

AB25 - Vehicle Insurance Policy and Procedure

Category: Administration Sub-category: Business Operations

Policy Review Sheet

Last Reviewed: 06/03/19 Last Amended: 28/03/18

Next planned review in 12 months, or sooner as required.

Note: The full policy change history is available in your online management system.

Business Impact:	Low	Medium	High	Critical
		X		
Changes are important, but urgent implementation is not required, incorporate into your existing workflow.				

 Reason for this review:	Scheduled review
 Were changes made?	Yes
 Summary:	Policy converted to the new QCS format. Reviewed legislation and industry best practice.
 Relevant Legislation:	<ul style="list-style-type: none"> • Corporate Manslaughter and Corporate Homicide Act 2007 • The Care Act 2014 • The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015 • Health and Safety at Work etc. Act 1974 • Management of Health and Safety at Work Regulations 1999 • The Workplace (Health, Safety and Welfare) Regulations 1992
 Underpinning Knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> • HSE, (2014), <i>Driving at work - Managing work-related road safety (INDG382)</i> [Online] Available from: http://www.hse.gov.uk/pubns/indg382.pdf [Accessed: 27/03/2018] • HSE, (2017), <i>Vehicle maintenance</i>. [Online] Available from: http://www.hse.gov.uk/workplacetransport/factsheets/vehicle.htm [Accessed: 27/03/2018] • HSE, (2017), <i>Work related road safety</i>. [Online] Available from: http://www.hse.gov.uk/roadsafety/index.htm [Accessed: 27/03/2018] • Gov.uk, (2017), <i>Vehicle insurance</i>. [Online] Available from: https://www.gov.uk/vehicle-insurance [Accessed: 27/03/2018]
 Suggested action:	<ul style="list-style-type: none"> • Encourage sharing the policy through the use of the QCS App • Add the policy to the planned team meeting agendas • Share 'Key Facts' with all staff • Ensure the policy is discussed in planned supervision sessions with relevant staff • Ensure relevant staff are aware of the content of the whole policy

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1. Purpose

1.1 To ensure that vehicles used for business are properly insured. Where the vehicle is a private car, this must have business insurance that is appropriate for the journeys being undertaken.

1.2 To support 4SocialCare Ltd in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
SAFE	S2: How are risks to people assessed and their safety monitored and managed so they are supported to stay safe and their freedom is respected?
EFFECTIVE	E1: Are people's needs and choices assessed and care, treatment and support delivered in line with current legislation, standards and evidence-based guidance to achieve effective outcomes?
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?
WELL-LED	W4: How does the service continuously learn, improve, innovate and ensure sustainability?

1.3 To meet the legal requirements of the regulated activities that 4SocialCare Ltd is registered to provide:

- Corporate Manslaughter and Corporate Homicide Act 2007
- The Care Act 2014
- The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015
- Health and Safety at Work etc. Act 1974
- Management of Health and Safety at Work Regulations 1999
- The Workplace (Health, Safety and Welfare) Regulations 1992

2. Scope

2.1 The following roles may be affected by this policy:

- All staff

2.2 The following people may be affected by this policy:

- Service Users

2.3 The following stakeholders may be affected by this policy:

- Family
- Advocates
- NHS
- Representatives
- Commissioners
- External health professionals
- Local Authority

3. Objectives

3.1 To ensure that vehicles driven by employees to and from their workplace, during work time and carrying other staff or Service Users, are correctly insured.

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4. Policy

4.1 Staff at 4SocialCare Ltd will ensure that they have the correct level of car insurance for driving to and from work, driving for work, when transporting other staff and if authorised to do so, transporting Service Users.

4.2 4SocialCare Ltd recognises that it has a responsibility under the Health and Safety at Work Act to ensure that employees who drive for work, have vehicles that are roadworthy and have the correct level of motor insurance.

4SocialCare Ltd will confirm with staff who use their vehicle for 4SocialCare Ltd's business that they are properly insured. Copies of the documents will be kept on the staff file, and a note made of the Insurance Policy expiry date when a new copy will be requested.

4.3 4SocialCare Ltd will also check the driving licence of any staff using their own vehicle for business purposes and validate that the member of staff is licensed for the proposed activity. A copy of the licence will be held on the staff file and a note will be made of the expiry date of the licence so that a copy of the new licence can be requested as the expiry date approaches.

4.4 Staff should note that the Staff Handbook clearly states that, should there be any change in their driving licence status or their insurance cover and they use their vehicle for business purposes, they must immediately inform their employer. Not informing the employer of any matter which may affect their legal status as a vehicle driver in relation to the business may lead to disciplinary proceedings.

4.5 If 4SocialCare Ltd provides a vehicle that is used for business purposes, including the transportation of staff or Service Users, 4SocialCare Ltd will ensure that it has the appropriate business insurance and that the vehicle's use is always in accordance with the terms of the policy. This would include any adaptations such as safety devices e.g. tailgates and ramps being properly maintained and serviced.

4.6 4SocialCare Ltd will check that any privately owned vehicles transporting its staff and Service Users, other than registered taxis, have adequate and appropriate insurance for that purpose.

4.7 Where 4SocialCare Ltd has a pool or lease car, it will ensure that it has the correct insurance and that staff driving the vehicle have a full driving licence with any endorsements declared. 4SocialCare Ltd will agree whether a clean driving licence is required in line with 4SocialCare Ltd's Insurance Policy. It is the staff member's responsibility, when driving the vehicle, to report any concerns about it and they must understand that they have a responsibility for any fines or penalties incurred whilst driving the vehicle.

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5. Procedure

5.1 4SocialCare Ltd must carry out an assessment of the adequacy of the insurance cover of any staff who have been asked to, or who have volunteered to use their own vehicle to travel to premises other than their normal place of work, to run errands, and in particular to transport other staff on business, or Service Users for any purposes.

A vehicle cannot, under any circumstances, be used for carrying other persons than the insured as paid for ("for reward") transport. This activity requires a taxi licence and insurance.

5.2 Staff Responsibility

- It is the responsibility of the staff member to ensure that their own vehicle insurance cover is adequate for the driving activity. It is an offence to drive without appropriate insurance, and in this situation, the Insurers will repudiate the policy leaving the driver personally liable for all claims
- Staff should always check their insurance policy, and if they are unsure if they are covered they should contact the insurance company, explain the exact circumstances of the proposed use, and ask for written confirmation of cover. Staff should be aware that some online-only insurers may not offer sufficient customer support to be able to respond to this query
- In the event of not receiving confirmation of cover, drivers are advised not to carry out the activity in question until suitable cover, which can be qualified by documentation, is in place

5.3 4SocialCare Ltd's Responsibility

- To undertake risk assessments for staff who have to drive during the course of their work
- Mrs Jody-Ann Jones will ensure that, as part of recruitment, a new member of staff has the correct insurance and that evidence of their driving licence is produced
- To check any endorsements, cautions or convictions and ensure that local policy is followed in relation to any positive disclosures
- To ensure systems are in place to check motor insurance, MOT and Tax periodically
- To understand obligations in relation to the Driving and Health and Safety at Work Act
- Mrs Jody-Ann Jones will ensure that any company pool or lease cars are insured correctly and are well maintained
- Mrs Jody-Ann Jones will ensure that staff are given sufficient travel time for their journeys

6. Definitions

6.1 Business Insurance

- This is a legal document to protect the driver or 4SocialCare Ltd against damage to vehicles or other property damaged by vehicles driven for a premium. Having the appropriate insurance for the vehicle and the function it will fulfil is a legal requirement

6.2 Corporate Manslaughter and Corporate Homicide (CMCH) Act

- Under the CMCH Act, an employer can be prosecuted for the offence if, due to senior management failure, it grossly breaches a relevant duty of care which results in an individual's death

Key Facts - Professionals

Professionals providing this service should be aware of the following:

- Managers of 4SocialCare Ltd must ensure that all vehicles used for business are fully serviced and have appropriate insurance for their intended use
- Managers are to keep a record of insurance details and ensure they are aware of staff or volunteers who may have received points on their licence, e.g. as a result of an accident, speeding etc.
- Managers are to be aware of staff who take medication which may affect their driving and where necessary, seek professional advice to ensure the safety of all

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Key Facts - People Affected by The Service

People affected by this service should be aware of the following:

- When in a vehicle (car, mini-bus etc.) you must wear the seat belt provided when the vehicle is moving
- If you are concerned about anything to do with the outing/appointment, please discuss this with your Support Worker

Further Reading

There is no further reading for this policy, but we recommend the 'Underpinning Knowledge' section of the review sheet to increase your knowledge and understanding.

Outstanding Practice

To be 'Outstanding' in this policy area you could provide evidence that:

- Robust risk assessments are in place which are regularly updated
- Mechanisms are in place to check vehicle insurance documents on recruitment and periodically and a process is in place to manage positive disclosures relating to convictions and cautions
- 4SocialCare Ltd understands the implications of the Health and Safety at Work Act and puts measures in place to ensure that staff and Service Users are safe when driving
- The wide understanding of the policy is enabled by proactive use of the QCS App