

SCHEDULE 4

CODE OF CONDUCT FOR DRIVERS

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This code of conduct is for any driver of a passenger transport vehicle operating under contract to Hampshire County Council.

It has been written to ensure that drivers understand their responsibilities within the terms of the Contract and to ensure that they and their passengers have a safe and comfortable journey.

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1 GENERAL OBLIGATIONS OF DRIVERS

DRIVERS MUST:

- 1.1 Be smart and tidy in appearance and pay adequate attention to personal hygiene.
- 1.2 Be polite and courteous to Passengers at all times.
- 1.3 Not swear or make remarks that are personal, sexual, racist or which could be judged to be offensive in any way.
- 1.4 Not smoke whilst driving the Vehicle or whilst loading or unloading Passengers, or in the Vehicle shortly before commencing Contract Journeys.
- 1.5 Drive in a considerate manner at all times and avoid sharp braking, fast cornering and harsh acceleration which can be unnerving for Passengers.
- 1.6 Wear suitable identification as may be requested by the Council which must be visible at all times during Contract Journeys.
- 1.7 Not use a mobile phone at any time whilst the Vehicle is in motion. The use of a hand held phone is only permitted when the Vehicle is parked and the engine is switched off.
- 1.8 Be medically fit to drive at all times and must inform their employer and the DVLA if they have any medical condition which may affect their ability to drive.
- 1.9 Not consume alcohol before or during Contracted Journeys (or at any time beforehand on the same day) including drinking without exceeding the legal alcohol limit for driving. It should be noted that alcohol from drinking the day before can remain in the bloodstream for up to 24 hours, and that any alcohol can affect concentration, reaction times and judgement.
- 1.10 Not drive whilst under the influence of drugs, nor any medication which may affect their ability to drive. This includes both prescription and non-prescription medication. If taking any medication drivers must always check with their medical practitioner or pharmacist that it is safe for them to drive.

2. ESCORTS/PASSENGER ASSISTANTS (WHERE PROVIDED)

- 2.1 Escorts, sometimes called Passenger Assistants, are responsible for the care and supervision of the Passengers.

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2.2 Escorts are not responsible for giving the driver instructions on the correct route, but may from time to time need to inform the driver of a late change.

2.3 Drivers must work co-operatively with the Escort at all times.

3. DEALING WITH UNACCEPTABLE CONDUCT BY PASSENGERS

3.1 If a Passenger's conduct is such that the driver is or may be distracted whilst driving, he/she must stop the Vehicle as soon as it is safe to do so and continue the Journey only when order is restored.

3.2 Drivers must not evict authorised Passengers from the Vehicle.

3.3 Drivers must report any serious incidents as soon as practicable to their employer (who will inform the Council immediately) giving as much detail as possible including the name of any Passenger(s) involved in the incidents and their pick-up point. This includes situation where a child or vulnerable adult absconds the vehicle prior to being dropped off. Drivers should not pursue passengers who abscond.

3.4 Passengers with special needs may display challenging behaviour. In the case of authorised Passengers an escort will usually be allocated to the Vehicle to deal with this. If there is not an escort, and the driver finds the Passengers too difficult to cope with, then they must report this to his/her employer, who must inform the Council.

4. Route

4.1 Drivers must follow the route in accordance with the Contract Specification unless previously agreed otherwise in writing.

4.2 Drivers must check passenger tickets on all journeys where the Specification states that tickets have been issued by the Council.

4.3 Drivers must not refuse transport to a child who cannot produce a ticket. If the same child is regularly unable to produce a ticket the driver should take a note of the child's name and address and report this to his/her employer, who will inform the Council.

4.4 Unless agreed otherwise by the Council in advance in writing, drivers must not transport Passengers to any destination other than those on the specified route.

4.5 Drivers should stop at all designated set down points to allow Passengers to remain seated until the Vehicle has stopped.

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- 4.6 If it is difficult to keep to the specified timetable, drivers must inform their employer who in turn must inform the Council.
- 4.7 When dropping off/picking up Passengers at their destination, drivers must stop on the same side of the road as the destination entrance where possible.
- 4.8 When dropping off/picking up Passengers, drivers must pay special attention to any hazard, traffic or obstructions to ensure the safety of Passengers.

5. Vehicle

- 5.1 Where the Contract Specification requires a Vehicle with childproof locks, drivers are responsible for ensuring that the locks are used.
- 5.2 Drivers are responsible for operating all Equipment on the Vehicle including doors, Passenger lifts and wheelchair tie-downs.
- 5.3 Drivers are responsible for lifting child seats and booster seats in and out of Vehicles and for correctly securing them when in the Vehicle.
- 5.4 Drivers must not allow Passengers to operate doors on any large Vehicle (i.e. buses, PSV's, PCV's and minibuses).
- 5.5 Drivers must ensure that before moving off, exiting Passengers are well clear of the Vehicle.
- 5.6 Drivers must be familiar with all of the controls of any Vehicle they drive, and have been trained and be competent to use any Equipment, including lifts, ramps, wheelchair tie-downs and harnesses.
- 5.7 Drivers are responsible for handling any luggage/walking aids, and must make sure that it is safely secured during the Journey.
- 5.8 Drivers must ensure that any luggage/walking aids or other items do not block the gangway or exits.
- 5.9 Drivers should remind Passengers that seatbelts should be worn where this is a legal requirement or it is part of the Contract Specification.
- 5.10 Where seat belts are required to be worn by law, such as in a car or minibus, it is the driver's legal responsibility to ensure that Passengers under 14 years of age always wear seatbelts.
- 5.11 If any Passenger refuses to wear a seatbelt (where this is a legal requirement or in the Contract Specification) the driver must report it to his/her employer who must seek advice from the Council.

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- 5.12 Any Passenger who holds a seatbelt exemption certificate issued by their doctor must not be transported before a risk assessment has been carried out by the Council. In such cases the driver will be advised by his/her employer of any special arrangements.
- 5.13 Drivers should regularly check the seat belts for wear and tear and must reports any damage to their employer/Vehicle owner.
- 5.14 Drivers must ensure there is sufficient fuel before the start of the Journey. Drivers must not refuel the Vehicle when there are Passengers on board.
- 5.15 Drivers must not drive Vehicles that they consider to be unroadworthy or in contravention of any relevant regulations or legislation.
- 5.16 Drivers must report all Vehicle defects to their employer/Vehicle owner. Serious defects must be corrected immediately or an alternative Vehicle supplied.
- 5.17 Drivers must display school bus signs at the front and rear of buses or coaches operating school Contracts.
- 5.18 Drivers should check for lost property at the end of each Journey and hand any items found to their employer who in turn shall return said items to the Council.

6. EMERGENCY INCIDENTS

- 6.1 Drivers must know their employer's procedures for dealing with emergencies.
- 6.2 In the event of an accident or breakdown, drivers should give clear instructions to Passengers and implement the contact/emergency procedures as advised by their employer.
- 6.3 Any Vehicle accident resulting in injury to any Passenger or other person/property must be reported to the police.
- 6.4 In an emergency the driver, working together with the escort (if present), must give priority to the safety and well being of the Passengers.
- 6.5 Where the Passengers are children or vulnerable adults, they should not be left unattended if the driver needs to summon help.
- 6.6 Drivers must report all serious accidents/incidents (even if there are no injuries) to their employer who will notify the Council.

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7. PASSENGERS IN WHEELCHAIRS

- 7.1 When transporting wheelchair users in a Vehicle that has been designed or adapted for the carriage of wheelchairs, drivers must act in accordance with the Council's *Code of Practice for Wheelchair users in Taxis, Private Hire Vehicles and Minibuses Version 3 April 2016*.

8. SUMMARY OF ISSUES THAT DRIVERS MUST REPORT TO THEIR EMPLOYER

Drivers must report the following to their Employer:

- 8.1 Accidents where someone has been injured or near misses where someone could be injured if it happens again.
- 8.2 Serious incidents of unacceptable conduct of Passengers.
- 8.3 Incidents where authorised Passengers with special needs display challenging behaviour and there is no escort to deal with it.
- 8.4 Any Passenger who is regularly unable to produce a ticket when required to do so.
- 8.5 Where the scheduled timetable is difficult to maintain.
- 8.6 Passengers who refuse to wear a seat belt when they are required to do so either by law or in accordance with the Contract Specification.
- 8.7 Vehicle defects including worn or faulty Equipments, such as frayed webbing on tie-downs.
- 8.8 Tie-down Equipment which the driver thinks may not be suitable for the types of wheelchair they have to secure.
- 8.9 Any changes in a passengers condition or needs that may affect their requirements to travel safely.
- 8.10 Any changes in circumstances, such as an authorised Passenger with a new wheelchair which is difficult to secure.

9. PROTECTION OF CHILDREN AND VULNERABLE ADULTS

This clause refers to the following groups of people:

- Children
- Adults with learning difficulties

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- Adults with physical disabilities
- Adults with mental health problems
- Older people, including those with dementia

Drivers must always maintain a strictly professional relationship with the children and vulnerable adults that they transport. Whilst drivers should always be helpful and polite, it is very important that they do not act in any way that could be misunderstood by a child, vulnerable adult, parent, carer or any other observer.

In order to ensure the safety and security of the children and vulnerable adults on transport, and for the protection of the driver, the following instructions must be followed:

9.1 **DRIVERS MUST NOT:**

- a) hug, hold, cuddle, tickle or have any unnecessary physical contact with a child or vulnerable adult;
- b) enter into horseplay with children or vulnerable adults on or off the Vehicle;
- c) discuss with a child or vulnerable adult anything of a personal or intimate nature;
- d) make any personal remark about, or to, a child or vulnerable adult even if it is complimentary;
- e) call any child or vulnerable adult by a nickname, pet name or endearment such as love, darling, etc;
- f) use bad language (swearing), innuendos or sexual comments in the presence of children or vulnerable adults.
- g) give or send children or vulnerable adults drinks, sweets, any food, any gifts, cards, letters, faxes, e-mails or text messages;
- h) exchange phone numbers, e-mail addresses or personal details with children or vulnerable adults;
- i) have any contact with children or vulnerable adults via social media;
- j) take photographs of children or vulnerable adults, including pictures using mobile phones;
- k) enter the home of a child or vulnerable adult;
- l) look through a child or vulnerable adult's handbag or personal belongings, even when asked to find something;

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- l) handle any money on behalf of a child or vulnerable adult;
- m) have any social contact with the children or vulnerable adults that they meet as Passengers, unless they are already a family friend or have the consent of the parents or carer.

This list is not exhaustive but it illustrates the type of actions which could be misunderstood and must be avoided.

Any information about Passengers must be treated as confidential and not be discussed with anyone such as the Driver's family or friends. This also applies to anything that Passengers may tell the Driver in the course of conversation.

9.2 ACCEPTABLE PHYSICAL CONTACT

Drivers should note that some physical contact with Passengers may be necessary, such as:

- a) Assisting a person who has difficulty in walking;
- b) Helping an older person get in and out of a Vehicle;
- c) Assisting someone to put on a seat belt.

Drivers must ensure that they ask the person before physical contact is made, and keep all physical contact to a sensible minimum.

These instructions have been written to help drivers understand that their actions, however well intentioned, may be viewed differently by others. It is important to be aware that an allegation made against a driver may result in an investigation by the Council's Children's Services or Adult Services Departments and/or the Police, during which time the Driver would have to be removed from providing any transport Service to the Council that carries children or vulnerable adults.

If a driver has any concerns regarding the protection of children and vulnerable adults, he/she must first discuss this with his/her employer, and if further advice is required contact the Council's Passenger Transport Group whose current telephone number is 01962 846785.