

Driving Policy

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Key messages

The main objective of this policy is to:

- Ensure that all staff who may drive during the course of their duties for the ICO are aware of their responsibilities and obligations.
- Provide information about driving safely, and guidance about how to minimise risk when driving for work.
- Ensure that the ICO is compliant with its legal obligations.
- Confirm how driving accidents will be investigated and reported, and describe the consequences of failure to adhere to the policy.

Does this policy relate to me?

This policy applies to all individuals who are authorised to drive for work for the ICO, for example through claiming car mileage from driving their own car on business or being named as a driver on car hire agreements.

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1. Introduction

- 1.1. Most business travel undertaken by ICO staff will be done by public transport. Using public transport is often the most economical, fastest and environmentally friendly method of transport for ICO business.
- 1.2. However, driving may be a more realistic choice for a journey. The criteria for whether to use public transport or drive a private vehicle is described in the Travel and Subsistence Policy which can be found in the Finance section of [the Corporate policies library](#)
- 1.3. Driving might be an option if, for example, you need to visit another ICO site, or attend a training course or meeting, or where hire of a van or people carrier has been necessary to transport equipment or several colleagues to the same destination.
- 1.4. This policy and procedure focusses on the safety considerations when driving has been deemed to be the most appropriate mode of transport for a journey.
- 1.5. There are several pieces of legislation which impact on this this policy including:
 - [Health and Safety at Work etc. Act 1974 \(legislation.gov.uk\)](#)

- [The Management of Health and Safety at Work Regulations 1999 \(legislation.gov.uk\)](#)
- [Road Traffic Act 1988 \(legislation.gov.uk\)](#)

1.6 This policy also draws on guidance from several sources including [Rospa's safer-driving-for-work-handbook](#).

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2. Suitability to drive

- 2.1 In order to drive in connection with work you must have a full and current driving licence for the type of vehicle you intend to drive. You may be required to provide evidence that you are licenced to drive as part of our audit processes.
- 2.2 You will not be allowed to drive a vehicle for work purposes if you only hold a provisional licence, even if you are being accompanied by a fully qualified driver.
- 2.3 Your eyesight must be of the required standard to drive. The precise requirements are described in the Highway Code and say that you must be able to read a vehicle number plate from 20 metres. If you need glasses or contact lenses to drive you must wear them at all times when driving. It is an offence not to do so, and may invalidate your motor insurance.
- 2.4 You must not drive if you have consumed alcohol, illegal drugs, prescription drugs or other medication/substances that can cause drowsiness or otherwise impair your ability to drive.
- 2.5 You must take particular care in the morning after drinking alcohol the night before.

The level of alcohol in your bloodstream must be below the legal limit. There is a different limit in England, Northern Ireland and Wales (35 micrograms per 100 millilitres of breath/80 milligrams per 100 millilitres of blood), than in Scotland (22 millilitres of breath/50 milligrams per 100 millilitres of blood).

Whether a person is fit to drive the morning after consuming alcohol depends on a lot of different factors which vary from individual to individual. [The Drinkaware website describes these factors](#) but ultimately advises that the safest and best advice is to avoid alcohol completely the night before you have to drive.

The ICO's policy is that you must not drive for work if there is any risk that you may still have alcohol in your system after drinking.

- 2.6 You must also avoid driving if you are unfit through lack of sleep or because of illness. If you start to feel ill while driving, stop the vehicle somewhere safe. If the condition is not serious you may feel well enough to continue after a short break or taking some medication. If you find that your concentration is affected, make other arrangements to continue your journey.
- 2.7 You must take adequate rest breaks when driving on long journeys. Breaks are important in order to counter fatigue and help to reduce the risk of you being involved in an accident. It is recommended that you take a break about every two hours, and you should plan enough time into your journey to do so. Resist the temptation to 'plough on' as this can lead to fatigue and increased risk.
- 2.8 For the avoidance of doubt, you must not drive if you are banned from driving. Driving in connection with work whilst banned will be treated as a disciplinary matter.

3. Using private vehicles for business journeys

- 3.1. If you drive your own vehicle to a meeting, training course or other event that is away from your contractual office, you will be regarded as driving in connection with your work.

By reporting near misses, even if they do not result in an accident or injury, we can help to better understand hazards arising in the workplace and prevent potential accidents from happening.

- 3.2 The rules for claiming costs for car mileage are described within the Travel and Subsistence Policy which can be found in the [Corporate policies library](#) on Iris. As a rule of thumb, if you are entitled to claim mileage expenses for the journey you are undertaking, you will be regarded as driving in connection with your work.

- 3.3 In order to drive your own vehicle in connection with work you must ensure that it:
- i) has a current MOT certificate;
 - ii) has been maintained in a roadworthy condition since the MOT certificate was issued;
 - iii) is appropriately insured; and
 - iv) is taxed.

By using your vehicle for work, you are declaring that the above conditions have been met. It is your responsibility to ensure that your vehicle is safe to use for business purposes.

- 3.4 It is essential that you ensure your vehicle is adequately insured to allow you to use it in connection with work. Your certificate of insurance will state if you are insured to use your vehicle in connection with your business or profession.
- 3.5 If you use your vehicle for business purposes, the ICO may require you to provide evidence of your insurance and the MOT as part of the ICO's audit processes.
- 3.6 If you give a lift to a colleague, you must ensure that no smoking is allowed in the car for the duration of the journey.

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4. Using ICO leased vehicles

- 4.1 Some staff are required to drive vehicles leased by the ICO as part of their duties.
- 4.2 The Travel and Subsistence Policy describes the circumstances in which it may be appropriate for a vehicle to be leased as opposed to using a private vehicle or public transport.
- 4.3 In order to drive an ICO leased vehicle you must fulfil the criteria set out by the lease company or leasers insurance.
- 4.4 Before using a lease vehicle you must take some time to familiarise yourself with the instruments and controls.

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5. Other rules and considerations when driving in connection with work

- 5.1 You must ensure that you drive as safely as possible, paying due care and attention to take accounts of speed limits, road conditions, weather, other traffic and pedestrians.
- 5.2 You must not use a hand held mobile phone or similar device whilst driving.
- 5.3 The requirement not to use a mobile phone whilst driving extends to prohibiting the use of 'hands free' kits or in-car Bluetooth systems to hold conversations whilst driving. Research shows that you are four times more likely to be involved in an accident whilst speaking on a mobile telephone, even if a hands free unit is in use.
- 5.4 Mobile telephones should, ideally, be switched off whilst driving (though you may wish to use the Sat Nav function – see section 5.13). If the telephone is not switched off and rings you must not answer it if your vehicle is moving. You must find a safe and legal place to stop, switch off the engine and only then return the call.
- 5.5 If you need to make a telephone call whilst enroute, for example if you are going to be late for an appointment, you must find a safe and legal place to stop, switch off the engine and only then make the call.
- 5.6 Be mindful to drive considerately, and not to react aggressively if you perceive others to have driven poorly. Road rage is, unfortunately, commonly seen on our roads and can often be a cause of further incident. If another driver drives aggressively or seeks to intimidate you, you should not respond to their actions in a hostile manner. If possible, let them pass you and do not respond to any gestures or provocative language they may use. This will help reduce the chances of a potentially dangerous situation from escalating further.
- 5.7 If you choose to listen to the radio or music whilst driving, you should keep the volume to a minimal, comfortable level that enables you to be aware of other sounds in the vicinity. Loud music can be a distraction whilst driving and there are other

hazards associated with loud noise which can cause damage to hearing.

- 5.8 Before undertaking a long journey by car, you should monitor weather conditions. If the weather is likely to cause a problem to the journey you should consider using public transport or changing your appointment to another day.
- 5.9 Ensure that you have enough fuel for the journey you are taking, or the opportunity to refuel enroute. If you have an electric vehicle you should check the level of charge before setting off, and the availability of charging points along the route or at your destination. There are various Apps and websites which can provide you with this information such [as this one: ChargeFinder - Charging stations for electric cars \(EV\)](#)
- 5.10 You are responsible for the payment of any fines or tickets that you receive when driving in connection with work.
- 5.11 You should ensure that any belongings are hidden from view when driving or parking your car. This will help to reduce the risk of theft from your car.
- 5.12 Whenever possible, you should try to park your car in a safe, well-lit area such as a car park or an area designated for on street parking.
- 5.13 If you need to take an unfamiliar journey, you should plan your route ahead of time, there are a variety of route planning websites available.

You may wish to use a Satellite Navigation system, which could be a separate device, a system built into the car itself, or a function of your mobile telephone. If you do use a Sat Nav system or device you must ensure that you use it safely and in accordance with the manufacturer's instructions.

You must not adjust any device, such as a mobile phone, whilst driving. This is both dangerous and illegal to do, and can result in a fine and penalty points on your licence.

- 5.14 Using public transport carries less risk of an accident than using your own vehicle. You should therefore consider using public transport as an alternative to driving when there is reasonable provision available.

- 5.15 If you drive in another country, for example you hire a car whilst on an international trip, or cross the border from Northern Ireland into the Republic of Ireland, you need to ensure that you are aware of local traffic laws. This might be as simple as being aware of speed limits being in kilometres per hour, or more complicated road traffic provisions such as driving on the other side of the road.

If you are unsure of local regulations or are nervous of driving in another country, then you should not drive.

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6. Accidents

- 6.1. If you have an accident whilst driving in connection with work, you must report it using the [Accident and Incident Reporting Form](#).
- 6.2 You must make the decision whether to report the matter to your insurer and/or the police. Your decision should be influenced by the nature and the severity of the accident.
- 6.3 Most road traffic accidents are not reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences (RIDDOR) regulations, even when the accident results in an absence of more than seven days. This is because the police are the reporting authority for such accidents and, if appropriate, the incident should be reported to them. They will determine if further investigation is necessary.
- 6.4 If you are unable to report an accident to the ICO because of an injury, you should try to arrange for someone else to contact work on your behalf.

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7. Driving around ICO sites

- 7.1. Parking is provided at some ICO sites and this may entail driving onto the grounds of the building.
- 7.2 It is essential that you drive slowly and carefully around all ICO sites. If there is a speed limit in place, you must adhere to it.

- 7.3 Colleagues and people from other organisations use the car parks on ICO grounds. Their safety when walking around the site is of paramount importance.
- 7.4 You must take particular care when driving past building entrances or crossing pedestrian walkways
- 7.5 You must not park your car in such a way that blocks fire evacuation routes, or that prevents pedestrians from having a clear view of on-site roadways.
- 7.6 Driving recklessly around ICO sites endangers the lives of others. You may be subject to disciplinary action if you drive irresponsibly around ICO grounds.

Feedback on this document

If you have any feedback on this document, please [click this link](#) to provide it.

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Version history

Version	Changes made	Date	Made by
5.0	Content reviewed and format updated	October 2023	Mike Collins
6.0	Content reviewed and format updated	September 2025	Mike Collins

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Appendix A – Frequently Asked Questions

I have a provisional licence. Why can't I drive to a training course if my colleague, who is a qualified driver, is happy to be a passenger?

It is the ICO's policy to minimise risks to staff as far as is reasonably practicable. As a learner driver you are at a considerably higher risk of being involved in an accident than an experienced driver. That is why the ICO will not allow you to drive on business.

What happens if I am caught speeding whilst driving for work?

You will be responsible for the payment of the fine and you will receive points on your licence.

There is no duty on you to inform the ICO unless you were driving a vehicle owned or leased by the ICO or if the endorsement results in you being banned from driving. You have a duty of care to your colleagues and the public whilst driving in connection with work. You may be disciplined if you are reported as driving dangerously.

What happens if I am caught drink driving whilst driving for work?

You must inform the ICO immediately and the matter may be treated as a disciplinary issue. The severity of the offence may result in this being treated as a matter of gross misconduct, for example if you were drink driving whilst driving colleagues to a meeting, or if the offence attracts attention that breaches your contractual requirement not to cause embarrassment to the ICO or the Commissioner.

You have a duty of care to your colleagues and you may be disciplined if a colleague to whom you were giving a lift reports that they felt you were drink driving, but you were not caught by police.

I've been given a parking ticket because a meeting over-ran. Who has to pay for that?

This issue falls outside the remit of the Health and Safety Policy, but generally you will be responsible for the payment of parking tickets. However, re-imburement may be considered on a case by case basis depending on the circumstances.

Why can't I use my hands free kit whilst driving? It's not against the law.

The use of hands free kits is not illegal. However, it has been linked with a greater risk of being involved in an accident. As the ICO's policy is to minimise the risk of accidents, you should not use your hands free kit whilst driving on duty.

What happens if I call a colleague who answers their phone whilst driving?

Tell them immediately to call you back when it is safe and legal to do so. When they call you back, remind them of the requirement not to answer the telephone whilst driving. If this happens repeatedly you should inform the Chair of the Health and Safety Committee who will speak to the person concerned. Ultimately this could lead to disciplinary action being taken against the individual.

Has the ICO placed any restrictions on my driving outside of work duties?

The ICO encourages its staff to drive safely and responsibly at all times, though it does not have any direct jurisdiction to determine your driving habits outside of work.

However, as mentioned above, you are reminded of the contractual requirement not to cause embarrassment to the ICO or the Commissioner. If, through your actions whilst driving, you breach this requirement you may be subject to disciplinary action.

What about break down services?

It is your responsibility to join a break down service if you wish. Staff at the ICO are entitled to join the Civil Service Motoring Association (CSMA) which offers discounted breakdown and insurance cover as well as other benefits.