

Volunteer Drivers

There are lots of issues to bear in mind if your organisation works with volunteer drivers: safety, insurance, mileage rates and screening are all important. This bulletin looks at the requirements for cars, but not for minibuses – a vehicle with a seating capacity of more than nine is, in law, a minibus and is not subject to car-sharing legislation. They operate under a special licence. You can get information about this from the Community Transport Association (contact details are given at the end of this information sheet).

Checks on the volunteer driver

- Licences should be full and not provisional, preferably without endorsements. Driving licences should be inspected when the volunteer is taken on, and then at regular intervals, to check that the volunteer does not have any recent or serious driving convictions.
- Some organisations may want to set a minimum requirement for driving experience.
- Age discrimination should be avoided, so long as a younger driver is experienced enough and an older driver is confident driving.
- If the volunteer will be driving vulnerable people they can be asked to declare any criminal record. If drivers will have one-to-one contact with vulnerable people then organisations may need to police-check them

Checks on the vehicle

- A MOT certificate should be requested from the volunteer driver if the vehicle is over three years old.
- The organisation needs to be reasonably confident the vehicle is safe. You can do this by looking to see if the vehicle has any obvious defects and asking the volunteer what maintenance is carried out.
- Cars must have front and rear seatbelts and all passengers should wear seatbelts. In rear seats the passenger is legally responsible for wearing a seatbelt. Passengers who are not prepared to wear seatbelts should not be carried unless there are medical or disability grounds. Even in the later stages of pregnancy, women should wear a seatbelt, with the lap strap fitted under the abdomen.
- Sports cars, vans and off-road vehicles could well be unsuitable for taking passengers. The vehicle must be easy for the passengers to access.

Training

Drivers should be trained if they are carrying elderly or disabled people or children. Particular training needs giving in picking up and setting down passengers. Training should be given in disability awareness and customer care. For further advice, contact the Community Transport Association.

Breaks

Drivers should rest for at least 15 minutes every 2 hours within a journey, and between journeys.

Insurance

- Legally, only third party insurance is required, but it is good practice for the driver to have comprehensive insurance. The organisation should take out public liability insurance.
- If an organisation owns the vehicle being used, then it is responsible for arranging insurance. If the volunteer owns the vehicle, then he or she is responsible for arranging insurance.
- Owner-drivers must tell their insurance company in writing that they will be driving in a voluntary capacity. Otherwise the policy can be invalidated, which results in the driver being personally liable for any damage or injuries sustained in an accident. You can obtain a form for volunteers to use to inform their insurers from the information service at the National Centre for Volunteering (contact details are given at the end of this information sheet).
- If a driver has an accident during their voluntary work, the organisation could be held responsible, whether or not it owns the vehicle involved, if there is a problem with the insurance for that vehicle. The organisation can take out a Contingent Liability Policy to protect it from this risk.
- The car schemes must not pay the drivers anything more than expenses actually incurred. This can invalidate the insurance policy, if the drivers are making a 'profit'. The driver and scheme also become liable for tax and National Insurance. Statutory employment rights may apply and deductions can also be made from welfare benefits. The driver and the scheme can also be prosecuted for running an unlicensed taxi service.

Identification

It is a good idea for organisations to consider providing ID for volunteer drivers so that the people they are picking up can clearly recognise them. The identification should include the main telephone number for the voluntary driving scheme.

Mileage Reimbursement

The Inland Revenue sets tax-free mileage rates under the Fixed Profit Car Scheme (FPCS). This scheme allows for the payment of mileage allowances without the need for either the organisation or the volunteer to keep detailed records. The scheme applies to both employees and to volunteers.

The tax-free mileage rate is the estimated cost of what it costs someone to drive somewhere in terms of petrol and wear and tear, and insurance. Therefore if you are reimbursing the mileage rate, then it is an actual expense even though you cannot collect receipts to prove it. In terms of tax, benefits and the national minimum wage, it is fine to reimburse volunteers for mileage at the tax-free mileage rate. If you are paying above the mileage rate or reimbursing volunteers mileage with a flat-rate payment that could be more than the mileage rate, then the volunteers' insurance could be invalidated because they could be seen to be making a profit from driving.

The tax-free approved mileage allowance payments for 2003/2004 are:

- Cars and vans, up to 10,000 business miles: 40p per mile (regardless of engine size)
- Cars and vans, additional business miles: 25p per mile
- Motorcycles: 24p per mile
- Bicycles: 20p per mile.

Alcohol

Drivers should not drink alcohol for at least 12 hours before a journey. Alcohol remains in the body for a considerable amount of time. This is an issue that you can tackle in training and you may also want to have a clear policy on it.

Luggage

Luggage and shopping should be put in the boot or kept securely to prevent injury if the vehicle suddenly stops.

Pets

Pets can be carried with clients, at the discretion of the driver, as long as the animal does not affect the safe running of the vehicle. Guide dogs for blind and deaf clients should be taken in the vehicle, unless there are good reasons for not doing so.

Seating capacity

Never exceed the seating capacity of a vehicle, as stated by the manufacturer and insurer.

Accidents, illness or injury

In the event of an accident, the organisation and the emergency services should be informed immediately and details given. If a client falls ill or is injured during a journey, then the driver should seek immediate medical help.

Further Information

Community Transport Association Advice Services

Tel: 0161 367 8780

Website: <http://www.communitytransport.com/advice.htm>

'Code of practice for social car schemes' and a range of other leaflets can be downloaded from the Association's website or ordered by telephone.

'Social Car Schemes' 3rd edition from the Community Transport Association (1999), a guide to organised lift-giving using voluntary drivers, £10 (£9 to CTA members).

'Volunteer drivers and insurance' fact sheet available from:

Northern Ireland Volunteer Development Agency (NIVDA)

4th Floor, 58 Howard Street, Belfast BT1 6PG

Tel: 028 9023 6100

Inland Revenue booklet **'IR122 Volunteer Drivers'**, a leaflet giving details of how to work out whether tax is due, is available free from Tax Enquiry Centres and Tax offices.

You can also ring the Inland Revenue Enquiry Line on 020 7667 4001, or check out the website at www.inlandrevenue.gov.uk