

VOLUNTEER DRIVERS

INFORMATION SHEET

When involving volunteers as drivers there are a number of issues that organisations must consider. This information sheet looks at general good practice issues, the reimbursing of volunteer drivers' expenses, insurance and issues around the safety of volunteer drivers and their passengers. This sheet has been updated since the inclusion of the Corporate Manslaughter and Corporate Homicide Act (2007) which has introduced a new offence for prosecuting organisations for gross failures in Health & Safety which leads to death.

General Good Practice

- Volunteer drivers should have a full driving license. It is also preferable that volunteers do not have any sanctions on their license. However it is up to each organisation to take into account the nature of the sanction and decide if the volunteer is suitable and organisations should ask volunteers to keep them updated on any changes in relation to sanctions on their licence.
- You may want to set a requirement for minimum driving experience. However be aware of discrimination. While age discrimination legislation does not apply to volunteers, who have no contract of employment, good practice in volunteer management would recommend that all volunteers should be treated equally regardless of age. The amount of driving experience should be considered against the type of voluntary work offered i.e. longer journey times given to those who have experience of driving on long journey's etc.
- Volunteer drivers should be asked to tell you about any illness or disability, which may affect their ability to drive. However do not assume that a disability will automatically stop people from becoming a volunteer driver. While disability discrimination legislation does not apply to volunteers, who have no contract of employment, good practice in volunteer management would recommend that all volunteers should be treated equally regardless of disability and that where possible reasonable adjustments should be made.
- As with all volunteers you should follow good practice for recruitment and selection and ask for the contact details of two people who can act as referees and make sure you follow them up.
- You will also need to ensure that you follow good practice in relation to the protection of children and vulnerable adults and ensure that, where appropriate, [Access NI](#) checks and supervision procedures are in place.
- Your organisation needs to be reasonably sure that the vehicle the volunteer is using is safe. You should ask to see an MOT certificate for cars over three years old. You should also ask for a valid tax disc and keep records of both tax and MOT on file. As an organisation, if you are asking volunteers to carry passengers / clients as part of their role, it is your responsibility to ensure that volunteers have an up to date driving licence and that their car is roadworthy. If an accident occurs when a volunteer is transporting a passenger, the organisation may be held liable and therefore will need to show the steps they had taken to ensure the health and safety of clients to courts or their insurance company. In practical terms this will require organisations to keep track of renewal dates of relevant

documents i.e. driving licence, MOT, Tax and insurance. For organisations which have a large number of volunteer drivers, it may only be practical to take a random sample of cars on an annual basis. However, it is important for organisations to be able to evidence the reason(s) why this position was taken.

- Cars must have front and rear seatbelts which must be worn at all times by the driver and all passengers during driving. When carrying children appropriate children's seats must be correctly fitted. However it is the responsibility of the adult travelling with the child (guardian) to ensure that this is the case, it is not the responsibility of the volunteer to provide or fit the child seat, if a guardian is present. Volunteers should not transport children unless a child seat has been supplied as it is the driver who will be prosecuted (3 penalty points + fine).
- The Minibus Drivers Awareness Scheme (MiDAS) is a nationally recognised, assessment and training scheme for drivers of minibuses, cars, and MPV's in the voluntary and not-for-profit sectors. This course has a substantial cost attached. In order to make it accessible to all sizes of organisations a co-ordinated system of sharing the learning between groups may be useful. MiDAS provides training to reduce wear and tear on the vehicle and to ensure safe passenger transport. MiDAS training can be provided by a number of community organisations across Northern Ireland. Each MiDAS certificate is awarded for 4 years and a refresher course is recommended at the end of each certificate period. For further information on this scheme contact the [Community Transport Association](#).
- Volunteers who provide transport in their own car should be advised smoking is not permitted in the vehicle while transport is being delivered.
- Volunteers should be provided with guidance stating other people or animals, apart from guide dogs, should not be transported along with your passengers during trips.

Insurance

- If volunteers use their own car in the course of their volunteering e.g. for transporting clients, it is essential that they are covered by motor insurance. Organisations should record evidence of this on the volunteer's file. It is the organisations responsibility to ensure that volunteers have valid and appropriate motor insurance when transporting passengers as part of their volunteering role. You are advised to confirm this with your own insurance company.
- If your organisation uses its own vehicles then it is responsible for organising insurance.
- Legally only third party insurance is required but it is best for all concerned that volunteer drivers have comprehensive insurance. Volunteer drivers can also be included in an organisation's public liability insurance.
- The volunteer must inform their insurance company that they are using their car for voluntary work. However organisations can assist volunteers by providing them with a sample letter that they can adapt and send to their insurance company. The letter should state that the car is being used in the course of voluntary work and will not be used for business. The letter should make it clear that the volunteer is not being paid for the activity and will receive only out of pocket expenses. (A sample letter has been provided in Appendix 1). A volunteer's insurance premiums should not normally be affected if they are

using their car for volunteering and volunteers should challenge any proposed increase in premiums. If a volunteer does not inform their insurance company that they are using their car for volunteering purposes their policy may become invalid in the case of an accident. For more information on insurance company undertakings in relation to voluntary drivers see Volunteer Driving- the motor insurance commitment at http://www.abi.org.uk/Information/Consumers/General/Volunteer_Driving.aspx

- Volunteer involving organisations should follow good practice and only reimburse volunteer drivers the expenses they have actually incurred. If volunteers are seen to be making a profit their insurance policy could be invalidated as they may be seen as an employee.

Personal Safety of Volunteer Drivers

The personal safety of volunteers should be a primary concern for all volunteer involving organisations. Volunteer drivers will be spending a lot of time away from your office or centre and therefore it is good practice to pay particular attention to the personal safety of volunteer drivers.

Organisations should:

- Join a national breakdown organisation for 'all vehicles' (both those owned by the organisation and the volunteer) and ensure that volunteers have all the necessary details.
- Ensure that all vehicles are safe by regularly checking petrol, oil, and tyres, especially before a long journey.
- Ensure you know where volunteer drivers are and the route they take to arrive at their destination.
- People at the destination should know approximately what time the volunteer is expected to arrive.
- Provide volunteers with change and a phonecard to contact a key person in the organisation in the case of an emergency or purchase a mobile phone for volunteers to use – and make sure the batteries are charged before they set off.
- Provide emergency out of hours contact information for all volunteer drivers so should an emergency arise they have contact information for an appropriate person within your organisation.
- Provide volunteers with photo identification with the contact details of your organisation included.
- Provide the same level of health and safety guidance and / or equipment that would be given to paid employees i.e. luminous vests for getting in and out of vehicles during times of poor visibility. Training in manual handling if a passenger requires equipment to be transferred with them i.e. wheelchair.

Volunteer Drivers should:

- Keep the doors locked and the windows closed as much as possible, especially in built-up areas and slow-moving traffic.
- Keep alert so that you know where you are.
- Never pick up hitch-hikers.
- Take regular breaks on long journeys.

Reimbursing Expenses

- Volunteers should be reimbursed for the expenses they incur as a volunteer driver who is driving on an organisations behalf. This can mean:
 - Travel to and from the place of volunteering
 - Travel undertaken during volunteering e.g. transporting clients, going to meetings

The amount of money reimbursed for mileage should be based on the Authorised Mileage Rates as allowed by the Inland Revenue. The advantage of using these rates is that your organisation and /or your volunteers will not be liable for tax. This new rating system came into effect on 6 April 2011. You should check these rates yourself with the Inland Revenue for any changes that may be made- <http://www.hmrc.gov.uk/rates/travel.htm>

At time of writing the authorised mileage rates are:

-	On the first 10,000 miles in the tax year	45p
-	On each additional mile over 10,000 miles	25p
-	Motorcycles	24p
-	Bicycles	20p

- When volunteers carry passengers as part of their voluntary work, they can claim an additional 5p on top of the authorised mileage allowance.
- Volunteers should be asked to complete an expenses claim form, which should be checked and signed by your organisation. For more information on volunteers and expenses see the Volunteers and Expenses Information Sheet.

Equality in Opportunity

- Drivers of motability cars may provide volunteer driving in their motability car as long as:
 - They are not contractually employed to provide transport.
 - Have called and notified the insurance company.
 - Keep within the annual mileage allowance for motability cars.
 - They have NOT received a FREE tax disc for the motability car. Cars with free tax discs must only be used for the purposes of the disabled person.
- Individuals who are being transported by a volunteer driver can still apply for 'blue badge' (parking concessions for people with severe mobility problems who have difficulty using public transport) as long as they meet the other criteria and only display the 'blue badge' while being transported by a volunteer driver.

Volunteer Now would like to thank the Community Transport Association for their assistance in producing this information sheet.

Reasonable precautions have been taken to ensure information in this publication is accurate. However it is not intended to be legally comprehensive; it is designed to provide guidance in good faith without accepting liability. If relevant, we therefore recommend you take appropriate professional advice before taking any action on the matters covered herein. Charity (Inland Revenue) No. XT22896. Company Limited by Guarantee No. NI602399. Registered in Northern Ireland.

APPENDIX 1

Name

Address

DATE

TO (Insurance Company)

RE: (Policy Number)

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 Passengers Vehicle Act 1981, which exempts me from Passenger Service Vehicle and Hackney Carriage / Private Hire Care licensing laws. Such expenses will be claimed strictly on a non-profit basis.

I should be grateful if you would confirm that my existing policy covers me for such volunteer driving- please use the 'tear off' slip below. Please also confirm that my insurance policy contains a clause indemnifying 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)

✂

FROM (Insurance Company).....

RE: (Policy Number)
.....

POLICY HOLDER / DRIVER

This is to ensure that your insurance policy covers voluntary driving (for which a mileage allowance may be received). This also confirms that the above policy contains a clause indemnifying the agencies with which you are a volunteer against their party claims arising from the use of the vehicle on such voluntary work.



ISSUED BY

DATE