Denbighshire Voluntary Services Council

Your local county voluntary council

4. Volunteers

4.18 Volunteer Drivers

Volunteer Drivers and volunteers who drive

Most of the information in this document relates to 'volunteer drivers', i.e. volunteers whose volunteering activity is in the role of a driver. However, other volunteers may use their car to drive to and from their volunteering placement or during the course of their volunteering. For these volunteers most insurance companies require that the driver has 'domestic, social, pleasure' cover. If using their car to e.g. attend a meeting on behalf of the organisation they are volunteering for then volunteers may need to upgrade to 'business cover'. It is good practice for all volunteers who use their car in the course of their volunteering to inform their insurance company. A sample letter is provided in Appendix 1.

Cars and minibuses

This information concerns the requirements for cars and not minibuses. A vehicle with a seating capacity of more than nine is not subject to car-sharing legislation and operates under a special licence. Find out more from the Community Transport Association in Wales

Driver and vehicle safety

Checks on the volunteer driver

- Licences should be full and not provisional. Driving licences should be inspected when the volunteer is taken on, and then at regular intervals, to check that the volunteer does not have any recent or serious driving convictions. Where a driver has penalty points on their licence, the organisation may wish to set a minimum standard with regards to what would be acceptable or not.
- Organisations may want to set a minimum requirement for driving experience. • Some organisations have expressed concerns over a volunteer's fitness to drive, especially as the state of a person's health can change over time. If a person's health (or medication) presents a risk to their driving, then their GP will explain this to them. By law, **the individual must notify the Driver and Vehicle Licensing Agency** (DVLA) if they suffer from a medical condition or disability that may affect their driving, or if they develop a new condition or disability, or an existing once becomes worse since their licence was first issued. Once the driver has notified the DVLA, the Drivers Medical Group within the DVLA will make a decision about the person's fitness to drive.

In certain circumstances volunteer drivers involved in conveying vulnerable people including children may be eligible to undergo a Disclosure and Barring Service enhanced check. Where the driver is conveying an adult to, from or between places where they receive healthcare, personal care or social care due to age, illness or disability then this would meet the definition of regulated activity, which is work a person cannot do if they have been placed on the adults barring list by DBS. Where an individual is driving a vehicle which is being used only for the purpose of conveying children where this is *frequent or intensive it would meet the definition of regulated activity, which is work a person cannot do if they have been placed on the children's barring list by DBS.

If you would like more information on safeguarding and safer recruitment please contact WCVA - http://www.wcva.org.uk/advice-guidance/criminal-records-checks/

* Frequent – once a week or more often
Intensive – 4 or more days in a 30 day period

Checks on the vehicle

- An MOT certificate should be requested from the volunteer driver if the vehicle is over three years old.
- The organisation needs to be reasonably confident that the vehicle is safe. You can do this by checking MOT's and service records.
- Cars must have front and rear seatbelts and all passengers should wear seatbelts. Drivers are responsible for ensuring that children under 14 years of age are restrained in the correct manner. Passengers aged over 14 are legally responsible for ensuring that they are wearing a seat belt.
- Sports cars, vans and off-road vehicles could well be unsuitable for taking passengers. The vehicle must be easy for the passengers to get in and out. Clients can be matched to the volunteer in terms of the kind of vehicle available.

Insurance

- If an organisation owns the vehicle being used, then it is responsible for arranging insurance. If the volunteer owns the vehicle, then he or she is responsible for arranging appropriate insurance.
- Legally, only third party car insurance is required, but it is good practice for the driver to have comprehensive insurance. The organisation should take out public liability insurance so that it is covered for any claims which the car insurer will not cover. Also, note that your volunteers and clients need to be insured for activities whilst the vehicle is not moving, such as when the client is getting in or out of the vehicle or crossing the road.
- Owner-drivers must tell their insurance company in writing that they will be driving in a volunteering capacity, otherwise the policy can be invalidated, which results in the driver being personally liable for any damage or injuries sustained in an accident. A sample letter is suggested.
- Car schemes must not pay drivers anything more than expenses actually incurred; it can invalidate the insurance policy if drivers are making a 'profit'.

Breakdown cover

Up-to-date breakdown cover is recommended, especially when transporting service users.

Mileage Reimbursement

For more information on mileage reimbursement and volunteer expenses please refer to Information Sheet 4.13 Volunteer Expenses.

Training

Drivers should be trained if they are carrying elderly or disabled people or children. Training may need to be given in picking up and setting down passengers. Training should be given in disability awareness and customer care.

Breaks

Drivers should rest for at least 15 minutes every 2 hours within a journey, and between journeys.

Identification

Organisations may consider providing ID for volunteer drivers so that the people they are picking up can clearly recognise them. The identification should include the main telephone number for the voluntary driving scheme.

Alcohol

Drivers should not drink alcohol before a journey. Alcohol remains in the body for a considerable amount of time. This is an issue to cover in training and you may also want to have a clear policy on this.

Smoking

Volunteers who provide transport in their own car should be advised smoking is not permitted in the vehicle while transporting an individual.

Luggage

Luggage and shopping should be put in the boot or kept securely to prevent injury if the vehicle suddenly stops. However, volunteer drivers whose health may prevent them from picking up shopping or stowing chairs and walking-aids should be carefully matched by the scheme manager to appropriate clients.

Pets

Pets can be carried with clients, at the discretion of the driver, as long as the animal does not affect the safe running of the vehicle. Guide dogs for blind and deaf clients should be taken in the vehicle, unless there are good reasons for not doing so.

Seating capacity

Never exceed the seating capacity of a vehicle, as stated by the manufacturer and insurer.

Accidents, illness or injury

In the event of an accident, the organisation and the emergency services should be informed immediately and details given. If a client falls ill or is injured during a journey, then the driver should seek immediate medical help.

Minibus driving –

The Minibus Drivers Awareness Scheme (MiDAS) is a nationally recognised, assessment and training scheme for drivers of minibuses, cars, and MPV's (Mulit Purpose Vehicle) in the voluntary and not-for-profit sectors. MiDAS provides training to reduce wear and tear on the vehicle and to ensure safe passenger transport. Each MiDAS certificate is awarded for 4 years and a refresher course is recommended at the end of each certificate period. Further information [hyperlnk to http://www.ctauk.org/training/midas.aspx] is available from the Community Transport Association.

Further information

See also Information sheet 4.13 Volunteer expenses

The ABI (Association of British Insurers) - information on the requirements of different insurance companies concerning cover for volunteer driving

HM Revenue and Customs – volunteer drivers www.hmrc.gov.uk/mileage/volunteer-drivers.htm

RoSPA Driving for Work
www.rospa.com/roadsafety/info/workspeed.pdf

Health and Safety Executive – Driving at Work
www.hse.gov.uk/pubns/indg382.pdf

Community Transport Association in Wales www.ctauk.org/in-your-area/wales.aspx

Disclaimer
The information provided in this sheet is intended for guidance only. It is not a substitute for professional advice and we cannot accept any responsibility for loss occasioned as a result of any person acting or refraining from acting upon it.

Appendix 1 – Sample letter re Volunteer's Car Insurance

Name

Address

Date

To: (Insurance Company) . . . . . .

Re: (Policy Number) . . . . . .

Dear Sir/Madam

I intend to undertake voluntary work and, from time to time, I will use my vehicle to carry passengers or to carry out other duties, as requested. I will receive a mileage allowance for these journeys to cover the running costs of my vehicle in accordance with Section 1(4) of the Public Passenger Vehicles Act 1981, which exempts me from both Passenger Service Vehicle and Hackney Carriage / Private Hire Car licensing laws.

I should be grateful if you would confirm that my existing policy covers me for such volunteer driving.

Please also confirm that my insurance policy indemnifies the agencies with which I am a volunteer against third party claims arising out of the use of my vehicle for such voluntary work.

Yours faithfully

(Policy Holder)

For further information contact

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