

17th July 2012

~~Passed by Executive Committee 4th November 2010~~

Amendment to the Transport Policy

Proposed by the Deputy President (Finance & Services)

~~*Seconded by the Deputy President (Clubs & Societies)*~~

A. General

1. This policy covers the use of the Union's transport fleet including vehicles owned by any constituent part of the Union, and sets out responsibilities and procedures for use of the vehicles, registration of drivers and incident procedure.

2. Parts A, B, and C are the preserve of council while the Executive Committee determines operational policy (remaining parts).

B. Responsibilities

3. The President has ultimate responsibility for the transport fleet, strategy, and driver and passenger conduct.

4. The Union shall ensure that the fleet is maintained in a roadworthy condition, and overseeing that minibus drivers are of an acceptable standard.

5. The Union shall be responsible for receiving and recording accounts of vehicle bookings and incidents, and reporting these as required in this policy.

6. The Silwood Park committee are responsible for maintaining and booking any of the Union's fleet in their possession.

7. The driver of a vehicle is legally responsible for the condition of the vehicle and conduct of it's' passengers when on the road. If for any reason a driver or passengers are concerned with the condition of the vehicle then it should not be used.

C. Disciplinary action

8. The President shall from time to time, in consultation with the members of the Executive Committee issue a set of recommended fines and charges for minor offences, which shall be available to any Member of the Union or registered driver. The fines and charges may be added to the hire charge in instances of carelessness, or paid personally by the concerned driver, all drivers, or some or all passengers as appropriate in cases of more serious negligence.

9. In the case of more serious incidents, indicating dishonesty, substandard driving ability, or behavior likely to cause a danger to passengers, the President or his or her nominee may:

i. deregister and ban a driver for a period of time or indefinitely,

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ii. require a person to undertake a new test to reregister as a driver, alongside such extra tuition or testing as may be required,

iii. deregister and ban drivers within a club or society or group (where the behaviour of the group as a whole warrants it),

iv. ban a club or society or group from using the Union's fleet.

10. Action in paragraphs 8 and 9 constitute summary punishment under the Disciplinary Policy and are subject to appeal and written notification, as detailed in that policy.

11. The President or his nominee is responsible for writing to any individual whom action has been taken against under paragraph 8, informing him or her of the decision, other action that has or will be taken, rights of appeal, and reasons for it as soon as is practically possible. This action shall also be reported to the Executive Committee.

12. The most serious incidents may involve an individual or club or society being referred to the Disciplinary Committee as per the Disciplinary Policy. Action of this nature shall be reported to the Executive Committee.

D. Registration of drivers

Requirements for drivers

13. All registered drivers of Union vehicles must be a registered student at Imperial College (Union Full Member), a member of the College staff or Union staff, or a Union Life or Associate Member.

14. All registered drivers of Union vehicles must also be at least twenty-one years of age and have a held full European Union B manual category (car) driving licence for the previous two years.

15. Drivers shall sign a declaration stating that they have complied with the requirements for drivers in this policy and any other decision of the Executive Committee. Any previous disqualification from driving, valid endorsements or current restrictions on a driving licence must be declared, and driving history provided with this declaration. Changes to any information provided on a declaration must be reported via a new declaration.

16. Individuals shall cease to be registered drivers if they no longer fulfil the terms of paragraphs 13-15.

How drivers are registered and tested

17. The Membership Services Department shall appoint a number of individuals who shall be permitted to approve drivers for registration. The Executive Committee shall approve guidelines for the Membership Services Department with respect to individuals applying for driver status.

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18. The Executive Committee shall approve a form of assessment which must be undertaken and passed by prospective drivers. This assessment will include a theory element which includes, but is not limited to, the current legislation applicable to minibus driving in the UK.

19. Registration as a driver shall normally be valid for three years in the first instance, subject to the driver still fulfilling the terms in paragraphs 13-15. The Executive Committee shall approve a form of reassessment for individuals wishing to extend their driver status beyond this.

20. A list of registered drivers shall be kept by the Union.

Concerns about drivers

21. In the event of an incident the procedure in Parts H and C are to be followed.

22. If a person has private concerns of the driving ability or conduct of a registered driver, then they may bring the matter up in confidence with a member of the Membership Services Department.

23. If the concerns are of the driving ability or conduct of a member of the Membership Services Department the matter shall be brought up with the President.

24. No detrimental action of any kind will be taken against a person who makes such concerns known, provided the complaint is made in good faith and without malice. A complainant must make himself themselves known to the responsible authority in paragraphs 22 and 23, but may request their identity be withheld from other individuals. Individuals are however encouraged to put their name to complaints.

25. The relevant member of the Membership Services Department or President as appropriate or their nominee shall consult with the driver concerned and make such investigations as appear necessary. That person shall refer the matter to the President who may take action under part C. If the allegation concerns the President, then the matter shall be referred to the Council Chair, who may take action under part C.

E. Maintenance of the fleet

26. The Union shall ensure vehicles are insured, taxed, MOT tests are carried out and other legal administrative duties are carried out at the appropriate times. The Union shall remove from use any vehicle that no longer complies with relevant road traffic legislation.

27. The Membership Services Department shall supervise elementary repair work on vehicles, but shall refer any more serious problems to a qualified mechanic or garage, as appropriate and within budgetary constraints.

28. The Membership Services Department shall remove a vehicle from use which in their opinion does not comply with road traffic legislation or is for some other reason unsafe to use.

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29. In the event of a vehicle being removed from use, the authority removing it from use must inform the Union and any person whose booking may be rescinded immediately.

30. Users of vehicles have a responsibility to conduct checks at the start of their use of the vehicle, and report any minor faults which are present.

F. Booking vehicles

31. Vehicles shall be requested through the union website – www.imperialcollegeunion.org.

32. Requests for the hire of a vehicle may be made at any time in advance of the start of the proposed hire.

33. Requests for vehicles between October and March will be held in the order in which they were received; bookings will be made on the morning of the day of the proposed booking two weeks hence. If the supply of vehicles is insufficient to meet requests, the Membership Services Department staff will allocate vehicles accordingly in the following priority order:

i. Requests received after the bookings have been made for the period will only be accepted if there is availability at the time of receipt – existing bookings will not be displaced.

ii. Length of booking – longer bookings will get priority over shorter bookings. This is to try to achieve a higher income for the vehicles.

iii. Number of customers able to be accommodated (multiple bookings on a bus with are dovetailed will have priority over one booking of equal financial value).

iv. Specialist equipment – roof racks and tow-bars. The more essential need will gain priority.

v. The order in which the requests were received.

vi. Multiple vehicles requested by a single customer for overlapping periods will be booked only if there is still availability after all other requests have been processed.

vii. Requests for vehicles between April and September will be processed on a first-come, first-served basis.

34. Fees for use of vehicles shall be as determined by the Executive Committee.

35. If any vehicle has been purchased partly with contributions on behalf of a constituent part of the Union, the Executive Committee may determine a booking priority and fees according to the size of external contribution.

G. Motorised mascots

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36. The former Constituent College Unions' motorised mascots (which include the car "Boanerges", the bike "Derrick", the truck "Clem" and the fire engine "Jezebel") are bound by this policy, but are also the responsibility of their respective clubs.

37. These mascots all remain permanently inviolate.

38. These vehicles are exempt from Parts D, E and F (driver registration, maintenance and booking). Appropriate driver registration and maintenance procedures shall be administered by their respective clubs. The respective clubs may make additional requirements upon drivers and their respective driver registration procedures are subject to approval by the Executive Committee.

39. The respective clubs are exempt from reporting incidents 41 *i*, *iv*, and *viii*) to the Union (though they may if they wish) with respect to their motorised mascots.

40. The respective clubs shall have a clear policy passed by their main policy-making body on the use and administration of their motorised mascots, including:

- i. holding the President of the club as ultimately responsible to the Sabbatical Officers for all use and administration of their mascots,
- ii. a line management and accountability structure for health and safety, finance, bookings and vehicle maintenance,
- iii. qualifications required of drivers (see paragraph 38) and their assistants,
- iv. who is permitted to use the vehicles and under what conditions, and
- v. dealing with minor incidents referred to in paragraph 39.

H. Incidents

41. An 'incident' shall be defined as:

- i. A vehicle breakdown,
- ii. An accident or situation that could easily have resulted in an accident
- iii. Use of the emergency equipment,
- iv. Any damage to the exterior or interior of the vehicle
- v. Any criminal driving offence or parking offence,
- vi. Consuming alcohol or smoking in the vehicle,
- vii. Use of a Union vehicle without permission, or on un-agreed terms,
- viii. Non-payment of charges for use,
- ix. Complaint from another road user,

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- x. Failure to report an incident in this paragraph, and
 - xi. Any other incident that may give rise to action under the Union Disciplinary Policy, or breach of Health & Safety regulations.
42. Incidents include:
- i. An incident involving a minibus, van, or other motorised vehicle owned or leased by the Union, and
 - ii. An incident involving use of a motorised vehicle on any activity organised by the Union, or its clubs and societies.
43. It is recognised that these incidents may not all be the responsibility of the driver or group using the vehicle. It is also recognised that the driver of the vehicle has a duty of care to the passengers and is responsible for incidents directly related to his driving, though this does not absolve the duty of passengers not to distract the driver or otherwise misbehave.
44. An incident as defined in paragraph 41 must be reported by the driver to the Union in soon as possible, but within twenty four hours.
45. The details of any incident and the driver at the time shall be recorded in writing by the driver on the appropriate form.
46. In the event of a more serious incident, or any incident listed in paragraphs 41 *iv* to 41 *xi*,
- i. the President and Deputy President (Finance and Services) shall be informed,
 - ii. the President or his or her nominee shall make further investigations as to the circumstances of the incident, and may on the advice of the Membership Services Department take further action under Part C.
47. All incidents except those of a trivial nature, or exempt under paragraph 38, shall be reported to the Executive Committee.