

Volunteer drivers

Summary

If your organisation involves volunteer drivers there are several issues to bear in mind. This Information Sheet covers

- Driver and vehicle safety
- Insurance
- Reimbursement of expenses
- Screening and recruitment of volunteer drivers
- Personal safety

Please note that this Information Sheet concerns the requirements for volunteers driving their own cars. Information about the rules for minibuses is available from the [Community Transport Association](#), whose contact details can be found at the end of this Information Sheet.

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Driver safety

Driver's licence

- 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.
- Licences should be full and not provisional, preferably without endorsements.
- Where a driver has penalty points on their licence, the organisation will need to decide on a case by case basis whether or not they consider the driver to be suitable for a role.
- 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.

Fitness to drive

By law, a driver must notify the Driver and Vehicle Licensing Agency (DVLA) if

- they suffer from a medical condition or disability that may affect their driving;
- they develop a condition or disability; or
- an the development of an existing condition or disability may affect their ability to drive.

The DVLA will then make a decision about the person's fitness to drive.

Failure to notify the DVLA of such a condition or disability is a criminal offence and is punishable by a fine of up to £1000. The driver could also invalidate their insurance if they do not follow their GP's advice not to drive.

Criminal Records Bureau check

If the volunteer will regularly be driving 'vulnerable clients' the organisation will probably be entitled to seek a Criminal Records Bureau Disclosure.

The organisation should check the [list of eligible positions](#)¹ as only people in those positions can be checked.

If the organisation is covered by the [Care Standards Act](#)² or the [Protection of Children Act](#)³ it will have statutory obligations to obtain CRB Disclosures in certain circumstances.

¹ http://www.crb.homeoffice.gov.uk/guidance/rb_guidance/eligible_posts.aspx

² <http://www.legislation.gov.uk/ukpga/2000/14/contents>

³ <http://www.legislation.gov.uk/ukpga/1999/14/contents>

If your organisation is not covered by these Acts, you should carry out a risk assessment of the volunteer role and decide whether you need to obtain a CRB Disclosure in order to meet your legal 'duty of care' towards your clients.

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Vehicle safety

MOT

The organisation should ask to see a MOT test certificate if the vehicle is over three years old.

Vehicle condition

The organisation should ensure it is reasonably confident that the vehicle is safe. They can do this by looking to see if the vehicle has any obvious defects and asking the volunteer what maintenance is carried out.

Seat belts

Cars must have front and rear seatbelts and all passengers should wear seatbelts.

Passengers aged over 14 are legally responsible for ensuring that they are wearing a seat belt.

Drivers are responsible for ensuring that children under 14 years of age are restrained in the correct manner.

For further information visit the Directgov web page '[Using a seat belt](#)'⁴.

Insurance

The owner of the vehicle – the organisation or the volunteer – is responsible for arranging insurance.

Legally, only third party car insurance is required, but it is good practice to have comprehensive insurance.

Owner-drivers

Owner-drivers must tell their insurance company that they will be driving in a volunteering capacity. If they do not the policy could be invalidated, which results in the driver being personally liable for any damage or injuries sustained in an accident.

Owner-drivers must not receive payment above legitimate expenses. If they do they could be deemed to be making a profit, which could invalidate their insurance.

⁴ http://www.direct.gov.uk/en/TravelAndTransport/roadsafetyadvice/DG_4022064

Some policy holders may be told by staff at their insurer that they need to pay a business premium to cover their volunteering. In this case it is advisable to ask to speak to a senior member of staff at the company to clarify this is the case, as many volunteers have been given incorrect information.

If the insurer maintains that a business premium needs to be paid, the volunteer might want to consider changing their insurance provider. The market is diverse and many companies do not charge volunteer drivers a premium.

The organisation

The organisation that is providing the transport service, either directly or by contract to another organisation, should take out **public liability insurance** so that it is covered for any claims which the car insurer will not cover.

The organisation can take out a **contingent liability policy** to protect it from the event that there is a problem with the insurance for that vehicle.

Volunteers and clients also need to be insured for activities whilst the vehicle is not moving, such as when the client is getting in or out of the vehicle.

Reimbursement of expenses

HM Revenue and Customs sets tax-free mileage allowances that enable organisations to reimburse a volunteer without the need for detailed records. These are upper limits on how much can be reimbursed tax free – not recommended rates for organisations to pay. Some organisations reimburse using lower mileage rates due to budgetary constraints. The rates apply to employees and volunteers.

A volunteer driver is allowed to claim both the approved mileage rate plus a passenger payment of 5 pence per mile for every passenger they are carrying in the course of their volunteering. This includes passengers who are service users or clients of a community transport scheme.

Detailed information and the current approved mileage rates can be found at <http://www.hmrc.gov.uk/mileage/volunteer-drivers.htm>.

Current mileage rates:

- cars and vans, up to 10,000 business miles: 45p per mile (regardless of engine size)
- cars and vans, additional business miles: 25p per mile
- motorcycles: 24p per mile
- bicycles: 20p per mile

Passenger payment:

- 5p per mile per passenger (this can be claimed in addition to the car and van mileage rates above)

Claiming more than the HMRC mileage rates

If a volunteer wants to, and the organisation is able to, they can claim their actual expenses for fuel, insurance, road tax, servicing, repairs and depreciation if they come to more than the approved mileage rate.

The volunteer would need to keep a record of their actual expenses and the number of miles they had driven privately and for the organisation(s) throughout the year. They would then use these to complete a self assessment tax return.

If an organisation pays more than the approved mileage rate without detailed records a volunteer's insurance could be invalidated because they could be seen to be making a profit from driving. They and the organisation would also be liable for income tax and if the volunteer is claiming benefits it could have an effect on their payments.

Miscellaneous

Training

Drivers should be trained

- if they are carrying elderly or disabled people or children, particularly in picking up and setting down passengers;
- in disability awareness and customer care.

For further advice, contact the [Community Transport Association](http://www.ctauk.org/)⁵. There are also useful safety resources available from [ROSPA](http://www.rospa.com/)⁶ and the [Think!](http://www.dft.gov.uk/think/)⁷.

Breaks

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

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.

Alcohol

Drivers should not drink alcohol for at least 12 hours before a journey. This is an issue that you can tackle in training and you may want to have a clear policy on it.

Luggage

Luggage and shopping should be put in the boot or secured to prevent injury.

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.

⁵ <http://www.ctauk.org/>

⁶ <http://www.rospa.com/>

⁷ <http://www.dft.gov.uk/think/>

Seating capacity

The seating capacity of a vehicle as stated by the manufacturer and insurer should never be exceeded.

Accidents, illness or injury

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

Private Hire Vehicles (PHVs) and the Road Safety Act

Volunteering England's Information Service occasionally receives enquiries about whether volunteer drivers are subject to laws on taxis and private hire vehicles. If your volunteers only receive out of pocket expenses or HMRC-approved mileage allowances, then they will not be receiving a profit and the vehicle should not be described as being 'for hire'.

The [Community Transport Association](http://www.ctauk.org/)⁸ provides useful information resources on the legal status of Private Hire Vehicles, Private Service Vehicles and Car Sharing Schemes (contact details given below).

⁸ <http://www.ctauk.org/>

Further information

Volunteering England Information Sheets

<http://www.volunteering.org.uk/information sheets>

An Introduction to CRB Disclosure Checks

When To Get A CRB Disclosure Check

Screening Volunteers

Child Car Seats

Insurance for Volunteers

Volunteer Travel Expenses

Volunteering England Good Practice Bank

<http://www.volunteering.org.uk/goodpractice>

Includes the Theme 'Health and Safety'

Community Transport Association Advice Services

<http://www.ctauk.org/>

Telephone helpline: 0845 130 6195

Local Tax Enquiry Centres and Tax offices.

Find your nearest one at <http://www.hmrc.gov.uk/enq/index.htm>.

Think!

<http://www.dft.gov.uk/think>

Advice about road safety.

ROSPA (Royal Society for the Prevention of Accidents)

<http://www.rosipa.com>

Produces a range of relevant guides.

HSE (Health and Safety Executive)

<http://www.hse.gov.uk/pubns/indg382.pdf>

Driving at work is a publication for people who drive as part of their work.

Brake

<http://www.brake.org.uk>

Road Safety Charity offering guidance for drivers and others.

Direct Gov

http://www.direct.gov.uk/en/Motoring/DriverLicensing/MedicalRulesForDrivers/DG_4022415

Information on the 'Medical Rules for Drivers'

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