



<b><u>Policy Title</u></b>	Driver
<b><u>CCMT Sponsor</u></b>	Head of Human Resources
<b><u>Department/Area</u></b>	Learning & Development
<b><u>Section/Sector</u></b>	Driving School

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## 1.0 Rationale

The driving of vehicles for police related purposes on the public roads can attract scrutiny. The highest standards are expected from the Police Service and from individual officers and police staff at all times. We are expected to set the right example to others, regardless of the nature of any particular incident or role in which vehicles are being used and regardless of the demands placed upon individual drivers as they perform their duties.

There is an over-riding need to ensure the safety of the public as well as that of all our staff.

Consequently, it is essential that all such drivers have the correct driver training or authorisation, with appropriate checks to drive the vehicles that they are required to drive to perform their individual role.

## 2.0 Intention

The intentions of this policy document are to provide all drivers with clear guidance in relation to the driving of vehicles for police related purposes. This policy has been formulated solely to establish and maintain a reasonable, practical, safe and responsible approach to our driving activities and to discharge our duty of care, both to the public and our employees by operating a safe system of work.

It is also the intention of this policy in a single source document to encompass the following requirements.

- Driver Documentation
- Eyesight Standards
- Medical Requirements
- Vehicle Classifications
- Driver Classifications
- Assessments & Refresher Training
- Driver Permits – see [Driver Risk Management Policy](#) on Force Intranet – Policy & Procedures
- Vehicle Daily Checks & Maintenance
- General Driving Standards

## 3.0 General Principles

### 3.1 Driving whilst at work

The purpose of this policy is to act as a guide to everyone that may have a requirement to drive a motor vehicle in connection with Thames Valley Police business. The policy applies to any person driving in connection with Thames Valley Police. This includes all Police Officers, Police Staff, Agency Staff, members of Special Constabulary, Community Support Officers and others. All new members of staff will be required to undergo the e-learning package (EDSDR1) before driving on police business.

The categorisation of all drivers (this term equally applies to motorcycle riders) for the purpose of this policy document will fall in to one of the following categories.

### **3.1.1 Category One**

Those regularly using motor vehicles insured by Thames Valley Police i.e. any motor vehicle owned, hired, loaned, sponsored or otherwise used on Thames Valley Police insurance. These drivers will be categorised as:-

- Basic
- Standard Non-Response
- Standard Response
- Advanced

### **3.1.2 Category Two**

Those using a privately owned motor vehicle on Thames Valley Police business for which expenses may be claimed.

### **3.1.3**

There may be occasions when others need to drive a police vehicle (e.g. if they occasionally use a hire car or fleet vehicle).

In such cases, a Line Manager must check their driving licence and eyesight before use.

**Any breach of restrictions outlined in this policy may result in suspension from driving and disciplinary proceedings.**

## **3.2 Definition of Operations & Non-operational Driving**

Only vehicles supplied by Force Transport Department which are fit for purpose are to be used operationally. All other vehicles, including WOMA, hire, loan, sponsored etc. must only be used in a non-operational role. A non-operational role is use only as a mode of transport from point A to point B and does not include any element of 'policing'. In exceptional cases permission must be sought from the Force Transport Officer.

## **3.3 Definition of Police Vehicle**

Any motor vehicle owned, hired, loaned or otherwise used for the purposes of Thames Valley Police and covered by Thames Valley Police insurance.

## **4.0 Guidance, Procedures & Tactics**

### **4.1 Driving Licence and other document checks.**

#### **4.1.1 Category One**

Drivers will show their driving licences annually to their line manager who will record full details, along with the result of the DVLA eyesight test, on the notification form available on the Intranet – see [Driving Licence & Eyesight Check Form](#). This form should be sent to HR for recording on Peoplesoft. This check should also be recorded by line managers on the individuals PDR as an interim review.

#### 4.1.2 Category Two

When drivers submit their expense form they tacitly declare that their driving licence, fully comprehensive insurance (for business use), excise licence and MOT (if appropriate) are current and in order, their vehicle is roadworthy and their eyesight meets the requirements of the Road Traffic Act.

#### 4.1.3

All staff are required to notify the Driver Risk Unit of any traffic summons and endorsable fixed penalties received. Failure to do so will be considered a disciplinary matter. Should a member of staff give cause for concern through accumulation of points on DVLA licence or nature of driving offence committed appropriate action will be considered by the Driver Risk Manager. Similar considerations should be given to applicants for posts within Thames Valley Police who may be required to drive as part of that role.

### 4.2 Eyesight Standards

#### 4.2.1 Category One

Drivers must have their eyesight checked. The test standards must conform to the following:-

**Basic:**

The Road Traffic Act eyesight test – must be able aided or unaided in good daylight to read a number plate from a distance of 20 metres (65ft) – **tested annually** by their line manager.

**Standard (both categories) and Advanced:**

In line with Basic Drivers; Standard Non-Response, Standard Response and Advanced Drivers are required to be tested annually by their line manager as above: additionally Standard Response and Advanced will be tested to ACPO eyesight standards on their licence renewal assessments by Driving School.

It is the responsibility of individuals and line managers to ensure all drivers have annual eyesight checks reported on the [Driving Licence & Eyesight Check Form](#). This check should also be recorded by line managers on the individuals PDR as an interim review. Any drivers who fail to have an eyesight check within three months after the date due will be suspended from driving police vehicles until a satisfactory check has been done.

**Anyone failing to meet the requirements in their category must not drive until corrective treatment has been obtained and demonstrated.**

#### 4.2.2

There is no eyesight check requirement for Category Two drivers, unless there are grounds for concern, but by submitting their expense claim they tacitly declare that their eyesight complies with the requirements of the Road Traffic Act – must be able aided or unaided in good daylight to read a number plate from a distance of 20 metres (65ft).

### 4.3 Medical Requirements

#### 4.3.1

There are several conditions ([see DVLA Medical Guidelines](#)) that holders of driving licences are required to notify DVLA about. Every **Category One** and **Two** driver must ensure that they notify their line manager if their driving licence is withdrawn or becomes subject to conditions imposed by DVLA. The line manager will inform Occupational Health.

All Advanced and Standard Response drivers are required to conform with DVLA Group 2 medical standards. (In certain circumstances, Force Medical Advisor (FMA) will make individual risk assessments in consultation with the Force Driving School).

#### 4.3.2

It is a legal requirement for all staff who drive to adhere to the advice given in connection with the taking of any prescribed medication that may affect their ability to drive e.g. may cause drowsiness etc. That person should take advice from their GP or, in exceptional circumstances, the Occupational Health Unit.

#### 4.3.3 Category One

- Advanced Drivers will be medically screened every 3 years, increasing to annually at the age of 45.
- Standard Response Drivers will be medically screened every 5 years commencing at the age of 45.
- Advanced Motor Cyclists will be medically screened every 2 years increasing to annually at the age of 45.

These will be arranged and undertaken by Occupational Health.

### 4.4 Vehicle Classifications

Only vehicles supplied by Chiltern Transport Consortium which are fit for purpose are to be used operationally. All other vehicles, including WOMA, hire, loan, sponsored etc. must only be used in a non-operational role. A non-operational role is use only as a mode of transport from point A to B and does not include any element of 'policing'. In exceptional cases permission must be sought from the Force Transport Officer.

From March 2010 Chiltern Transport Consortium will start fitting Incident 'Data Recorders' (IDRs) to the TVP vehicle fleet. All of TVP fleet vehicles that are fitted with blue lights, two tones, marked and unmarked that are capable of response work will have these devices fitted.

Thames Valley Police operates a diverse fleet of vehicles of different types, performance and augmentation to meet the operational needs of policing. These vehicles are procured by Chiltern Transport Consortium to meet operational needs as identified by the service. Vehicles are classified according to their performance and attributes in response to national recommendations and best practice.

## NOT PROTECTIVELY MARKED

Due to significant advances in engine design technology and performance, it has been necessary to take account of kinetic energy output (horsepower) for vehicle categorisations. This is now expressed as kilowatts per metric tonne as the industry standard. This information is readily available in manufacturers' handbooks, websites and from Chiltern Transport Consortium if required.

The Home Office PITO document, 'Framework arrangement for the supply of vehicles and spares for Police and Fire Authorities' describes the classification and specification of vehicles that are to be used for police purposes. They fall into the two main categories below:-

VEHICLE CATEGORY	DESCRIPTION IN Kw
LOW PERFORMANCE	Not greater than 59 Kw per metric tonne.
HIGH PERFORMANCE	More than 59 Kw per metric tonne.

In addition to the above classifications for passenger cars there are a number of other specialist vehicle types that require driver familiarisation or training before anyone can use these vehicles as shown at 4.9.8. These classifications do not apply to privately owned vehicles.

Further details regarding vehicle power and use can be found on the Intranet – see [Chiltern Transport Consortium – Vehicle Specification](#).

Every driver must ensure that they are qualified to drive the relevant classification of vehicle in the role for which it is being used. (see Section 4.9.8). This is particularly important when a distinction becomes apparent between operational and non-operational driving.

#### 4.5 Driver Classifications

Any Standard Response or Advanced Driver who does not drive operationally for a period exceeding 12 months will revert to Basic Driver Authorisation status until re-assessed. If any TVP licence category expires the driver classification reverts to Basic until re-authorised by the Driving School.

There may be occasions whereby TVP revoke the right for any driver to drive any vehicle for occupational reasons.

**Category One** drivers are divided into three categories:-

##### 4.5.1 Basic Drivers (see 3.1.1)

Basic Drivers are authorised to drive the category of marked or unmarked police vehicle:

- For which they have the appropriate category on their DVLA driving licence and
- They have met the required standard following an assessment by the Force Driving School.

A Thames Valley Police Driver Permit will then be issued for the licence ([Drive-5](#)).

Any member of staff who fails this assessment and is considered below the Driving Standards Agency standard will not be authorised to drive whilst at work. Previously

trained police officers may be classified as Basic drivers on transfer to Thames Valley Police.

Where officers transfer from another force, providing they can hard evidence that their driver classification and standard meets the TVP policy standards and is current then they may retain the driver classification.

**Restrictions:**

- They must at all times comply with all Road Traffic legislation.
- Under NO CIRCUMSTANCES are they authorised to pursue or stop moving vehicles.
- There will be NO immediate response to any commitment. The highest level of response to ANY incident will be Urgent Attendance (see [Incident Attendance Policy](#)).
- They must not use the sirens or emergency response equipment.
- Operating the blue light is only permissible when the vehicle is stationary to protect a scene of a collision or incident or in a slow moving public safety role.

Police Officers will go on to complete a Standard Response Driving Course. There will be four possible outcomes:-

1. Competent at Standard Response.
2. Competent at Standard Non-Response. – must then attend another Standard Response Course within 12 months. If they then fail to achieve the required level of competency, they will remain as a Standard Non-Response driver.
3. Competent at Basic – must then attend another Standard Response Course within 12 months. If they then fail to achieve the required level of competency they will either remain as a Basic driver or:-
4. Not be authorised to drive.

**4.5.2 Standard Non-Response Drivers**

This classification is primarily for members of the Special Constabulary who have completed the appropriate training and attained the licence (Drive-34). These officers are authorised to drive low performance vehicles in an operational capacity.

**Restrictions**

- They must at all times comply with all Road Traffic legislation.
- Under NO CIRCUMSTANCES are they authorised to pursue vehicles.
- There will be NO immediate response to any commitment. The highest level of response to ANY incident will be Urgent Attendance (see [Incident Attendance Policy](#)).
- They must not use the sirens or emergency response equipment except to blip the wailer and use the blue lights as part of the procedure for stopping vehicles.
- Operating the blue light is only permissible, except as above, when the vehicle is stationary to protect a scene of a collision or incident or in a slow moving public safety role.

**4.5.3 Standard Response Drivers**

## NOT PROTECTIVELY MARKED

Standard Response Drivers are authorised to drive low performance police vehicles in an operational capacity. Drivers of marked police vehicles have a particular responsibility to promote Road Safety at all times by setting an example whether patrolling or responding to incidents. It should also be emphasised that drivers of all police vehicles must comply with all road traffic legislation unless there is a police purpose for claiming one of the exemptions under the relevant legislation.

Standard Response Drivers are only trained and authorised to use emergency equipment i.e. blue lights, audio warning and flashing headlights for response driving in low performance marked cars only. The use of plain vehicles fitted with covert blue lights, audio warning systems and flashing headlights requires an advanced level of driver or additional training.

Standard Response Drivers will be subject to a maximum of plus 20 mph above posted speed restrictions, if safe, to comply with Force Policy.

Posted Speed Limit	Maximum Speed Limit
30 mph	50 mph
40 mph	60 mph
50 mph	70 mph
60 mph	80 mph
70 mph	90 mph

Standard Response Drivers will have undergone response driver training and met the required level of competency – licences ([Drive-4 & Drive-26](#)). If the licences Drive-4 or Driver-26 expire driver classification reverts to Basic.

Standard Response Drivers may take part in the initial phase of a pursuit in a reporting role, provided they have completed the appropriate training and met the required level of competency – licence ([Drive-17](#)) (see [Driver Risk Management Policy](#)).

THE MAXIMUM SPEED RESTRICTION OF PLUS 20 MPH OVER POSTED LIMITS COVERS RESPONSE, INITIAL PURSUIT OR ANY OTHER OPERATIONAL REASON. FOR TRAINING PURPOSES THERE WILL BE NO SUCH RESTRICTION ON ROADS SUBJECT TO THE NATIONAL SPEED LIMIT PROVIDING A DRIVING INSTRUCTOR IS PRESENT IN THE VEHICLE.

The following table will be used as a guide under the ([Driver Risk Management Policy](#)) for management of the plus 20 policy:

- Plus 20 is exceeded by between 1 & 4 mph - sanction management advice, any second occasion for the same driver may result in points on TVP permit.
- Plus 20 is exceeded by between 5 & 9 mph - sanction points on TVP permit.
- Plus 20 is exceeded by 10 mph or more then - sanction is 6 points on the TVP permit.

#### 4.5.4 Advanced Drivers

Advanced Drivers are authorised to drive high performance police vehicles in an operational capacity. Drivers of marked police vehicles have a particular responsibility to promote road safety by setting an example at all times whether patrolling or responding to incidents. It should also be emphasised that drivers of all

police vehicles must comply with all road traffic legislation unless there is a police purpose for claiming one of the exemptions under the relevant legislation.

Staff in the following Operational Command Units who drive high performance police vehicles in an operational role must be Advanced Drivers:-

- Roads Policing
- Tactical Firearms Group – this includes Firearms Training Dept.
- Mobile Protection Group
- Crime Support
- Professional Standards
- Driving School

Advanced Driver authorisation will revert to Standard Response on transfer out of one of the above OCU's, except for those who transfer to Tactical Support with a firearms tactical dog.

All Advanced Drivers will have undergone response driver training and met the required level of competency – licence ([Drive-1](#)). If this expires driver classification reverts to Basic.

Officers from Roads Policing, Mobile Protection Group and Tactical Firearms Group must also meet the required level of competency in the Pursuit Management module to gain specialist pursuit management and car handling skills relevant to the needs of their OCU enabling them to take part in both initial and tactical phases of a pursuit. ([Drive-18](#)).

Mobile Protection Group officers will also complete a VIP Evasive Driving Course on specialist vehicle tactics and skills in relation to the protection of principals and Category A prison escorts. ([Drive-25](#)).

Officers selected for operational motorcycle duties on Roads Policing, Crime Support, etc, must be trained to Advanced level in motor cycle skills. Licence (Drive-6) renewable on an annual basis. If it expires classification reverts to Basic.

#### **4.6 Assessments & Refresher Training**

This section deals with normal planned assessments and refresher training and is separate from the requirements identified under the TVP permit system for those drivers identified as being high risk – (see [Driver Risk Management Policy](#))

##### **4.6.1 Category One**

Any driver whose driving is thought to have fallen below the standard required may be required to have an assessment or refresher course. It is every line manager's responsibility to notify the Force Driving School of such members of staff. The Driving School will arrange for an assessment and recommend any subsequent action.

##### **4.6.2 Basic and Standard Non-Response Drivers**

No formal assessment procedure although they may be referred to the Driving School as at paragraph 4.6.1 above or through the Permit Points system.

### 4.6.3 Standard Response Drivers

Standard Response Drivers will be re-assessed every five years to renew licences ([Drive-4 and Drive-26](#)) and any identified training needs will be addressed by further training as appropriate.

### 4.6.4 Advanced Drivers

Advanced Drivers will be re-assessed every three years to renew licence ([Drive-1](#)) and any identified training needs will be addressed by further training as appropriate.

### 4.6.5 Advanced Motor Cyclists

Advanced Motor Cyclists will be assessed annually to renew licence ([Drive-6](#)) and any identified training needs will be addressed by further training as appropriate. They will also do a refresher course every three years.

### 4.6.6 Category Two

No formal assessment procedure although they may be referred to the Driving School as at paragraph 4.6.1 or through the Permit Points system.

## 4.7 Driver Permits

- All **Category One** drivers will be issued with a Driving Permit which must be produced to a supervisory officer on request.
- Holders of permits must familiarise themselves with the instructions and guidance within the permit.
- Members of staff who accumulate six to eight points on their permits will undergo an assessment by a Force Driving Instructor. (Except when those points have been issued as a direct result of the Plus 20 Policy).
- Refresher training, appropriate to role, is mandatory for those members of staff who accumulate nine to eleven points on their driving permit.
- Those members of staff who have accumulated twelve points or more and are consequently suspended from occupational driving will be assessed appropriate to role; this may be undertaken towards the end of the suspension. However, they cannot drive operationally until their suspension ends. (See [Driver Risk Management Policy](#))
- This section is not relevant to **Category Two** drivers since they are not issued with a permit but may still have points awarded shown on their driver record. Where there is concern, individuals may be referred to the Driving School for assessment.

## 4.8 Vehicle Checks & Maintenance

### 4.8.1

All drivers are reminded of their responsibilities with regard to the Construction and Use Regulations and Road Traffic Acts and Regulations.

Drivers of any vehicle, including their own, have a legal responsibility for the vehicle that they are driving to ensure that it is in a legal and safe condition before using it on a public road.

#### 4.8.2

Furthermore a vehicle provided by Thames Valley Police and all its equipment, is 'work equipment' under the Provision and Use of Work Equipment Reg's 1998 (PUWER). Every employer shall ensure:

- Work equipment is maintained in an efficient state, in efficient working order and in good repair and
- If the equipment is exposed to conditions causing deterioration liable to result in dangerous situations, it shall be inspected at suitable intervals, to ensure H & S conditions are maintained and to enable detection and remedy of deterioration.

Section 7(2) of the Health & Safety at Work Act 1974 requires an **employee to co-operate with an employer** to enable them to comply with these duties. Furthermore Section 7(1) places a duty on an employee to take reasonable care for the health and safety of themselves and of others who may be affected by their acts or omissions.

Road Traffic Regulations take precedence over H & S legislation where relevant but it should be noted that PUWER is very wide reaching in its terms and definitions and may well include aspects not covered under Road Traffic Law.

#### 4.8.3

It is Force Policy that all police and hire vehicles will use a logbook. It is the driver's responsibility to fill out this each time a vehicle is used. The driver's entry in the logbook will be the evidence that the vehicle checks have been completed by that person, if not, an entry should be made in the comments box as to the reasons why. **Failure to fill in the logbook will constitute a disciplinary offence.**

#### 4.8.4 Category Two

Drivers, by submitting their mileage expense forms, do so in the knowledge that this forms a declaration of compliance with this policy – see para. 4.1.2.

#### 4.8.5 Vehicle Checks.

All drivers must, before using a police vehicle, carry out the following checks (the only exception to this being to attend an immediate commitment before the checks can be carried out – in this case the checks must be done at the first available opportunity):

**P.O.W.D.E.R.S.** check:-

- **P** – Petrol/Diesel sufficient for purpose.
- **O** – Oil level is correct.
- **W** – Water levels, coolant (level to be adjusted when engine is cold) and screen wash.
- **D** – Damage, inspect for damage and if any is found (which is not subject of a logbook entry) note details in logbook and report to supervisor, defects – arrange for repair.
- **E** – Electrical, all equipment is serviceable.
- **R** – Rubber, tyres – correct pressures, tread depth, damage to side walls and wheel rim (do not forget the spare) and wiper blades.

- **S** – Service Due Date/Mileage – *Every fleet vehicle is fitted with a service date/mileage due sticker either overtly adjacent to the speedometer or on covert vehicles in the glove box.*

Any vehicles found to be over the service mileage or time should be defected to workshops and not used operationally until the service has been completed.

Any damage or defect found on examination of a vehicle must be reported to a supervisor and the vehicle owner, e.g. Hire Company for hire car. Supervisor is responsible for filling out TA7.

#### 4.9 General Driving Standards

The following should be considered by all drivers at all relevant times and appropriate situations.

##### 4.9.1 Seat Belts

By virtue of Regulation 6(e) Motor Vehicles (Wearing of Seat Belts) Regulations 1993 the requirements to wear seat belts do not apply to a person driving or riding in a vehicle while being used for police purposes or for carrying a person in lawful custody (a person who is being so carried being included in this exemption).

However, for reasons of staff safety and credibility with the public, **it is policy that police staff shall wear seat belts at all times** unless to do so would hinder the use to which the vehicle was being put and will be subject to a dynamic risk assessment. Likewise, prisoners and detained persons should wear seat belts at all times unless this is not possible or is unsafe – see StreetCRAFT Operational Booklet – transporting subjects in vehicles. The dangers to other vehicle occupants from unrestrained passengers and driver must not be underestimated.

Those drivers and passengers who disregard this instruction and are unable to show the vehicle was being used for police purposes will have legal action taken against them. Those who may be able to claim a legal exemption, but have failed to comply with this instruction will fall within the police driving permit penalty points system and may be subject to the imposition of points on their permit in addition to any Professional Standards issues. **Supervisory officers must ensure that this section is complied with.**

Children under the age of 12 should not be transported in police vehicles unless necessary; for example, to move them from a place of danger to a place of safety.

Children over 12 must use adult seat belts.

Should there be no option but to move a child under 12, the following measures should always be considered:-

- Use of Social Services or a specialist contractor.
- The child's parent/guardian should be invited to use their own vehicle or fit their own child restraint, appropriate to the child's age and weight, in the police vehicle (rear-facing baby seats must not be used in a seat protected by a frontal air-bag unless it has been de-activated).

Where this is not practicable, the police driver should carry out a dynamic risk assessment balancing the risk of transporting a child under 12 against leaving them

in the present location. If a decision to move the child under 12 is made, this must be carried out in the safest way possible:-

- A child over the age of 3 years must travel in the rear seat; be restrained by an adult seat belt; be accompanied by an adult; and be moved only as far as the nearest place of safety.
- In the case of children under 3 years the parent or guardian should travel in the rear of the car, using a seat belt and holding the child in their lap. The child should not be restrained using an adult seat belt nor should a seat belt be used for more than one person. The child should be moved only as far as the nearest place of safety.
- The police vehicle must be driven within the requirements of the Road Traffic Legislation at all times whilst carrying children.

#### 4.9.2 Mobile Telephones

Drivers must have proper regard for road safety. The use of a mobile phone whilst driving has been shown to reduce driver safety. Accordingly, no TVP driver should use a mobile phone whilst driving.

- It is a criminal offence to make or receive telephone calls on a handset whilst driving for which there is no exemption.
- TVP staff must avoid the use of hands free equipment unless it is necessary to do so for immediate threat to life or proportionate to other dynamic situations which justifiably outweigh the presumptive road safety priority.

In any case, any driver using hands free should seek, without delay, to stop their journey safely and deal with the call; unless to do so would jeopardise the lives of others.

- The highest standards are expected of those driving on TVP business and they are responsible in law. They must at all times be prepared to justify their actions and decisions.

The purpose of this section is not to hinder 'business as usual', but to provide guidance for TVP staff. See also [Mobile Telephony and Voicemail](#).

#### 4.9.3 Drink/Drugs Driving

In addition to:

- Legal restrictions
- The Force's Driver Risk Management Policy requirements.
- Every driver involved in a collision involving a police vehicle shall, within the provisions of legislation, be required to provide a screening breath test, if practical – [Driver Risk Management Policy](#).
- The Force Policy on [Alcohol and Substance Misuse Policy](#) – establishes a testing regime for drugs and alcohol for all police officers in safety critical posts; in the case of alcohol the limit is much lower than the Road Traffic Act level. Occupational Health and Professional Standards will be informed by the OIC of those police staff involved in collisions, where a breath test can be administered, who pass the SL400 roadside test but register a 'warning'. (see [Driver Risk Management Policy](#) where drivers fail the test).

#### 4.9.4 Fatigue

The dangers associated with driving whilst tired must not be underestimated: over 40% of serious crashes on the motorways in Thames Valley are considered to be fatigue related. The dangers are particularly prevalent amongst shift workers but cannot be ignored in other drivers. Working time directives apply but the driver and corporately the organisation, have a duty to make sure they are fit to drive and must manage the issues arising from fatigue in the work place. Supervisors should identify those who have worked long hours and manage the potential of fatigue related accidents in the work place by, for example, making alternative driving arrangements or accommodation arrangements at the end of extended shifts when identified as a risk.

#### 4.9.5 Speed & Other Exemptions

Under current legislation vehicles being used for police purposes are exempt from the requirements to observe a speed limit, and certain other restrictions, where to do so would hinder the use to which the vehicle was being put. Officers are reminded that they should not travel at high speed without using blue lights, flashing headlights and sirens unless there are 'special reasons' for doing so.

Thames Valley Police have set the below restrictions to its driver classifications.

- Basic Driver and Standard Non-Response Driver categories will comply with all speed limit requirements.
- Standard Response Drivers will be subject to a maximum of 20 mph above the posted speed limit if necessary, justified, proportionate to the circumstances and above all SAFE.
- Advanced Drivers must drive to a speed that is necessary, justified, proportionate to the circumstances and above all SAFE.

The use of such exemptions must be proportionate, justifiable and necessary. Where such use is made of an exemption it must be in connection with:

- An appropriately graded incident (see [Incident Attendance Policy](#)).
- Structured training, development or assessment, (which may only be undertaken with a force driving instructor and/or trained assessor).
- Surveillance.
- Other emergency.
- Any testing of a vehicle outside patrol duties when normal exemptions apply may only be undertaken with a force driving instructor and/or trained assessor.
- In all other cases where staff rely upon such exemptions they must ensure their supervisor and Control Room are informed and the matter logged.

The law relating to this subject is likely to change with the Road Safety Act 2006 when commenced. Any application for exemption should be made using the force form (TD 14).

#### 4.9.6 Unreported Damage

Drivers responsible for causing damage to vehicles must report them as per the Driver Risk Management Policy. Those that fail to do so, particularly damage to

safety critical components such as tyres etc., place colleagues who subsequently drive that vehicle in real danger of being seriously injured. Drivers who so fail to report damage caused will be referred to Professional Standards for investigation of neglect of duty and will receive a minimum of 6 points on their driving permit.

#### **4.9.7 Carrying of Non-Police Passengers in Police Vehicles**

The carrying of passengers will need to be judged on merit and will be subject to the operational judgement of the police driver at the time.

Officers are able to carry passengers that are not under arrest, providing it is for an official police purpose. Officers acting in these types of circumstances would need to conduct a dynamic risk assessment on each occasion to ensure that the safety of all occupants is not comprised.

It is not possible to list every type of circumstance but could include, for example, where it is necessary to remove a person from a particular area for their own safety or where the person may be deemed vulnerable because of their demeanour / age or personal circumstances, etc. However, the provision of lifts home to off duty officers or staff is not deemed official use unless authorised by a duty inspector or staff equivalent for special reasons such as welfare etc.

The Motor Vehicle Insurance cover provided by our insurers to Thames Valley Police covers third party liability for all Police vehicles. This also covers those vehicles on hire, loan, or other vehicles used for Official Police Business. This third party Insurance covers any person that is carried in that vehicle, this includes passengers arrested or not.

The reference to Insurance cover **does not apply** to those employees who are **either essential or casual car users using their own vehicles** who must ensure they **have appropriate fully comprehensive cover, including business use for the vehicle they are driving.**

## 4.9.8 Vehicle and Driver Classifications

DRIVER COURSE CODES				
Vehicle Classifications Driving licence category (DVLA)	Sub-classifications	Driver Qualification /Licence to be Renewed	Training course or assessment	Restrictions
<b>Advanced Car</b> marked & plain car over 59 kilowatts per tonne. DVLA Category B	Advanced (includes response)	Drive-1 / <b>3 years</b>	Advanced Driving DSO01	
	Pursuit	Drive-18 / <b>3 years</b>	Pursuit Management DSO08	Tactical phase pursuit trained – Driver Risk Management Policy.
	Mobile Protection	Drive-25 / <b>1 year</b>	VIP Evasive Driving DSO10	
	Advanced Driving Instructor	Drive-37	Car Instructor DSL01	
<b>Advanced Motorcycle</b> DVLA Category A	Advanced motorcycle (includes response)	Drive-6 / <b>1 year</b>	Advanced Motorcycle DSO05	
	Advanced Motorcycle Instructor	Drive-38	Instructor Motorcycle DSL02	
<b>Standard Car</b> marked & plain car not greater than 59 kilowatts per tonne. DVLA Category B	Basic	Drive-5	Basic authorisation DSO25	see Driver Policy for restrictions.
	Standard Response	Drive-4 / <b>5 years</b> Drive-26 / <b>5 years</b>  Drive-17 / <b>5 years</b>	Standard Response DSR01- DSR05 inc and DSR10. Standard Response Reporting DSO14	Initial phase pursuit trained.
	Standard Non Response	Drive-34	Standard – Non- response (Specials) DSR06	See Driver Policy for restrictions.
	Standard Driving Instructor	Drive-37	Car Instructor Course DSL01	
<b>Transits</b> DVLA Category D1	PSU Transit	Drive-42	PSU Transit	
	Transit	Drive-12 Drive-12	Transit 4 day DSO19 Transit 2 day DSO18	<b>Not to engage in pursuits - Driver Risk Management Policy</b>
<b>Specialist Vehicles</b> DVLA Category p.  DVLA Category C1.  DVLA Category C1. DVLA Categories B+E, C1+E, D1+E. DVLA Category D.  DVLA Category C+E.  DVLA Category C.	Mopeds	Drive-10 / <b>5 years</b>	Authorisation DSO20	As Basic
	4x4 On road 4x4 Off road	Drive-43 Drive-11	Authorisation DSO25/29 One day Course DSO21	
	Medium sized vehicles (Lorries bet 3500 and 7500 kgs)	Drive-13	1 day course DSO23	As Basic
	Mobile Police Station	Drive-35	1 day course DSO24	
	Towing –	Drive-19	1 day course DSO28	As Basic
	Buses	Drive-14	Trained externally	As Basic
	Large vehicles with trailers	Drive-15	Trained externally	As Basic
	Large vehicles	Drive-16	Trained externally	As Basic
Other		As agreed by Driving		

## 5.0 Challenges & Representations

Challenges/Representations in respect of decisions made in applying this policy should be addressed to:

Head of Driving School

## 6.0 Communication

### 6.1 Links to Police National Legal Database & Other Policies

This policy should be read in conjunction with the following TVP policies available on the Intranet:

Driver Risk Management Policy

<http://onlineview/policiesandpro/policiesp-r/DriverRiskManagementPolicy>

Incident Attendance Policy

<http://onlineview/policiesandpro/policiesg-i/IncidentAttendancePolicy.pdf>

Mobile Telephony and Voicemail

<http://onlineview/policiesandpro/policiesg-o/mobile.pdf>

Alcohol and Substance Misuse Policy

<http://onlineview/policiesandpro/policiesa-c/Drug> and [Alcohol misuse policy 06 – intranet.pdf](#)

### 6.2 Communications Strategy

All members of TVP need to be aware of this policy as they may be required to undertake driving duties in the course of their duties. All **Category One** drivers will be issued with a Driving Permit. The pertinent points of this policy will be reproduced on the new style permits and will replace existing ones. Managers additionally need to be aware of their responsibilities under this policy.

This policy needs to be widely publicised by means of 'All Users', Force Weekly Orders, Manager's Brief, and Thames View.

## 7.0 Compliance and Certification

### 7.1 Human Rights Certification

#### i) Legal Basis

Under a variety of road traffic and health and safety legislations the Chief Constable has corporate responsibilities and obligations as vehicle owner, in respect of that vehicle and those engaged in driving them. Individuals as drivers have duties and responsibilities under the general road traffic law.

#### ii) Human Rights Articles Engaged

This Policy has been drafted and audited in accordance with the Human Rights Act 1998. It is acknowledged that this Policy has the potential to engage the following

Articles of the Act. This policy will be applied with reference to the key principles of the Convention, namely justification, proportionality and least intrusion.

### **Article 2 Right to Life**

Article 2 (Right to life) states that “.....*Everyone’s right to life shall be protected by law*”

The Article imposes two duties on the state, the second of which is to take reasonable measures to protect life. The duty to take reasonable measure to protect life includes a duty to put in place effective criminal law provisions to deter the commission of offences against the person backed up by law-enforcement machinery for the prevention, suppression and sanctioning of breaches of such provisions. It may also include a positive obligation on the authorities to take preventative operational measures to protect an individual whose life is at risk from the criminal actions of another individual.

This policy acknowledges the risks associated with police driving, particularly where an immediate response is expected, and introduces measures to ensure high standards are maintained and allows the organisation to identify those drivers who are at risk of being involved in a collision and to take action to reduce those risks.

### **Article 8 Right to Respect for Private and Family Life**

Article 8 states that “.....*Everyone has the right to respect for his private family life...There shall be no interference by a public authority with the exercise of this right except such as in accordance with law and is necessary in a democratic society in the interests of...public safety...prevention of disorder and crime...for the protection of the rights and freedoms of others*”.

This Policy refers to the receiving and recording of all personal employee information. The collection and retention of personal data will automatically engage this Article.

### **iii) Prohibition of Discrimination**

Actions taken as a consequence of the Policy will be applied in an impartial and fair way, having due regard for natural justice and Human Rights.

### **7.2 Diversity Impact Assessment**

This Policy relates to individuals within the organisation and as such any actions against them are already subject to such considerations and a full diversity audit is not necessary.

### **7.3 Data Protection**

It is recognised that sensitive personal data will be processed in compliance with this policy. This, and personal data, will be managed in accordance with specifications of the Data Protection Act 1998.

This policy is available to the general public. Copies can be obtained by writing to:

Policy Management Unit  
Corporate Development Unit  
Thames Valley Police HQ  
Oxford Road  
Kidlington  
Oxon  
OX5 2NX

#### **7.4 Freedom of Information Act**

This policy is suitable to be made available to the public.

#### **7.5 Protective Markings**

This document has been assessed as suitable for marking as NOT PROTECTIVELY MARKED.

#### **7.6 Health & Safety at Work**

This policy should be read in conjunction with the Driver Risk Management Policy and as such it cuts across a number of generic risk assessments relating to general driving, response driving, pursuing, actions on the highway, etc., and has as one of its 'Investigation Purposes' a statement that will "ensure all Health and Safety aspects, including near misses, are thoroughly investigated and reported upon by the driver's/passenger's line managers". In addition, "All Health and Safety issues arising from the PVI (formerly known as Polacc), or near miss, must be fully investigated, including duty and shift considerations, by the driver's line managers and reported upon through the PER10a system".

#### **8.0 Monitoring and Review**

The application and outcomes of this policy will be constantly reviewed in relation to general considerations and individuals by the Driving School and the Driver Risk Unit.

#### **8.1 Links to Best Value/PPAF/Priorities/Performance Indicators**

This policy is subject to the Best Value Review of Learning & Development.

#### **8.2 Review Process**

A full review will be carried out by the Driving School and will examine:

- Changes in legislation
- Court rulings – Domestic, European and Human Rights
- Examples of good practice from other Forces or other organisations
- Changes in Home Office Circulars
- Developments with ACPO Policy Unit
- Representations made by individuals and relevant organisations.

This policy will be reviewed every two years.

**Chief Officer Policy Authorisation**

**Policy signed off by:**

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**Name of relevant ACC** **Date**