

## 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 or awarded under the DPS for the provision of Passenger Transport Services 2023-2033.

It has been written to ensure that you understand your responsibilities as a driver within the terms of the contract and to ensure that you and your passengers have a safe and comfortable journey.

### 1. GENERAL OBLIGATIONS OF DRIVERS

#### 1.1 As a driver you must:

- a) Ensure you are familiar with your employer's policies and procedures in place for:
  - Vehicle maintenance
  - Safeguarding
  - Health and Safety
  - Handling customer complaints
  - Dealing with emergency incidents and breakdowns
- b) Be smart and tidy in appearance and pay adequate attention to personal hygiene.
- c) Always be polite and courteous to passengers.
- d) Not swear or make remarks that are personal, sexual, racist or which could be judged to be offensive in any way.
- e) Ensure that smoking, vaping or use of e-cigarettes is prohibited in and on all vehicles.
- f) Drive in a considerate manner at all times and avoid sharp braking, fast cornering and harsh acceleration which can be unnerving for passengers.
- g) Wear suitable identification as may be requested by the Council which must be visible at all times during contracted journeys.

- h) Not hold or use a mobile phone at any time whilst the vehicle is in motion. It's illegal to hold and use a phone, sat nav, tablet, or any device that can send or receive data, while driving. This means you must not use a device in your hand for any reason, whether online or offline. The law still applies to you if you're:
- stopped at traffic lights
  - queuing in traffic
  - driving a car that turns off the engine when you stop moving
  - holding and using a device that's offline or in flight mode

You can use a device held in your hand if:

- you need to call 999 or 112 in an emergency and it's unsafe or impractical to stop
- you're safely parked
- you're using the device to park your vehicle remotely

You can use devices with hands-free access, as long as you do not hold them at any time during usage. Hands-free access means using, for example:

- 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.

[Using a phone, sat nav or other device when driving - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- i) Be medically fit to drive at all times and must inform your employer and the DVLA if you have any medical condition which may affect your ability to drive.
- j) 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.
- k) 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 you are taking any medication, you must

always check with your medical practitioner or pharmacist that it is safe for you to drive.

## 2. PROTECTION OF CHILDREN AND VULNERABLE ADULTS

This clause refers to the following groups of people:

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

As a driver, you must always maintain a strictly professional relationship with the children and vulnerable adults that you transport. Whilst you should always be helpful and polite, it is very important that you 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 yourself as a driver, the following instructions must be followed:

### 2.1 You **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 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;
- m) handle any money on behalf of a child or vulnerable adult;
- n) provide medical intervention of any sort, such as administering medication or physical treatment, unless under the instruction of a medical professional or service i.e. a 999 or 111 operative;
- o) 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.

2.2 Any information about passengers (personal data) must be treated as confidential and not be discussed with anyone such as your (the driver) family or friends. This includes details of names, addresses, and medical conditions. This also applies to anything that passengers may tell you as a driver in the course of conversation.

2.3 If a passenger discloses information to you in conversation, which raises a safeguarding or welfare concern in the relation to the passenger, you must:

- Report this concern in line with your organisation's Safeguarding policy as soon as possible (ideally within 24 hours)
- Not promise confidentiality
- Not investigate further

### **3. ACCEPTABLE PHYSICAL CONTACT**

3.1 Please 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.

3.2 You **must** ensure that you ask the person before physical contact is made and keep all physical contact to a sensible minimum.

3.3 These instructions have been written to help all 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 a driver would have to be removed from providing any transport Service to the Council that carries children or vulnerable adults.

3.4 If you have any concerns regarding the protection of children and vulnerable adults, you must first discuss this with your employer, and if further advice is required contact the Relevant Transport Officer.

#### **4. ESCORTS/PASSENGER ASSISTANTS (WHERE PROVIDED)**

4.1 Escorts, sometimes called Passenger Assistants, are responsible for the care and supervision of the passengers.

4.2 Escorts are not responsible for giving drivers instructions on the correct route but may from time to time need to inform drivers of a late change to a route or schedule. If provided, you must always work co-operatively with the escort.

#### **5. DEALING WITH UNACCEPTABLE CONDUCT BY PASSENGERS**

5.1 If a passenger's conduct is such that you are or may be distracted whilst driving, you must stop the vehicle as soon as it is safe to do so and continue the journey only when order is restored.

5.2 You must not evict authorised passengers from the vehicle.

5.3 You must report any serious incidents as soon as practicable to your 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 situations where a child or vulnerable adult absconds the vehicle prior to being dropped off. You should not pursue passengers who abscond.

5.4 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 you find the passengers too difficult to cope with, then you must report this to your employer, who must inform the Council.

5.5 If a passenger refuses to leave the vehicle when they arrive at their destination, or a carer is not present to meet a child or vulnerable adult where so required, you must notify the Council immediately and wait with the children or vulnerable adult until further guidance is given.

5.6 If a passenger is consistently not ready for collection at the designated pick-up time, you should contact your employer, who should contact the Council, and await further instruction.

## **6. PASSENGERS IN WHEELCHAIRS**

6.1 When transporting wheelchair users in a vehicle that has been designed or adapted for the carriage of wheelchairs, you must act in accordance with the Council's Code of Practice for Wheelchair users in Taxis, Private Hire Vehicles and Minibuses.

## **7. EMERGENCY INCIDENTS**

7.1 You must know your employer's procedures for dealing with emergencies.

7.2 You must carry a fully operational mobile phone for use in emergencies.

7.3 In the event of an accident or breakdown, you should give clear instructions to passengers and implement the emergency procedures as advised by your employer.

7.4 Any vehicle accident resulting in injury to any passenger or other person/property must be reported to the police.

7.5 In an emergency you, working together with an escort (if present), must give priority to the safety and wellbeing of the passengers.

7.6 Where the passengers are children or vulnerable adults, they should not be left unattended if you need to summon help.

7.7 You must report all serious accidents/incidents (even if there are no injuries) to your employer who will notify the Council.

7.8 In the event that a passenger should be taken ill once the journey has commenced and the vehicle is in motion, you should:

- a) find a safe place to stop if the passenger needs to get out for some fresh air.
- b) In the event that the passenger alights and refuses to get back on the vehicle, you should report this issue to your employer and seek further guidance.

- c) In the event that the passenger needs medical assistance, you should call for medical assistance and wait with the passenger until help has arrived.
- d) Immediately report the medical issue to your employer.

7.9 You should not provide medical intervention of any sort, such as administering medication or physical treatment, unless under the instruction of a medical professional or service i.e. a 999 or 111 operative;

7.10 The Council recommends, where possible, that you carry sick bags in the vehicle.

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

8.1 You must report the following to your Employer:

- a) Accidents where someone has been injured or near misses where someone could be injured if it happens again.
- b) Any serious incident of unacceptable passenger conduct.
- c) Incidents where a passenger with special needs displays challenging behaviour and there is no escort to deal with it.
- d) Any passenger who is regularly unable to produce a ticket when required to do so.
- e) Where the scheduled timetable is difficult to maintain
- f) 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.
- g) Vehicle defects including worn or faulty equipment, such as frayed webbing on tie-downs / seatbelts.
- h) Tie-down equipment which you think may not be suitable for the types of wheelchair they have to secure.
- i) Any changes in a passenger's condition or needs that may affect their transport requirements to ensure safety.
- j) Any changes in circumstances, such as an unknown, unexpected or unauthorised passenger or an unexpected change to a passenger's wheelchair.

## **9. ROUTE**

9.1 You must follow the route in accordance with the contract specification unless previously agreed otherwise in writing.

9.2 You must check passenger tickets on all journeys where the contract specification states that tickets have been issued. Where a passenger is travelling with a bus pass, you must check these on every journey. If you

identify a concern around bus pass use, this must be reported to your employer, who will inform the Council.

9.3 You must not refuse transport to a child who cannot produce a ticket. If the same child is regularly unable to produce a ticket you should take a note of the child's name and address and report this to your employer, who will inform the Council.

9.4 Unless agreed otherwise by the Council in advance in writing, you must not transport passengers to any destination other than those on the specified route.

9.5 You should stop at all designated set down points to allow passengers to remain seated until the vehicle has stopped, unless the vehicle is fitted with a stop signal cord or bell.

9.6 If it is difficult to keep to the specified timetable, you must inform your employer who in turn must inform the Council.

9.7 When dropping off/picking up passengers at their destination, you must stop on the same side of the road as the destination entrance where possible.

9.8 When dropping off/picking up passengers, you must pay special attention to any hazard, traffic or obstructions to ensure the safety of passengers.

## **10. VEHICLE**

10.1 As a driver you are responsible for:

- a) Ensuring that the locks are used, where the contract specifies that the vehicle must have childproof locks.
- b) Operating all equipment on the vehicle including doors, passenger lifts and securing wheelchair tie-downs.
- c) Lifting child seats and booster seats in and out of vehicles and for correctly securing them in the vehicle.
- d) Operating doors on any large vehicle (i.e., buses, PSV's, PCV's and minibuses). Passengers must not do this.
- e) Ensuring that before moving off, exiting passengers are well clear of the vehicle.
- f) Handling any luggage/walking -aids and making sure they are safely secured during the journey.



- g) Ensuring that any luggage/walking aids or other items do not block the gangway or exits.
- 10.2 You must be familiar with all of the controls of any vehicle that you drive and should be trained and be competent to use any equipment, including lifts, ramps, wheelchair tie-downs and harnesses.
- 10.1 You should encourage passengers to wear seatbelts at all times and remind passengers that seatbelts should be worn where this is a legal requirement or is part of the contract specification.
- 10.2 Where seat belts are required to be worn by law, such as in a car or minibus, it is your legal responsibility to ensure that passengers under 14 years of age always wear seatbelts.
- 10.3 If any passenger refuses to wear a seatbelt (where this is a legal requirement or in the contract specification) you must report this to your employer who must seek advice from the Council. In such events, you must not carry the passenger until advised to do so by the Council.
- 10.4 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, you will be advised by your employer of any special arrangements.
- 10.5 You should regularly check the seat belts for wear and tear and must reports any damage to your employer/vehicle owner.
- 10.6 You must ensure there is sufficient fuel before the start of the journey. You must not refuel the vehicle when there are passengers on board.
- 10.7 You must not drive vehicles that they consider to be unroadworthy or in contravention of any relevant regulations or legislation.
- 10.8 You must undertake daily vehicle checks and report all vehicle defects to your employer/vehicle owner. Serious defects must be corrected immediately, or an alternative vehicle supplied.
- 10.9 You must display school bus signs at the front and rear of buses or coaches operating school transport.
- 10.10 You should check for lost property at the end of each journey and hand any items found to your employer who in turn shall return said items to the Council.

**CONTACT DETAILS:**

If as a driver you have any concerns or queries, you should discuss these with your employer in the first instance. If further advice is required, drivers or employers should contact the relevant Transport Officer at the Council.

- School Transport and Children's Services Social Care: 01962 846924
- Community Transport and Taxishares: 01962 846785
- Adult Services Transport Team: 01962 845184