

Merton Mencap

**Transport
Policy & Procedure**

June 2011



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Transport
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This policy and procedure has been adopted by Merton Mencap through its Executive Committee which remains responsible for its review.

Original signed version is kept at the Merton Mencap office.

Signed: _____ Date: _____

Name: _____

Chair of Executive Committee

Signed: _____ Date: _____

Name: _____

Chief Executive

Record of adoption and review of this policy and procedure:-

Adopted: 28 June 2011

Merton Mencap

Transport Policy & Procedure

Background

Merton Mencap may offer transport as part of a service or activity. This document sets out Merton Mencap's policy and procedure for managing the provision of transport.

In this policy and procedure, references to Merton Mencap staff include employees, bank workers and volunteers.

Policy

The extent of Merton Mencap's transport provision is limited to the following:-

- Hiring/borrowing a vehicle and a driver, who is not a Merton Mencap staff member
- Hiring/borrowing a vehicle, which will be driven by a Merton Mencap staff member
- A Merton Mencap staff member acting as escort on hired/borrowed transport
- A Merton Mencap staff member using their own vehicle to carry out duties (not including travelling to and from their normal place of work)

Merton Mencap staff will not, under any circumstances, drive any service user in their own vehicle, except in an emergency. In such instances, the Merton Mencap staff member will contact the Chief Executive to advise of the circumstances beforehand.

1. Driving licences

The following rules apply in the case of driving a Passenger Carrying Vehicle (PCV), such as a minibus with 9-16 seats (excluding the driver).

The 'Category D1' permission on a UK driving licence is required by a person intending drive a PCV for 'hire or reward'. For the purposes of this policy, 'hire or reward' includes a Merton Mencap service in which a service user contributes financially to the service they receive, for example, through service user contribution.

The 'Category D1' permission can be obtained in the following ways:-

- If a person has passed their driving test *before* January 1997, a 'Category D1' permission is automatically acquired

If a person has passed their driving test *after* January 1997, their driving licence may not automatically show a 'Category D1' permission. In such cases, a further test is required before any person is permitted to drive a PCV.

2. Permits

In cases where Merton Mencap borrows or hires a PCV which it intends a member of staff to drive, Merton Mencap will obtain a Section 19 standard permit, which will be kept in the vehicle during its use.

3. Hiring/borrowing a vehicle

In cases where Merton Mencap wishes to hire/borrow a vehicle for the purposes of transporting service users, Merton Mencap will require the person or company responsible for that vehicle to complete the relevant sections of the *Transport Provider Form* (**see appendix 1**) to confirm they will adhere to the required provisions.

4. Hiring a driver (not a Merton Mencap staff member)

In cases where Merton Mencap wishes to hire a driver (not a Merton Mencap staff member) for the purposes of driving a hired/borrowed vehicle, Merton Mencap will require the person or their employer to complete the relevant sections of the *Transport Provider Form* (**see appendix 1**) to confirm they will adhere to the required provisions

The hiring/borrowing of a driver (not a Merton Mencap staff member) is considered by Merton Mencap as receiving a service from a *Provider*. *Providers*, or their relevant representatives, are also required to sign the *Provider Declaration* (**see appendix 2**).

No driver will be permitted to drive a vehicle for Merton Mencap's activities if they accrue 6 penalty points or more.

5. Merton Mencap staff driving a hired/borrowed vehicle

In cases where Merton Mencap wishes a member of staff to drive a hired/borrowed vehicle, Merton Mencap will require the member of staff to adhere to the provisions within the *Merton Mencap Six-monthly driver check form* (**see appendix 3**) in relation to their driving role, which will be updated every six months.

The member of staff is required to complete the *Merton Mencap Vehicle Checklist* (**see appendix 4**) prior to the use of the vehicle each day.

No driver will be permitted to drive a vehicle for Merton Mencap's activities if they accrue 6 penalty points or more on their driving licence.

6. Merton Mencap staff member acting as escort on hired/borrowed transport

In cases where Merton Mencap hires/borrows a vehicle to transport service users to and from home or during an activity, Merton Mencap is responsible for the safety of the service users while boarding, travelling and disembarking. To this end, Merton Mencap will provide one or two staff members to act as escort(s), depending on its risk assessments. It may also be necessary to provide a qualified medical professional to act as escort(s), in line with risk assessments.

Transport arrangements (and, in particular, pre-arranged pick up and drop off points) will be agreed beforehand with the service user, if aged 18 or over and with capacity, or, in any other case, with the service user's parent or responsible carer. Changes to agreed transport arrangements can only be made with the consent of the same person, or a relevant professional, such as a duty social worker.

Seat belts

Regulations in the Road Traffic Act 1998 oblige all drivers and passengers in motor vehicles to wear seat belts.

Exemption from wearing a seat belt can only be granted by a medical professional. In such cases, Merton Mencap must be provided with a 'Certificate of Exemption from Compulsory Seat Belt Wearing'.

Escorts must oversee the following in the use of seat belts:-

- The seat belt should sit as close to the body as possible, without any slack or twisting in the straps
- The shoulder belt should lie across the chest and over the shoulder, away from the neck
- The lap belt should be as low as possible from hip bone to hip bone - not across the stomach

Seat belts for people who are pregnant

Seat belts must be worn by any person who is pregnant, unless a medical professional certifies that the person is exempt on medical grounds, which must be provided in writing to Merton Mencap.

The recommendation for a person who is pregnant is as follows:-

- The diagonal strap should be positioned between the chest, moving it around the side of the bump
- The lap strap should be as low as possible across the hips and under the bump – if it goes over the naval, it is too high

Head rests

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Escorts must ensure that head rests are adjusted to help prevent a whiplash injury in the event of an accident. The top of the head rest should be level with the top of the ears and as close as possible to the head.

Booster seats

Merton Mencap will ensure booster seats are provided for children who require them.

Under the law, booster seats are required in the following circumstances:-

- For children who are aged 3-12 (their 12th birthday) OR under 135cm in height

In cases where a vehicle is fitted with an 'all age' seat belt (a belt which is adjustable for children and shorter adults) Merton Mencap recognises that this type of belt only alters the position of the shoulder belt and does not alter the position of the lap belt. As a result, there is still some danger of the child slipping underneath the lap belt (known as *submarining*). Therefore, Merton Mencap will still provide booster seats to children who require them (see above), even where all 'age belts' are fitted to a vehicle which Merton Mencap uses.

Picking up, escorting and dropping off from a pre-arranged location (e.g. home)

Merton Mencap staff members working as escort are responsible for service users' safety between the pick up and drop off location(s) including when boarding, travelling and disembarking. Where possible, the escort should be the same person picking up and dropping off a service user, for continuity.

Escorts must notify the relevant Projects Manager as soon as possible if they are unable to carry out their escorting duties, as arranged. In such cases, Merton Mencap will attempt to find a replacement escort or may cancel the transport or activity at short notice.

Picking up

When picking up, the escort(s) will:-

- say who they are to the service user, parent or responsible carer
- ensure any equipment or items are also collected, as previously agreed (e.g. wheelchair, packed lunch, medication), and any forms are signed (e.g. medication forms, consent forms)
- confirm the arrangements for drop off with the service user, parent or responsible carer

The escort should contact the team leader or, in their absence, the Projects Manager or Chief Executive, for guidance in the following instances:-

- there is no answer from the pre-arranged pick up location
- the escort is directed to another pick up point by someone other than the service user or the service user's parent or responsible carer

- equipment or items are not available as agreed (e.g. wheelchair, packed lunch, medication)
- they have any safeguarding concerns

Setting off and during the journey

Before setting off, the escort(s) is/are responsible for:-

- ensuring all seat belts are in working order and ensuring booster seats are used where required, as previously instructed by the team leader or relevant Projects Manager
- securing any wheelchairs and harnesses
- ensuring all bags and other bulky items are safely stowed (e.g. placed under the seats)
- ensuring medication is kept safely and securely
- informing the driver when service users are safely and securely seated (with all relevant seat belts fastened) and all doors are closed
- sitting in the back of the vehicle with the service users and not in the front with the driver
- ensuring the service users do not eat or drink during the journey

During the journey, the escort(s) is/are responsible for:-

- ensuring service users do not distract the driver
- ensuring seat belts remain fastened and wheelchairs and harnesses remain secure
- ensuring bags and other bulky items remain safely stowed
- ensuring service users are comfortable and well
- alerting the driver to stop the vehicle in the event of an emergency

Escorts must not leave service users unsupervised in the vehicle and must remain alert at all times. While escorting, save for making essential calls, escorts must not use mobile phones for any purposes, must not use any MP3 or similar devices, and must not eat or sleep,

On arrival at location of Merton Mencap activity

On arrival, the escort(s) is/are responsible for:-

- ensuring the vehicle is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces)
- ensuring service users are escorted from the vehicle to a safe location
- ensuring any information or items (e.g. medication) is/are given/handed to the appropriate person, (e.g. the team leader, parent)
- reporting any incidents to the appropriate person which occurred during the journey (e.g. the team leader, parent or responsible carer)

Dropping off at home or other pre-agreed location (e.g. overnight respite home)

When dropping off at home or other pre-agreed location, the escort(s) is/are responsible for:-

- ensuring the vehicle has arrived at the correct location and is parked safely to disembark (e.g. avoiding busy roads and uneven surfaces)
- walking with the service user to the front door or other entrance
- saying who they are
- ensuring the person receiving the service user is the person expected to do so
- relaying information about any incidents or accidents, as instructed by the team leader
- ensuring any equipment or items, including medication, are handed back and any forms are signed

The escort should seek instruction from the team leader or, in their absence, the Projects Manager or Chief Executive, in the following instances:-

- there is no answer from the pre-arranged drop-off location
- the escort is asked to take the service user to another location
- the escort is asked to leave the service user with a minor (e.g. a sibling) or someone Merton Mencap was not expecting
- the service user seems reluctant to want to be dropped off
- they have any safeguarding concerns

On no account should escort(s) leave service users with a minor, a neighbour or any other person who has not been established, by agreement with the parent, responsible carer or other professional, such as a duty social worker, as the person to leave the service user with. In such cases, the service user should be escorted to the transport and further instruction sought from the team leader, relevant Projects Manager or Chief Executive.

7. A Merton Mencap staff member using their own vehicle to carry out duties

In cases where Merton Mencap staff member is required to use transport to carry out their duties (not including travelling to and from their normal place of work) that member of staff may choose to use their own vehicle.

In such cases, Merton Mencap will require staff to provide the following each year:-

- confirmation of their vehicle insurance, in writing, which includes a provision for them to use their vehicle for business use

Merton Mencap staff must not, under any circumstances, drive any service user in their own vehicle, except in an emergency. In such instances, the Merton Mencap staff member must contact the Chief Executive to advise of the circumstances beforehand.

8. Service users travelling independently or being collected

In cases where a service user travels independently to Merton Mencap's services or activities or is brought by a parent or responsible carer, Merton Mencap will ensure such arrangements

are established in writing. Changes to these arrangements can only be made with the consent of the same person, or another professional, such as a duty social worker. Merton Mencap will never leave a service user alone who has not been picked up as arranged.

9. Fines

Apart from exceptional circumstances, all fines incurred by drivers will be paid by the driver. Where, in Merton Mencap's view, the relevant fine could not reasonably be avoided, for example, in ensuring the safety of service users, Merton Mencap may discharge the fine.

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Appendix 1 Transport Provider Form

Merton Mencap requires all providers of transport (vehicles and/or drivers) to complete the relevant section(s) of this form.

Name of provider	
Date	
Name of person completing this form	

Section one: Provider of vehicles

I confirm that the vehicle(s) provided to Merton Mencap by me/*company name** is covered by the appropriate insurance (of which I have provided written confirmation), has the appropriate vehicle tax, has a current MOT certificate (which will be renewed when required) and is regularly serviced and maintained.

Signed: _____

Position: _____

Date: _____

Section two: Provider of drivers

I confirm that I/ all drivers provided by *company name* to Merton Mencap* adhere to the following:-

- I/all drivers* will produce to Merton Merton/*company name** my/their* driving licence every six months and I will ensure I/the driver* has the appropriate licence provisions to drive the vehicle
- I/all drivers* have successfully completed the MIDAS training (*Minibus Driver Awareness Scheme*) and I/all drivers will re-new this every four years
- I/all drivers* will provide Merton Mencap/*company name** with a copy of my/their* driving licence every six months
- I/all* drivers will conduct a check of the vehicle prior to every day the vehicle is driven for Merton Mencap

Signed: _____

Position in company (if applicable): _____

Date: _____

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**Appendix 2
Provider Declaration**

Name of provider (or their relevant representative):

Name of Projects Manager:

Please sign this declaration to demonstrate that you are safe to work with children and vulnerable adults. If there are any aspects of the declaration that you are not able to meet, you should disclose this immediately to the manager/senior/your point of contact at Merton Mencap:-

I understand that Merton Mencap is committed to ensuring that children, young people and adults are safeguarded at all times.

I can confirm that:-

- I have shown photo ID to confirm who I am
- I am not 'disqualified for caring for children'
- I understand my responsibility to help safeguard children, young people and vulnerable adults who I come into contact with during my involvement with Merton Mencap's activities
- I will ensure that I will not have unsupervised access to children, young people and adults during my visit to Merton Mencap's activities
- I do not have any medical conditions which could affect my ability to help safeguard children, young people or vulnerable adults during my involvement in Merton Mencap's activities

Signed by (provider or their relevant representative):

In the presence of (name of Merton Mencap projects manager/team leader/other authorised person):

Date:

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**Appendix 3
Six-monthly driver check form**

Name of staff member (driver):

1. Driving licence checked and copied to the file: Yes / No

2. Number of endorsements since driving licence last checked:

3. Is MIDAS training still in date (within 4 years)?: Yes / No

4. Is staff member aware of their responsibility to complete Vehicle Checklist Form each day?:

5. Other comments (e.g. training needs):

Signed by staff member (driver): _____

Signed by manager: _____

Date: _____

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Appendix 4 -Vehicle Checklist

Name of driver (must be person completing this form):

Date:

Vehicle registration:

Merton Mencap activity/service:

All drivers must complete the following checks at the start of the day. Any defects must be recorded in the end section.

Exterior

Check	OK (please tick)	Any action required
Glass and mirrors intact		
Wipers intact		
Tyres/spare appear in good order		
Bodywork appears in good order		
Doors and locks – all working properly		
Road tax in date		

Engine

Check	OK (please tick)	Any action required
Bonnet release working		
Oil and water levels		
Clutch fluid level		
Brakes fluid level		

Interior and controls

Check	OK (please tick)	Action required
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Seat belts working		
Extinguishers present and secure		
First aid kit present (if applicable)		
Breakdown information and blue badge present		
Mirrors, lights and horn intact and working		
Fuel level appropriate for the day		
All dash board controls working		
Reverse alarm working		
Passenger lift, side steps, clamps, wheelchair restraints, working		

Defects	Reported to