooked or unforeseen dangers and risks and require specialised training to perform these activities safely.

### **Traffic calming measures**

Consideration must be given to the speed and manner in which traffic calming measures are negotiated. The drivers' considerations must be the comfort of any passengers / patients, stability and mechanical well-being of the vehicle. In order to avoid damaging DCA's air suspension, appropriate care must be taken when negotiating speed humps or similarly designed speed management devices on the road.

## **Attending incidents on a motorway**

Ambulance attendance at illness or incidents on motorways dictate that Ambulance crews have specific duties surrounding medical assessment and where necessary, intervention. Special instructions from the Highways England (HE (Formerly Highways Agency)) or Police must be followed when arriving at incidents on motorways. Drivers must familiarise themselves with these instructions which are contained in the AERDH. Additional information regarding attendance at a motorway incident can be found in the College of Policing, Management of Incidents App (information only).

Vehicles that are, or may be required to be engaged in the onward transportation of a person(s) involved in an incident **MUST** be situated ahead of the vehicles involved. This ensures unimpeded egress from scene and as far as is possible a safe place to treat casualties on board the stationary vehicle if appropriate.

The HE is the agreed co-ordinating organisation for facilitating the emergency response reaching the scene and must be informed for all call types to ensure the safety of attending crews. This will be relayed to operational staff responding via EOC.

With regards to the vehicle use, any incident attended on the motorway guidance given by the HE or Police must be adhered to, where provided.

The HE has sophisticated monitoring devices and CCTV networks, and will be able to quickly establish exact incident location and the appropriate reaction to the event.

## **Use of the hard shoulder**

If the situation warrants use of the hard shoulder (see AERHD) this **MUST** be done whilst exercising extreme care and **speeds should never exceed 20mph**. Where traffic is stationary visual and audible warning devices **MUST** be used.

Specific dangers surrounding use of the hard shoulder include;

- Debris / segments of shredded tyres, stones, litter etc
- Occupants of stationary vehicles exiting to 'see what is going on' and entering the hard shoulder on foot
- Drivers stationary in lane 1 becoming impatient and turning into the hard shoulder without carrying out safety checks

Where traffic is slow moving the use of the hard shoulder should be as above, but audible warnings should not be used.

## **Total carriageway blockage / Reverse-flow**

There may be occasions where an incident will create a complete blockage of the motorway, and without a hard shoulder this will impede attendance to the scene for emergency responders. On these occasions staff must negotiate the traffic in the most appropriate pathway and in a safe manner allowing those affected time to assist in allowing progress.

HE have the power to create a reverse-flow road section in serious situations where an extended delay or issues attending scene are encountered.

Where this decision has been made the HA will co-ordinate a response to scene via reverse flow, this will mean access via agreed locations using slip roads normally used for traffic exiting the motorway. In these situations EOC will ensure there is robust communication with responding resources and close co-ordination with the appropriate authority. Staff may only enter a section of motorway and travel in the opposite direction of the carriageway if instructed to do so at the entry slip road by an HE Officer or a Police Officer in uniform.

On occasions where 'reverse-flow' has been implemented the carriageway must be used as a normal single carriageway, and the vehicle driven to the left of the carriageway.

**All Lane Running Motorways (ALR) also referred to as Smart Motorways Normal driving conditions** The Trust's logistical area of responsibility now includes sections of Smart Motorways. This is likely to increase over time due to the effective traffic management opportunities this provides. For information surrounding normal driving on these sections of highway see [www.gov.uk/government/collections/smart-motorways](http://www.gov.uk/government/collections/smart-motorways).

### **Positioning of vehicle (non-motorway)**

When attending an emergency call the driver must position the vehicle with their safety and the safety of the vehicle as their priority. Where possible the vehicle should be positioned so that it is clearly visible to other road users and if possible to offer protection to the scene. However, it is not the driver's place to use the vehicle as protection of the scene if safety is compromised in any way. It is desirable that the vehicle should be positioned in the move off position before loading the patient. This does not necessarily mean manoeuvring the ambulance into position before attending to the injured, but delay and an incident is more likely if the driver attempts to turn the vehicle around unaided, particularly at night in a place with restricted areas of manoeuvrability.

### **Interior vehicle cleanliness**

Reasonable effort should be made to ensure the interior of the vehicle is kept clean and as far as possible germ free during use. These efforts should not only be confined in the patient carrying saloon of the vehicle, but should also include the cab of the vehicle in order to prevent the spread of infection and germs unnecessarily. Disposable gloves should not be worn whilst driving as they could spread germs and may affect the driver's control of the vehicle.

### **Exterior vehicle cleanliness**

It is extremely important that the front line vehicles are kept clean as the visibility of a marked vehicles livery forms a fundamental safety feature. Whenever possible SCAS vehicle's displaying battenburg livery should be kept clean in order to maintain the effectiveness of this safety feature. All other SCAS vehicles should be kept in a clean and presentable condition in order to present a professional image to the public. Windows, lights and number plates **MUST** be kept clean in accordance with Road Traffic Law.

## **Driving through floods, standing water and fords**

The following information and advice is provided for all SCAS staff who may encounter standing water whilst driving, it includes travelling through fords and during periods of flooding.

**[IMPORTANT] The over-riding advice regarding driving through standing water and fords is *'do not do it if it can be avoided'*.**

If the driver deems the manoeuvre necessary as no other route is available, then they **MUST** complete a dynamic risk assessment prior to embarking on the manoeuvre. This **MUST** include a visual inspection of the hazard, taking into account any visible marker posts. If the driver is unsure as to the safety of the manoeuvre they should not attempt to carry it out.

Driving at speed into standing water that is more than a few centimetres deep can have dramatic effects - it could initially almost feel like driving into a brick wall with a dramatic reduction in speed and possibly loss of control. This is why it's especially important to watch your speed on roads where there might be standing water.

The mixture of speed and standing water can cause the tyres to become lifted from the road surface (aqua-planing). This feels exactly like skidding across sheet ice, with total loss of steering control. If this occurs, lift off the accelerator and keep your steering straight, when grip is resumed reduce speed with deceleration and gentle braking. Extra consideration to the possibility of aquaplaning occurring should be applied when travelling on motorways, dual carriageways or on roads around inclines or declines.

If you intend to drive through a flooded section of road or ford, your first task is to check the depth of the water. In normal vehicles you should not attempt to drive through water that is more than around 30 centimetres deep (roughly around the centre of a car wheel).

Take special care if the water is fast-moving - even 30 centimetres depth of fastmoving water could lift your vehicle from the road surface.

After driving through a flooded section of road or a ford, as soon as safe to do so, test your brakes (whilst still driving slowly) and be prepared to dry them off by touching the brake pedal very lightly with your left foot whilst gently accelerating.

**Carrying Babies, Infants and Children in Trust vehicles (see also section 8.0 Wearing of Seat belts and Operational Bulletin OB47 of 22<sup>nd</sup> March 2019)** Babies, infants and children must not be carried in any Trust vehicle unrestrained. An appropriate child restraint or Pedi-mate must be utilised at all times.

Like any driving related exemption there is an onus on the driver of a vehicle, (and in some cases, possibly the attendant), to justify their claim to the exemption in a court of law should injury or death of the patient occur as a result of them being transported unrestrained in a Trust vehicle.

### **Speed restrictors**

Frontline DCAs introduced to the Trust since around 2014 have been equipped with a speed restrictor which prevents the vehicle being driven over a speed of around 64mph under normal driving conditions. The restriction is automatically lifted when visual warning devices are activated. Inappropriate or unauthorised de-activation of this safety device is likely to be seen as misconduct, and treated accordingly by the Trust.

### **Personal items**

The Trust's motor insurance does not cover any personal items that may be lost, damaged or stolen whilst in the vehicle.

## **9.0 VEHICLE SECURITY**

### **In vehicle CCTV (Image Recording Information Systems/ IRIS) and Incident Data Recording Information System (IDRIS)**

These devices are installed and used to protect and support employees of the Trust and establish the facts following an AVI or complaint in a clear and unambiguous manner. They ensure a consistent and fair approach and post incident reaction. Information surrounding both of these protection devices can be found within the Trusts CCTV policy and from the DSD respectively.

The DSD is responsible for the downloading, use and distribution of the information recovered for all driving related incidents or complaints. The Trust's Risk Department is responsible for the downloading, use and distribution of the information recovered for all other activations (normally recorded from activations from either the saloon 'panic strip' or from any incident occurring whilst stationary at scene).

Disposable gloves **MUST** not be stored on the dashboard as the reflection on the glass greatly reduces the CCTV footage quality.

**Stopping and leaving the vehicle** - Once a safe and convenient stopping position has been chosen, the handbrake **MUST** be applied fully, the engine and unwanted auxiliaries should then be switched off and the seat belt neatly secured. An automatic gearbox should be left in 'P' position and with a manual it may be desirable to select either first or reverse gear when parking on a gradient. The vehicle should be properly secured if it is to be left unattended. All reasonable precautions must be taken to ensure the safety of the vehicle and its equipment and to prevent it being driven away by unauthorised persons.

'Run-lock' has been fitted to all front line vehicles for several years now. Once at scene, press the 'run-lock' button, this allows the engine to remain running and the ignition key to be removed, the engine will automatically cut out should the handbrake be released. This option should be used when emergency lighting is required at scene. It should **MUST NOT** be used in order to keep a vehicles interior temperature ambient in cold weather.

On all occasions when a vehicle without 'run-lock' fitted is left unattended away from its station, the engine must be switched off and the ignition key removed. Keys should not be removed from the ignition when at a major incident. Ensure that the vehicle doors are closed when you are not working in close proximity of the vehicle.

Please note, the locking facility on some vehicles may not function when 'run lock' is activated.

### **Securing of vehicles**

Vehicle doors are to be properly fastened to ensure they do not open whilst the vehicle is on the move. In no circumstances may an ambulance vehicle be driven with any doors open. It is the responsibility of the driver to ensure that the rear step is in the up position and that all doors are closed before moving off.

### **Transport of Animals by Trust Vehicles**

Animals are not to be transported in Trust fleet vehicles except if they are registered disability assistance animals (guide or hearing dogs etc). Issued car users may transport animals in their vehicle in an appropriate manner and must ensure the vehicle is kept clean and presentable thereafter.

## **10.0 EMERGENCY WARNING DEVICES FITTED TO TRUST LEASED / OWNED VEHICLES**

Staff who are issued with a company car must also familiarise themselves with the current Employee Car Ownership Policy.

**[IMPORTANT] Before such cars are fitted with blue lights and audible warning devices the individual MUST have successfully completed an IHCD D1 D2 Driving Course or equivalent Future Qualls course. The driver must make themselves available for any update, refresher or support training as the Trust sees fit.**

**Staff not meeting this criteria MUST NOT drive vehicles under emergency conditions at any time.**

The use of blue lights and audible warning devices are intended to assist the member of staff to make safe progress when responding to emergency calls and for protecting the scene in hazardous situations where appropriate.

### **Permanently mounted roof-rail mounted LED units**

Due to the development of these units and their semi-permanent fixings to the vehicles they are permitted to remain on the vehicles providing they are displaying a white or clear outer lens.

Deployment of removable roof mounted blue lens light units

Wherever possible, removable blue light lensed units will not be issued for use by unmarked vehicles. If a manager is on call, or is the duty officer, it is acceptable for the blue light unit to remain in place on the vehicle. They **MUST** be removed at all other times They **MUST** also not be left on the vehicle if a family member or other named driver is using the vehicle.

However, remember if left on display, these lights may attract criminal attention. In the wrong hands, these lights can, and have been used in serious crimes and could be used by terrorists. All reasonable precautions must be made by the driver to ensure the safety of the emergency equipment including, for example parking the vehicle in prominent and well populated positions in car parks whenever possible and not in secluded or areas with poor lighting.

**[IMPORTANT] Criminals / terrorists prefer the easiest target - don't make your vehicle and its emergency response equipment an easy target.**

When using the light it should be mounted in the centre of the car roof, preferably between the rear and front windscreens, enabling greater visibility to other road users.

Unmarked emergency equipped vehicles are recorded on the Police National Vehicle Database as covert Ambulance Service vehicles and as a result would not normally be questioned by the Police when engaged on an emergency call, however the police may stop any unmarked vehicle not displaying identification, even if that vehicle is proceeding to an emergency. Should this situation arise the driver must comply immediately with the Police Officer's instructions and reasonable requests.

When not on duty these lights must always be stored and out of sight, preferably in the boot, never on the rear parcel shelf. Left on rear parcel shelves they become very dangerous projectiles in the event of sudden braking a collision.

## **11.0 AMBULANCE VEHICLE INCIDENTS (AVI)**

An ambulance vehicle incident is defined as '*any incident involving a motor vehicle owned, hired, leased or borrowed by the Ambulance Trust, being driven by a member of staff or an authorised user, or that the presence of the Trust vehicle could be considered as a contributory factor to a reportable road traffic collision.*'

**Where a Trust vehicle operated under the motor insurance cover provided by the Trust, is involved in collision or an alleged complaint, this will be referred to as an AVI (Ambulance Vehicle Incident).**

The Trust supplies each vehicle with an 'Accident Pack' which contains relevant information, forms and advice following a road traffic collision. This pack contains;

- External Insurance Report Form
- Motor Vehicle Internal Accident Report Form (MVIARF)
- At Scene Information Card
- Incident Reporting Process Sheet

Replacement documents can be found and printed from the Trust's intranet or requested from the DSD.

## **Duties of drivers**

Drivers of Trust vehicles are under the same legal obligations relating to road traffic incidents as any other driver. **There are no exemptions, which may be claimed regarding road traffic collision reporting.**

### **Road Traffic Act 1988 - Section 170 states;**

*When, owing to the presence of a mechanically propelled vehicle on a road, an incident occurs causing injury or damage to:*

- *Any person (other than the driver of that vehicle)*
- *Any vehicle (other than that motor vehicle or trailer drawn thereby)*
- *Any animal (other than an animal in, or on, that motor vehicle or trailer drawn thereby) for the purpose of this act, 'animal' means sheep, horse, ass, goat, pig, cattle, mule or dog.*
- *Any other property constructed on, fixed to, growing in or otherwise forming part of the land on which the road in question is situated or land adjacent thereto.*

### **The driver commits an offence if he/she fails (\*):**

1. To STOP
2. To give, on request of any persons having reasonable ground for doing so:
  - His or her name and address
  - The vehicle owner's name and address
  - The registration make of the vehicle
  - and Insurance details for injury incidents only

(\*) Hampshire Constabulary and Thames Valley Police now permit drivers to go online to report incidents falling in any of the 'reportable road traffic collision' categories above, but only if details cannot be given to the person requiring them at scene. Respective web-sites of both Police Authorities can be accessed to complete the appropriate process if not able to be complied with and carried out at scene.

### **Notes**

Any vehicle - a vehicle includes a pedal cycle but does not include damage to your vehicle or a trailer drawn thereby.

*The responsibility for compliance with the legal requirements is the driver's and may not be delegated to any other person, such as the attendant or attending senior officer or manager.*

*The driver of the vehicle cannot make a claim for damage to their own property or possessions resulting from their acts or any personal injury if they were considered to have been accountable.*

## At scene

**[IMPORTANT] There is no legal exemption from failing to stop if involved in a road traffic collision (AVI), even when engaged on an emergency call.**

EOC should be informed immediately following an AVI in order to allocate another vehicle to the original call if appropriate (See also 'Contributory Factor' below). Insurance Information Cards (Appendix 4) are on each vehicle within the 'Accident Pack' envelope. These are to be completed by the driver following an AVI and the bottom half of the form passed to the third party. This is designed to reduce the amount of time and possible confusion at scene and assist staff with compliance regarding salient information exchange. Whilst drivers can become stressed or agitated following an RTC, no matter what the circumstances or provocation SCAS staff **MUST NOT** admit liability at scene. You can offer '*I am sorry this has happened*' to calm the situation. If the AVI is not of a serious nature and it involves a SCAS non front line vehicle, the driver must report it to their control or Line Manager immediately.

## Deployment and attendance of management at scene

EOC will deploy an appropriate manager to AVI's if they are of a serious or complex nature. In addition to their operational at scene role this Officer or manager will have responsibility to complete the DSD 'What to do at an AVI' paperwork and submit this to the DSD without delay. This paperwork can be obtained directly from the DSD and Officers and managers who are potentially expected to fulfil this role must ensure they are equipped with this paperwork prior to being available to EOC.

## Reporting to police

Should the driver be UNABLE to give the required information (eg the person has driven off, sustained an injury and would not comprehend the information or the owner of the vehicle, animal or property is not present) then the driver **MUST** report the incident to a police constable or at a police station as soon as possible and, in any case, within 24 hours.

## IMPORTANT NOTE

*The word 'unable' means just that. If you do not wish to give the information, for example, the person is argumentative; you would have committed an offence notwithstanding subsequent reporting to the police.*

*Should the owner of a vehicle or property not be available, the driver must wait a 'reasonable time' to enable any interested party to arrive at the scene. The law does not state what 'a reasonable time' is, but the driver must be able to justify their actions at a later date if required to do so.*

*'As soon as possible' means without avoidable delay. To report at the end of your shift might not be as soon as possible. 24 hours is the absolute maximum permitted period.*

## Contributory factor in a road traffic collision

If a road traffic collision occurs whereby the presence of the Trust vehicle could be seen as a '*contributory factor*' in the incident, the Trust driver **MUST** complete a QBE insurance accident report form in the usual way. Failure to do this could be viewed as 'failing to report' and the driver could be liable to prosecution. This also allows the Trust and insurers alike to defend against claims that may emanate thereafter.

### **Reporting (general)**

It is the responsibility of the driver or attendant of the vehicle involved in the incident (or the first manager on the scene if the driver and attendant are incapacitated) to ensure that EOC are apprised of the on-going situation regularly. It is the driver's responsibility to comply with the legal reporting procedures as stated in the Highway Code rules 286 and 287, Road Traffic Act 1988, Section 170 (above).

Whenever a serious incident occurs, or extensive previously unreported damage to a Trust vehicle is found, the incident will be investigated by a member of the DSD.

### **Injury to person(s)**

Any personal injury sustained as a result of the use of the vehicle constitutes a reportable road traffic collision. This includes injuries sustained in the saloon as a result of sudden braking for example.

Injury has been held to include shock and a nervous hysterical condition in addition to actual physical bodily harm.

Persons injured whilst travelling in, operating or being loaded / unloaded from a Trust vehicle. This type of incident is covered under the Motor Insurance policy in the first instance. The NHSLA may become involved dependant on the circumstances. The driver **MUST** complete a motor insurance form and will be handled by the DSD in the first instance.

All personal injury road traffic collision must be entered onto the Trust's DATIX on-line risk reporting system, in addition to completion of a motor insurance report form.

### **Fatal or serious incidents**

The Duty Director and DSM or his nominated on-call DSD member will be informed by EOC in cases of serious incidents, fatal or serious injury to any person involved in the incident. This will also apply to any other motor vehicle related incidents if the Duty Officer or EOC considers it appropriate.

The driver **MUST** be immediately suspended from driving by the senior Officer / Manager in attendance. This driving suspension should be followed up by a letter, written by the suspending Officer / Manager to the driver confirming this action within 3 days. The suspension will remain in force until the incident has been investigated to the appropriate level by the DSD. (See Section 12.0)

EOC will arrange for attendance of a Duty Officer and the on-call DSD member.

### **Previously unreported damage**

A member of staff finding damage to a Trust vehicle during the pre-drive inspection that has not been previously reported will immediately inform their line manager or EOC and comply with the SCAS motor vehicle incident reporting procedure using the MVIARF form. Failure to do so could result in the last recorded driver being held responsible for the damage.

### **Criminal damage to Trust vehicles**

When there is a reason to believe that damage found is the result of a crime, the reporting member of staff will ensure that the incident reporting procedure is followed and the crime is reported to the police and a crime number obtained (URN – Unique Reference Number). The damage should then be reported via the normal vehicle incident reported process using the appropriate report form. In addition to this the incident should also be reported on the Trust's DATIX reporting system.

### **Alleged or Inferred mechanical defects following an AVI**

Where an alleged or inferred mechanical failure of defect has been sighted as a causational factor in an accident or collision, the police may impound the vehicle. If this is not the case the vehicle must be held at the nearest Trust workshops or appointed garage until an inspection by DSD has been arranged. The driver **MUST** complete a QBE motor insurance report form and a DATIX online risk report.

### **Suspected defects to Trust vehicles following an incident**

Where the vehicle is suspected to have a defect rendering it un-roadworthy following an AVI, that vehicle must be recovered and removed from service and it will be the responsibility of the Fleet Department to ensure that an appropriate mechanical inspection takes place as soon as practically possible and pass their documented findings directly to the DSD. Once the report is received, and pending authorisation that no further action is required and or there is no Police interest, repairs can be made and the vehicle can be returned to service.

### **Appropriate forms for AVI reporting (Insurance / Internal)**

For every incident in which a Trust vehicle is involved, the relevant Road Traffic Collision form must be completed (MVIARF or insurance report form) as soon as reasonably practicable, or in all cases at the end of shift.

Once completed the form must be sent to the DSD immediately.

**QBE Insurance Report Form** - to be completed as soon as possible, at the latest at the end of the shift except in exceptional circumstances. For use when an incident has occurred causing damage to persons, property, other vehicle(s) or animal(s) (as previously listed)

**MVIARF (Appendix 3)** – to be completed as soon as possible, at the latest at the end of the shift. For use when an incident has occurred where the only damage has been to the vehicle being driven and/or other Trust property and there are no other third parties involved.

All forms must be completed in BLACK INK. The details required on the forms are straight forward. Where "Duty on which engaged at time of incident" appears the words "Ambulance Duties" should always be inserted if applicable.

It is important that a detailed sketch of the scene is given, one before and one after the incident and all questions are answered on the form as fully as possible.

Statements should be clear and concise but with as much relevant detail as possible. If there is insufficient room on the incident report for all the details, use an additional sheet of paper. If this is done, the relevant section should be marked "see attached sheet". The relevant section letter should be shown on the attached sheet for ease of

reference. Verbal admissions by other parties to the incident should be shown in the statement in block letters and in inverted commas, e.g. "I'M SORRY, IT'S ALL MY FAULT".

### **DATIX Reporting of AVIs**

An on-line DATIX risk report should only be completed and submitted to the risk team for an AVI if either of the circumstances below were apparent, or are believed to have been apparent;

- Incident has resulted in a personal injury
- Incident involves either a known or inferred mechanical defect or failure which could be seen as contributory
- Damage to the vehicle which has been caused as a result of criminal activities

### **[IMPORTANT] ANY AVI NO MATTER HOW TRIVIAL MUST BE REPORTED**

#### **Practical implications**

(In addition to the Road Traffic Law)

If involved in an incident, however slight, **STOP**:

- Inform EOC and request a Duty Officer and / or DSM to attend if applicable
- Attend to any injured people
- Give particulars if possible (Appendix 4) and attempt to obtain particulars from third party
- **NEVER** offer, or agree to a cover-up agreement; this could be interpreted as an admission of guilt
- Obtain all relevant details, especially of independent witnesses, and complete a Traffic Incident Report, also making a sketch of the scene of the incident, whilst on scene if possible
- Statements - on no account make any statement, verbal or written, to any nonSCAS person which could be interpreted as an admission of liability or responsibility at a later stage
- No statement should be made to the police at the scene, or later at a police or ambulance station, unless there is a SCAS manager present or a manager directs otherwise
- Any document received by a member of staff relating to an incident involving a Trust vehicle (i.e. letters from insurers or third parties, police notices, witness statement forms etc.) must be forwarded to the DSD without delay and unanswered

**[IMPORTANT] The Trust motor insurers can save large amounts of money on certain claims by 'capturing' the relevant information swiftly and managing the claim. If you have**

been involved in an AVI it is vital that you report the incident accurately and without delay.

**“DON’T DELAY, REPORT TODAY”**

## **12.0 INCIDENT INVESTIGATION AND ADJUDICATION PROCESS**

### **Serious AVI investigations**

Following a serious AVI the DSM or appointed DSD member will investigate the incident and produce a full and detailed report. All correspondence and contact between the Police and other interested parties **MUST** be directed through the DSD. The investigation report will include an assessment of whether the incident should be adjudicated as ‘accountable’ or ‘not accountable’ with regards to the liability for the incident. An incident will be assessed ‘accountable’ where the larger proportion of accident cause accrues to the member of staff. Where no, or minimal cause is apportioned to the member of staff, the incident will be recorded as ‘not accountable’.

If the driver is deemed ‘accountable’, an indication as to the severity of the errors or omissions will be reflected in the point(s) awarded to their internal licence via the Internal Point System (see Section 13.0).

### **Serious Incident Requiring Investigation (SIRI)**

For AVIs that are deemed to be a SIRI, the DSD will carry out the investigation report in the normal fashion and will pass this report to the appointed SIRI Investigating Manager for inclusion within the SIRI report.

### **Less serious incident investigation**

Less serious incidents will not normally attract a full investigation. The incident report form will usually suffice in the decision surrounding liability. Should the report form not contain sufficient information, or contradictory information to other evidence available, the driver will be required to supply additional information to determine accountability.

Where the adjudication is not agreed, an appeal must be lodged as detailed in the flow chart (Appendix 1) and section 13.0.

### **Capture of CCTV footage and IDR downloads**

Where available, CCTV footage and IDR downloads will be used as a significant part of the investigational process in accordance with the Trust’s CCTV policy.

### **Suspension from driving duties**

Following a serious AVI the driver **MUST BE** suspended from driving with immediate effect. The senior attending Officer / Manager must inform the Line Manager, Resources, Control and DSM and complete the DSD ‘What to do at an AVI paperwork.’ This is in no way a punitive measure, but is in place to protect staff and allow the Trust to obtain relevant information and carry out the necessary and appropriate investigation (in accordance with the Trust’s Best Practice Guide to Investigations) without exposing the staff member to unforeseen or unexposed risks.

At any point the DSM or driver's Line Manager may remove an employee from driving duties owing to accumulation of events which collectively indicate an unacceptable risk. Obviously to instigate a driving suspension has serious implications surrounding the terms of the employment of the employee, so should not be taken lightly

*'What to do at an AVI' paperwork can be found on the Trust Intranet within 'Fleet / Driving Standards Department / documents or can be requested via the Driving Standards Department.*

The suspension will apply until:

- The DSM (or nominated person) carries out an investigation to the appropriate level as soon as possible (where the suspension remains in force it will be reviewed in accordance with HR Policy)
- All recommendations from the above report have been successfully completed or rejected / deferred by the Manager or Director receiving the report.
- The investigation report has been presented at the appropriate panel hearing and the panel have over-ruled the suspension
- The Chief Operating Officer over-rules the suspension

### **Assessment of driving**

When a member of staff is referred for an assessment of their driving skills, this will be undertaken by a DEM, Driver Education Support Tutor or qualified WBAD as indicated by the DSM or SEM-D. Any recommendations made by the DEM, Tutor or WBAD will be discussed with the employee and a corrective action plan agreed and implemented.

### **Reinstatement**

A driver who has been suspended from driving duties may be directed to take an assessment before reinstatement. In addition to the driving assessment, they may also be required to undertake a written test and any other assessment processes as deemed necessary to address the cause(s) of the original incident(s).

Any member of staff suspended from driving duties can only be reinstated with consultation through the DSD or for any of the conditions bullet pointed above (Suspension from driving duties).

In cases where the appropriate manager and the DSM cannot agree on the reinstatement of a member of staff, the matter will be referred to an appropriate Director for adjudication and resolution in conjunction with HR advice.

### **Extended periods of absence from the driving role**

Any frontline or PTS member of staff who has been absent from driving duties for any reason for a consecutive period must undergo a driving assessment commensurate with the level of training they have received prior to their absence, or in cases where no training has been received they must demonstrate compliance with all the relevant laws, regulations and procedures applicable. The member of staff will not be permitted to drive trust vehicles until this assessment has been completed. The extent

of the training required will be determined by the amount of time the employee has been away from the driving role as follows:

- 0-6 months / No Training Required (unless requested by employee)
- 6-12 months / 1 day with a DEM
- 12-24 months / 2 days with a DEM
- Over 24 months / 3 days with a DEM

Should the employee not demonstrate a satisfactory standard of driving on completion of this training, consideration may be given to additional support in accordance with the Trust's Capability Policy.

The assessment must be carried out as soon as reasonably possible following notification of the employee's intended return to duty. It must be carried out by an DEM and should be conducted in a vehicle similar to that which the member of staff would be expected to be using during their normal working shifts.

The Instructor will complete the appropriate SCAS Driving Assessment Form. Where necessary the Instructor will also complete an attachment sheet detailing any information deemed to be relevant regarding the drives.

If the driver can consistently demonstrate the required standard the Instructor will inform the employees direct Line Manager and a copy of the completed paperwork will be forwarded to them. If the driver is unable to demonstrate the required standard during the day then a remedial action plan will be created, suitable to address the areas of concern. This should be delivered as soon as is reasonable practicable and fully documented.

All documentation related to the driver's assessment and subsequent remedial training, if appropriate, will be sent to the Divisional DSD.

### **Disqualification from holding a driving licence**

The policy applies to all members of the SCAS for whom the possession of a current driving licence is a pre-requisite to employment and driving continues to form an integral part of the duties of their post. If a member of staff is disqualified from driving, it follows that they will effectively breach their contract of employment and unless there are exceptional mitigating circumstances, a disciplinary hearing may result in their dismissal from the Trust in accordance with HR Capability Policy. (See also appendix 5 Driving Licence Checks for additional information surrounding driving licences).

### **Notice of Intended Prosecution (NIP)**

If as a result of an incident, or alleged motoring offence committed whilst driving a Trust vehicle either on or off duty, you receive a Notice of Intended Prosecution (NIP) you must report it immediately to your Manager. As Trust vehicles are not registered to individuals, it would be more normal for any notifications to be received directly to SCFS Fleet Administration, who will pass the form to DSD without delay. An NIP has to be served within 14 days of any alleged motoring offences (but need not if it results from involvement in a road traffic incident).

Should the Trust receive an NIP relating to an offence committed whilst not entitled to claim a legitimate exemption, the driver's details will be passed to the authorities in line with the Road Traffic Act 1988 section 172. The DSD will notify the member of staff in writing that this process has taken place.

Your trade union may help in making legal advice available to you or you are, of course, free to consult a private solicitor at your own expense. Alternatively, if your trade union cannot help you in this regard, your employing Trust's solicitor may assist, if in the circumstances of the case it is appropriate for your employing Trust to provide support and there is no conflict between the Trust's position and that of the Trust's driver concerned.

When a speed related NIP is issued and the vehicle is engaged on an emergency response, the DSD will claim the appropriate section 87 exemption on behalf of the driver. If the speeds indicated are at a level that the DSD deem to be excessive the driver will receive a 'reminder' letter to highlight the guidance relating to speeds under emergency conditions. Should the driver attract further NIP's at this excessive level, the DSM will be required to take a view to address the risks.

### **Reporting of previous incidents to insurers**

Any previous incident(s) a driver has been involved in should be detailed on the insurance incident report form if requested to do so. This includes the driver's personal motor insurance policy should they have one. This process works in reverse as well i.e. 'At work' road traffic incidents are normally reportable to your private motor policy provider as a 'material fact.' This stipulation is included in the vast majority of motor insurance policy conditions and failure to comply could result in the insurers withdrawing cover, even after a claim has been submitted and settled.

### **Court proceedings**

You must inform your manager immediately of any legal action or criminal driving related charges following an AVI or incident whilst on or off duty. This should include the receipt of any documents relating to a prosecution, or intended prosecution, and the resultant decision of the Court once known. It is anticipated that ambulance staff summoned in respect of traffic offences whilst on duty may seek to be represented by the Solicitor of their trade union. If representation in this way is not possible and the circumstances are such that the Trust may wish to become involved, the manager should be asked to enquire whether assistance could be obtained.

Should a serious criminal charge be raised against an employee for a driving offence, the Trust would normally maintain a full driving suspension until such time as the Police / CPS had reached a decision, and if deemed appropriate the case had gone through the Court system. Only under exceptional circumstances would this suspension be lifted prior to completion of the legal process.

### **Poor driving standard reports / complaints**

Where incidents of poor driving by SCAS personnel are reported, even though no collision or damage has occurred, the incident will be investigated and, if proven will result in the appropriate action being taken, possibly disciplinary action.

This process will normally be brought to the Trust's attention via the PALS team, who will respond to the complainant in the first instance to acknowledge the complainant's observations without judgement. They must then promptly pass all details to the DSD who will carry out the appropriate investigation. Once completed the DSD will advise the PALS team of the outcome in accordance with the appropriate Comments, Concerns and Complaints Policy, who will in turn respond to the complainant.

CCTV and IDR units may be interrogated to assist with any subsequent investigation.

Courtesy, patience, concentration and anticipation are essential ingredients of good driving. At all times make sure that your patients and the general public benefit from your skills and that neither they nor other road users are harmed, inconvenienced or put at risk by your inconsiderate, careless or dangerous actions.

**[IMPORTANT] NO EMERGENCY IS SO GREAT AS TO JUSTIFY AN INCIDENT - IT IS FAR BETTER TO ARRIVE LATER THAN NOT AT ALL**

### **13.0 THE INTERNAL POINTS SYSTEM**

#### **Introduction**

Whilst driving Trust vehicles, all staff are required to fully apply their abilities to the task in hand. These expectations are heightened for those staff who have received additional driver training and these 'professional drivers' are expected to demonstrate these skills at all times.

The (IPS) allows the Trust to identify, assist and manage staff who are falling below the minimum driving standards requirements. It has been designed to monitor, analyse and assist in the effective management of those operating vehicles under the Trust's authority and motor insurance. It has been proven to be a valuable tool in the reduction of the SCAS motor insurance premium in the past and also creates a positive effect on the improvement of driving standards within the organisation. It will continue to be used in an attempt to continue with these trends. Its implementation does not affect the position of the Trust where a Trust vehicle is used in a manner that may contravene the law. The allocation of internal points will not be used as an alternative to prosecution or the application of other associated Trust policies if it is found or believed that the incident or incidents warrant it.

#### **Allocation of Points** (see 'The Points Table' below)

When a Trust vehicle is operated or driven below the standard reasonably expected, having regard to all of the circumstances, then, acting on behalf of the Trust, the DSM, ADSM or SMCL may impose points on an employee's internal driving record.

Should the circumstances of any incident or complaint lead the DSD to believe the Trust operative holds the majority of the contributory liability, a decision will be made to award a point or points from within the table below. The point(s) are an indication of the driver's involvement in events that are deemed to have been outside of the required standard. Point awards are not in themselves a punishment or a sanction.

The application of the IPS allows the Trust to identify areas where a member of staff may require additional training, support, guidance or management.

The number of points allocated as a consequence of a particular incident will be considered from the following criteria;

- reflect the extent to which the vehicle's use was considered inappropriate,
- inconsiderate, unreasonable, careless, dangerous or reckless
- the actual damage or potential for damage or injury
- potential for negative exposure of the organisation
- financial ramifications

### **The Points Table**

The Driving Standards Department will allocate points from one category of the table set out below per incident.

### **POINTS WILL ONLY BE ALLOCATED BY THE DRIVING STANDARDS DEPARTMENT.**

<b>CATEGORY</b>	<b>POINT RANGE</b>
Poor Driving Standard	1 - 6
Unauthorised use of vehicle	1 - 6
Poor assessment of hazard	1 - 6
Non driving incident <i>(for example, incorrect refuelling, loading / unloading etc)</i>	1 - 6
Excess speed for circumstances	1 - 6
Dangerous/Inappropriate Overtaking Manoeuvre	1 - 6
Driving off road (in a non off-road vehicle)	1 - 6
Grounding vehicle	1 - 6
Poor nearside, offside judgement	1 - 6
Reversing / manoeuvring error	1 - 6
Failing to report damage or involvement in an AVI	1 - 6
Failing to report AVI to Police (if reportable)	1 - 6

The DSD will ensure that the records are suitably updated, maintained and stored on the accident database in accordance with Information Governance regulations.

### **Internal Point Allocation Forms (IPAF)**

Following adjudication on the incident, the following procedure will take place:

1. Where a 'non-accountable' decision has been reached, the DSD will enter this onto the database and take no further action.
2. Where an incident results in an 'accountable' decision, the DSD will electronically send out a Point Allocation Form (IPAF) (Appendix 2) to the driver's Team Leader, Supervisor or Manager informing them of any 'accountable' decision following a reported incident or upheld complaint. The driver will be copied in to this email.

3. The Team Leader, Supervisor or Manager will then present the form to the driver explaining the decision and detail the deviation from the required standard and the expectation that performance improves to the required standard with immediate effect. This process acts as the informal discussion stage of the Capability Policy.

4. If the driver accepts the decision, the form is signed by both parties and returned to the DSD.

5. If the decision is disputed and an appeal lodged, any further evidence must be presented to the DSD within 10 days of the IPAF being sent. This will result in the capability process outlined below being put on hold until the appeal is heard.

6. This additional evidence will be considered and either the point award rescinded or the complete package passed to the SEM-D for a final adjudication.

### **Driver History Records**

Records will be stored securely by the DSD in accordance with Information Governance regulations and will commence when an employee's first driving incident is reported or first driving complaint upheld. It will contain a summary of the incident(s) and any driving incidents in which the driver has been involved. Whilst points only remain 'live' for a period of 3 years, the driver's 1 year history prior to this period may be taken into consideration to assist in the creation of a robust and effective support action plan. A driver's known previous history with regards to incidents forms one of the criteria the Police and Criminal Prosecution Service will consider when investigating a serious incident and may affect the decision whether to prosecute the driver.

The Trust has a duty of care to offer support for those who have been identified as being unable to consistently carry out their driving duties to the expected and required standards. However, continued failure to adhere to these standards, especially after successful completion of previous support training, must be viewed as a serious risk to all those affected by the use of a vehicle, not least the driver themselves.

Staff who are deemed to attract a point(s) award within the first 6 months of going into their operational driving role will have this award doubled during this initial period. This is designed and implemented to reflect the heightened risk drivers are exposed to whilst they gain experience in their chosen role and mirrors the time period within the Trust's Probationary Policy.

Any doubled points awarded within the first 6 months will be reduced by half when calculating a staff member's live total after this period has elapsed.

Points awarded having taken into account the available evidence, may be adjusted accordingly should further evidence be made available or discovered at a later date at the discretion of the DSM. This is not an event that is expected to occur regularly, if at all, and in order to reduce or avoid the likelihood of it happening it is essential that accident report forms are completed accurately, fully and submitted promptly.

### **Driving progression within the Trust**

Where a driver has accrued 4 or more live points, they may be restricted from obtaining further driving qualifications within the Trust. This is not seen as punishment

or restriction but reflects the need for them to demonstrate prolonged consolidation of the skills they had acquired to gain their initial authorisation to drive, before adding further authorisations to their internal licence.

### **Police interest**

Following indication from the Police that they are to investigate an incident or event and the driver is potentially facing a related criminal charge, the process of carrying out an internal investigation will be the responsibility of the DSM. All correspondence and contact between the Police and other interested parties **MUST** be directed through the DSD. Police requests for information from the Trust in regard to an AVI investigation will be directed to the Trust's Information Governance Manager.

It would be seen as exceptional for the Trust to proceed with internal driver management pathways prior to the completion of any associated criminal driving related charge or other related Police action. This decision will be made by the DSM in consultation with HR.

Where a subsequent prosecution results in a **'Not Guilty'** verdict, then the DSM will review the incident, in consultation with HR, and consider any appropriate actions thereafter.

### **Monitoring AVI trends**

The DSD will provide an overview of the incidence and causation of ambulance incidents and will carry out monitoring of types of Trust AVI's in collaboration with our motor insurers. Analysis of the detailed information included from the database will enable:

- The analysis of trends in driver behaviour and driving standards for the identification of any need for additional or modified driver training in consultation with the SEM-D.
- Information on the operational performance and suitability of vehicles used by members of staff to be considered by the DSD, Health Safety and Risk Management Group and HoF.

It must be remembered that the object of the IPS is to identify training needs, identify unsuitable vehicles or practice and improve upon the standard of driving within the Trust.

### **IPS Driver Management Pathway**

#### **1. First 'accountable' incident, or accumulation of 'live' points up to and including 3 within the 3 year 'live' period.**

Upon receipt of the Point Allocation Form (IPAF) via email from the DSD, the driver's line manager will speak with the driver in regard to the incident and highlight how to avoid re-occurrence. DSD will copy the driver in to this notification email to ensure the process is open and transparent, and the driver has sight of their management. No further action needs to be taken at this time, having regard to all of the circumstances. Both parties sign the IPAF and return it to the DSD.

This meeting will be held in accordance with the informal stage of the Trusts Capability policy. If a driver accrues points in quick succession, and/or in a relatively short time from being in post, this may also be investigated further by the DSD in order to identify and address the risk. It may be appropriate to go straight to the next stage.

## **2. Accumulation of between 4 and 7 points (inclusive) within the 'live' 3 year period**

If a member of staff accrues over 3 live points in their Trust accident history, this live history will be looked into by the DSD. Performance at this level would indicate a cause for concern. The staff members team leader, line manager or supervisor will conduct a formal Stage 1 meeting in accordance with the Capability or Discipline and Conduct Policy. In addition this activity, and in order to provide the staff member with appropriate support, the DSD will create a 'Post AVI Support Session' (PASS) to be delivered by the Driver Education Department. This will be created with the objective of supporting the employee to identify areas reasonably believed to be in need of increased awareness and improvement. Appropriate tailored refresher training may be provided in order to reinforce the required standards and ensure the member of staff fully understands expectations and is equipped with the skills to deliver these. Documentation from the PASS will be kept on the drivers history file within the DSD.

## **3. Accumulation of between 8 and 11 points (inclusive) within the 'live' 3 year period**

If a member of staff accrues over 7 points in their Trust accident history, this live history will be looked into by the DSD. Performance at this level would be a cause for significant concern regarding their safety and suitability to be operating in a driving role. The DSD will collate all relevant information and pass this to the staff members team leader, line manager or supervisor who will conduct a formal Stage 2 meeting in accordance with the Capability or Discipline and Conduct Policy. In conjunction with this meeting, and in order to provide the staff member with appropriate support, the DSD will create a 'Post AVI Support Session' (PASS) to be delivered by the Driver Education Department. This will be created with the objective of supporting the employee to identify areas reasonably believed to be in need of increased awareness and improvement. Appropriate tailored refresher training may be provided in order to reinforce the required standards and ensure the member of staff fully understands expectations and is equipped with the skills to deliver these. Documentation from the PASS will be kept on the drivers history file within the DSD.

## **4. Accumulation of 12 or more points within the 'live' 3 year period**

If a member of staff accumulates 12 or more points within the 'live' 3 year period the DSD will collate the appropriate information and create an appropriate report to be presented to a Hearing Panel. This panel hearing will be held as a final formal hearing (stage 3) in accordance with the Capability policy. The Panel will consider the evidence and make the appropriate decision. This decision could result in dismissal.

## **5. Single incident attracting an award of 4 points or over**

For a single incident whereby an award of 4 or more points has been attached, a full investigation report will be compiled by the DSD and presented for

consideration to the appropriate Manager or Director. Awards of this magnitude for a single event would be deemed as serious and therefore suspension of the driver from driving duties pending investigation MUST be instigated.

#### **6. Misconduct and attempted deceit**

For the majority of cases, staff will be managed in accordance with the Capability Policy as outlined above. However, if the DSD identify any incidents which could be deemed to be deliberate acts of misconduct (minor, serious or gross) or an attempt to deliberately distort the facts with the intention to deceive, then they will be managed in accordance with the Discipline and Conduct Policy. The DSD will be responsible for the investigation in these circumstances and the report will be provided to the relevant team leader, line manager or supervisor for a decision on whether informal or formal action is appropriate in accordance with the Discipline and Conduct Policy. Any action in these circumstances would not affect the point award process, but would run concurrently along side it.

#### **IPS Driver Management Pathway table**

The following table illustrates the process pathway for the management of staff entered into the IPS who have attracted points within the rolling 'live' 3 year period; The number of points issued dictates at what stage of the capability policy process is followed as below.

IPS award level	Action	Follow up action / stage 1 / Link to Policy	Follow up action / stage 2 / Link to Policy
1-3 (inclusive)	<p>Informal conversation between staff member and team leader, line manager or supervisor.</p> <p>Correspondence between DSD and staff member informing them of allocation and process behind the decision. Line manager included.</p>	<p>In accordance with the 'informal discussion' section of the Capability Policy (Appendix 2 section 1)</p>	<p>No further action unless requested by staff member</p>
4 - 7 (inclusive)	<p>DSD review all AVI's.</p> <p>Formal meeting between staff member and team leader, line manager or supervisor (with 10 days notice and right to representation).</p> <p>DSD consider driving suspension</p>	<p>DSD create a 'Post AVI Support Session' to address the known and perceived areas of concern based on the reported incidents. In accordance with Stage 1 of the Capability Policy – this would be a Stage 1 formal meeting with support plan and targets for improvement (Appendix 2 section 2). Required time frame will be discussed and agreed in accordance with the Capability Policy.</p>	<p>Driver Education deliver 'Post AVI Support Session.'</p> <p>Failure to achieve the required standards within the timeframe of the support plan may result in further formal stages of the capability procedure being instigated.</p>

IPS award level	Action	Follow up action / stage 1 / Link to Policy	Follow up action / stage 2 / Link to Policy
8 – 11	<p>DSD review all AVI's.</p> <p>Formal meeting between staff member and team leader, line manager or supervisor (with 10 days' notice and right to representation).</p> <p>DSD consider driving suspension</p> <p>Any further point allocation within the 3 year 'live' period may result in formal capability processes being escalated, regardless of the number of points allocated in a single incident.</p>	<p>DSD send all relevant information and brief summary report to team leader, line manager, supervisor.</p> <p>Post AVI Support Session to address the known and perceived areas of concern based on the reported incidents.</p> <p>In accordance with Stage 2 of Capability Policy – this would be a Stage 2 formal meeting with support plans and targets for improvement (Appendix 2 section 3) Required time frame will be the 'live' period of the internal point award.</p>	<p>Hearing panel consider appropriate decision / action from appropriate policy</p>
12 and above	<p>Complete drivers history reviewed by DSD Driver to be suspended pending completion of process</p>	<p>DSD write up full report and present to a Hearing Panel in accordance with Stage 3 of Capability Policy – this would be a Final Formal Hearing with the potential for dismissal being an outcome.</p>	<p>Hearing panel consider complete history and decide appropriate actions. This could result in dismissal.</p>

### Appeal process against Internal Point Award

Staff who are awarded points from within the IPS are entitled to appeal against an award. Any appeal must be made in writing, and must clearly state the reasons for the appeal. Appeals are made in accordance with the Driving and Care of Trust Vehicles Policy. Although the application of points link-in with the level of capability management, should an appeal be made, this will result in the capability process being put on hold until the appeal is heard. Appeals are against the point(s) being issued and not the level of management which is dictated by the number of points accumulated. Any appeal must include as much detail as the driver is able to provide and the staff members reason(s) for contesting the award.

The appeal must be submitted within 10 days from receipt of the IPAF and submitted to the DSM who will collate the file and pass to the SEM-D for the final decision (see Appendix 1). The staff member will have sight of the file passed to the SEM-D.

### **Expired Points**

Points remain live for a 3-year period from when the incident occurred. Expired points will be deactivated on the database 4 years from the date of the incident.

### **Links to other policies**

Whilst the internal point system links to the Capability and Discipline and Conduct policies, the award and accumulation of points remains a separate risk management tool and therefore continues to run its 3 year course regardless of any other activities from linked policies.

### **Drivers IPS history and the Police**

If the Police are engaged on an investigation involving a driving event, they may wish to obtain a driver's history. This is in accordance with their investigational process and is required for the CPS to make an informed decision surrounding prosecution.

Their considerations are;

- Organisational dispatch process and protocols
- Manner in which the vehicle was being driven at the time of the incident
- Driver's known history (DVLA and any internal records / actions)

### **Information Requests by staff or management**

Staff can request information held on the Trust accident database against their name by contacting the DSD. Line Managers and Team Leaders may request information on staff within their team in the same way and must state the reason for the request.

## **Appendix 1 - VEHICLE INCIDENT REPORTING PATHWAY**

A vehicle incident reporting pathway and form is available for Internal use by SCAS Staff. It can be accessed internally via our [Staff Intranet](#).

## **Appendix 2 - MOTOR VEHICLE INTERNAL ACCIDENT REPORT FORM**

A motor vehicle internal accident report form is available for Internal use by SCAS Staff. It can be accessed internally via our [Staff Intranet](#).

## **Appendix 3 - VEHICLE INCIDENT INFORMATION CARD**

A vehicle incident information card is available for Internal use by SCAS Staff. It can be accessed internally via our [Staff Intranet](#).

## **Appendix 4 – INTERNAL POINT SYSTEM PATHWAY**

The internal point system pathway is available for Internal use by SCAS Staff. It can be accessed internally via our [Staff Intranet](#).

## **Appendix 5 – DRIVING LICENCE CHECKS**

As part of the Driving and Care of Trust Vehicles Policy and the Pre-employment Checks Policy it is incumbent on the Trust to ensure that all staff employed by the Trust in a role that requires them to drive vehicles in any capacity have in place a procedure for ensuring that the employee holds the correct licence for the type of vehicle to be used and that the licence also conforms to agreed criteria determined by the Trust in its terms of employment.

Failure to hold the correct licence for the vehicle being driven would mean that the driver would be breaking the law and the Trust's insurance cover for that vehicle, at that time, would be rendered null and void. It is also a requirement of the Trust to ensure, as far as is reasonably practicable, that any individual required to drive a vehicle, be it a lease car, Trust owned vehicle or a vehicle owned by that individual, holds the correct and valid licence for that vehicle. This procedure ensures that this Trust is compliant with the requirements.

### **Responsibilities for ensuring compliance**

The Director of Human Resources and the Chief Operating Officer have joint overall responsibility for the implementation of this procedure and for ensuring that staff are compliant with the process.

The Driving Standards Manager is responsible for the day to day operation of the Drivercheck system, and has responsibility to highlight any salient anomalies without delay.

### **Criteria in relation to terms of employment**

#### **Prospective members of staff**

The Recruitment Department have a responsibility to ensure every prospective member of staff holds the appropriate driving licence entitlement as described in the Person Specification for the role they are applying for before any offer of employment is confirmed. This will be done by way of a manual check of the applicant's licence. The Trust has set a maximum of 3 live penalty points on licences for new applicants to the Service. Any additional penalty points over 3 will result in that their application being rejected at that time.

Penalty points are only deemed as 'live' for the purpose of this policy for the actual sentence period, and whilst points remain visible on licences for a period after the sentence is served (normally 12 months) this period should not be counted when considering an application.

Applicants who present a licence showing a spent serious offence(s) where the licence has been revoked, such as Drink Driving or Drug Driving, but the sanction has been served will be passed to DSD to consider. This will be done in collaboration with the Trust's motor insurers and brokers. Applications from candidates who have had their licence revoked following a Drink or Drug Driving offence would not be eligible until after a period of 5 years has elapsed since the conviction.

### **Existing members of staff**

Any member of staff who receives any points on their licence, **MUST** inform their Line Manager immediately. This is a legal requirement and failure to comply could result in insurance claims involving the individual being rendered void and that individual becoming personally liable for any claims.

### **Pre-Employment Assessments**

All applicants prior to employment who will be required to drive as part of their role within SCAS must undertake a Driving Assessment. The Driving Assessment will be facilitated by a DEM or an appropriately qualified in-service WBAD. Prior to the Driving Assessment the DEM / WBAD will check the validity and appropriateness of the licence and record this on the assessment form.

Should any anomaly be found on inspection of the driving licence that cannot be suitably explained the driving assessment **MUST NOT** take place. If a candidate is unable to produce their original driving licence, or in the case of the photo card type licence, are unable to produce both the card and the counterpart paper section. In exceptional circumstances where the candidate has reasonable grounds for not producing their driving licence the DEM / WBAD may utilise the DVLA telephone Licence Check Facility to check the validity of the licence. If a photo-card licence has not been shown at the assessment then the Recruitment Team will need to see some other form of photographic evidence pertaining to the identity of the candidate before a driving assessment can be facilitated.

### **Equality Impact Assessment Form Section One – Screening**

Employees exercising their rights and entitlements under the regulations will suffer no detriment as a result.

The Screening element of the 'Equality Impact Assessment' is available on request.

### **Equality Impact Assessment Form Section Two – Full Assessment**

Employees exercising their rights and entitlements under the regulations will suffer no detriment as a result.

A full 'Equality Impact Assessment' is available on request.