

# Driving on OPAL Business Policy

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<b>Document control table</b>	
<b>Document title</b>	Driving on OPAL Business
<b>Version</b>	September 2025
<b>Responsible committee</b>	HR
<b>Author</b>	Eula Hersey
<b>Date effective from</b>	24 <sup>th</sup> June 2019
<b>Date last amended</b>	30 <sup>th</sup> September 2025
<b>Review date</b>	August 2028
<b>Who this document applies to:</b>	All trustees, staff and volunteers who drive on OPAL business

# Driving on OPAL Business Policy

## 1. Introduction

OPAL recognises that driving for work, whether as a member of staff or a volunteer, carries risk and has put into place reasonably practicable measures to manage those risks. It will ensure that all vehicles used for OPAL business, irrespective of who owns them, conforms to road traffic law, is safe and properly maintained and is fit for purpose. It will endeavor to ensure that the organisation's road journeys are properly planned and safely completed.

## 2. Policy Statement

Definition of vehicles used for OPAL business:

A vehicle is 'used for OPAL business' where the driver is entitled to claim mileage as per the organisation's expenses policy.

## 3. Purpose of this Policy

To minimise vehicle incident and at-fault related road accidents and injuries.

## 4. Objectives of this Policy

To make sure that staff and volunteers drive vehicles that are roadworthy, taxed and insured.

To make sure staff and volunteers are properly qualified to drive, according to UK law.

## 5. Procedures

### 5.1 Use of privately owned vehicles

Before a member of staff uses their own vehicle for OPAL business, the member of staff must complete a Staff Driver Form each year, which will include providing the following documents to be checked by their Line Manager.

- Full driving license
- Car Tax (and MOT if applicable) via the DVLA
- Car Insurance including Business Use

Before a volunteer can use their own private motor vehicle for OPAL business to carry OPAL Service members/participants as part of their voluntary work, they must complete a Volunteer Driver Form and their Organiser will check their driving licence and have their Car Tax checked via the DVLA.

If a volunteer is only using their vehicle to travel to and from their place of volunteering, and is not carrying OPAL service members/participants, then they are not required to complete a Volunteer Driver Form.

Volunteers using their own vehicles are asked to check with their insurance provider that they are covered to drive as a volunteer on an occasional basis because most insurers do not require 'business use' if the driver is not in paid employment.

### 5.2 Use of hire vehicles

Where a member of staff or volunteer uses a hire car, they are asked to seek comprehensive guidance from the hire firm on each and every occasion to ensure they are familiar with the workings of that particular vehicle.

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### 5.3 Driving on OPAL business

All drivers must comply with OPAL requirements for driving on business.

These include:

- Obeying the rules of the road at all times – especially speed limits.
- Not taking unnecessary risks and driving appropriately for the prevailing conditions.
- Conducting regular checks to ensure the vehicle is roadworthy.
- Never driving after drinking alcohol or any other substance which may impair their driving.
- Not driving if they feel unwell, very tired or taking prescription medication which advises them not to.
- Employees and volunteers should switch phones to voicemail, or switch them off, while driving, or ask a passenger to use the phone.
- Employees and volunteers should plan journeys to include rest stops, which also provide opportunities to check messages and return calls.

### 5.4 Breakdown services

Individual drivers are encouraged to join one or to have some other arrangements in place so that an emergency breakdown service is available.

Ideally, drivers should carry a blanket, torch, a warning triangle and a First Aid Box.

### 5.5 Mobile phones or Sat nav

It is illegal to hold a phone or other communication device (e.g. sat nav) while driving. You must have hands-free access, such as:

- a bluetooth headset
- voice command
- a dashboard holder or mat
- a windscreen mount
- a built-in sat nav

The device must not block your view of the road and traffic ahead.

The law, about not using a hand-held device, still applies to you if you're:

- stopped at traffic lights
- queuing in traffic
- supervising a learner driver

You can use a hand-held phone if either of these apply:

- you're safely parked
- you need to call 999 in an emergency and it's unsafe or impractical to stop.

However, staff should try and avoid if possible using hands-free device while driving, (even though it is legal) because they could be significantly distracted and this substantially increases the risk of a crash. Depending upon the individual

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circumstances, drivers could be charged with 'failing to have proper control of their vehicle'.

### 5.6 First aid equipment

It is recommended a first aid kit is carried in all vehicles and should be clearly marked and readily accessible (see H&S First Aid Policy).

### 5.7 Smoke-free vehicles

The law also requires vehicles to be smoke-free at all times if they are used:

- to transport members of the public
- in the course of paid or voluntary work by more than one person – regardless of whether they are in the vehicle at the same time.

Vehicles that are used primarily for private purposes will not be required to be smoke-free. However, the risk of inhaling dangerous carcinogens is still high in a car where someone has been smoking, even if smoke is no longer visible.

As good practice, OPAL asks employees and volunteers who use their own private vehicles for work to avoid smoking in them up to one hour before carrying passengers.

### 5.8 Safer routes

OPAL advises employees and volunteers that every journey should be a managed one. When planning a journey, drivers should take account of road type, hazards, traffic densities and high-risk features such as schools or busy shopping centers. The driver should not set off without a clear understanding of the route, including directions and maps, if necessary. Routes should take passengers' needs into account.

### 5.9 Carrying passengers

The law states that passengers in cars must wear a seat belt, unless they have a medical exemption certificate.

OPAL Service members / participants travelling in a car must be securely strapped in, and the safety belt must be worn throughout the journey. If a passenger refuses to wear a safety belt, they must not ride in the vehicle.

If a service user gets upset or angry during a journey, they may pose a threat to the safety of other passengers and/or the driver. You should consider the likelihood of this as part of each person's individual risk assessment.

Some passengers will require help when getting in and out of a vehicle. People providing physical assistance must have received training in helping people to move safely.

### 5.10 Accident and incident reporting

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All employees and volunteers are required to report any accidents or incidents whilst driving on OPAL business, including those where no damage or physical injury occur and near misses.

### **6. Associated Documents**

Staff Driver Form

Volunteer Driver Form

H&S Accident and Incident Reporting Form

Lone Working - Information Sheet

### **7. Associated Legislation**

Smoke Free (Exemptions and Vehicles) Regulations, 2007

Health Act 2006 (Section 5, Chapter 1) (Smoke free vehicles)

Regulation 110 of The Road Vehicles (Construction and Use) (Amendment) (No. 2)

Regulations 2022

### **8. Where to go for further advice**

Health and Safety Executive

[www.hse.gov.uk](http://www.hse.gov.uk) - [www.hse.gov.uk/workplacetransport/drivingforwork.htm](http://www.hse.gov.uk/workplacetransport/drivingforwork.htm)