MP004 – Driver Declaration Form

1. Purpose

- To ensure that all drivers are licenced to drive a council vehicle and to ensure that the licence will not expire or risk revocation prior to the next check.
- To ensure that drivers hold a valid Digital Tachograph Card (DTC) and Driver Qualification Card (DQC) if required.
- To ensure that all drivers are given the opportunity to declare medical conditions or any other information that should be passed to their line manager.
- To ensure records are available to demonstrate correct management of drivers and driving licences.

2. Scope

- All personnel driving and/or operating Council vehicles and equipment including hired in or borrowed vehicles and equipment.
- All drivers whether employed or Agency.

3. Responsibilities

The Heads of Service and their respective teams have the responsibility to follow this procedure.

Transport Managers are responsible for securely filing the completed forms.

Drivers are responsible for completing the forms with accurate, honest information.

"It is an offence for a person to cause or permit another person to drive on a road a motor vehicle of any class if that other person is not the holder of a licence authorising him to drive a motor vehicle of that class"
Section 87 of the Road Traffic Act 1988

The Council has a statutory duty to ensure that any drivers employed to drive on Council business have a valid licence for the class of vehicle they will be driving. Failure to carry out the necessary checks can lead to prosecution for 'causing and permitting'. The Transport Managers have overall responsibility for ensuring that all drivers operating Council vehicles have the correct required driving licence.

Health and Safety Laws relate to all aspects of work activities, including driving. Under the Council's duty of care, it therefore has a responsibility to ensure that its drivers and anyone driving as part of their job is safe to do so.

4. Process

New Employees/New Agency Drivers

Upon commencement of employment, and before driving duties commence, each driver must complete the MP4A driver declaration form.

A driver cannot drive a council vehicle until it is complete and returned from a Transport Manager with no further action required.

New Starter Stage 1
The Drivers Supervisor or Manager must carry out an initial check of the from, ensuring that it is fully completed. If the driver has a DTC and/or DQC the supervisor or manager must at this stage check the cards, ensuring they bear the photo of the driver and that they match the information put on the declaration form, section 7A must be completed and signed at this stage.

New Starter Stage 2
The form must then be passed to a Transport Manager who will check the form and the online licence check code. The Transport Manager will complete section 7B. This will then be kept on file and a copy returned to the driver's line manager.

Drivers Line Managers must check for any comments from the Transport Manager and take note of the next form due by date on the form and ensure that the existing employees/agency drivers process is followed by this date.

Existing Employees/Existing Agency Drivers

MP4A forms are required to be completed on an ongoing basis and not exceed the frequencies stated in section 6 below. Drivers line managers should keep record of when a driver needs to compete the form to ensure they do not elapse this period.

Existing Employees Stage 1
Prior to the next form due date, drivers must be issued with a new MP4A form to complete. This must be returned to the drivers line manager. If the driver has a DTC and/or DQC the supervisor or manager must at this stage check the cards, ensuring they bear the photo of the driver and that they match the information put on the declaration form, section 7A must be completed and signed at this stage.

Existing drivers may continue to drive before the new form is fully checked as any issues that may have been disclosed different to the previous form should have been raised and dealt with already.

The Drivers Line Manager must complete and sign section 7B as per the checking the form and licence instructions below.

Once the form is complete it should be sent to Transport Managers to be recorded and filed.

Existing Employees Stage 2
Transport Managers will carry out a quality check on 10% of the forms received per month to ensure that checks are carried out correctly.

5. Checking the Form

The following items must be checked:

Driver Licence Check Code - The Drivers Licence, DTC and DQC must be checked using the DVLAs Check someone's driving licence information service - https://www.gov.uk/check-driving-information

The following information must be checked:

- The Administrative Renewal Date of the Licence (this is the 'licence valid to' date in the current licence summary section). A check is to be done to ensure the licence has not expired and is not due to expire before the next check. This date must be recorded in section 7b.

- Licence Status (in the current licence summary section). Check that the driver holds a current full licence and is not suspended from driving.

- Endorsements (in the current licence summary section). Record the number of points in in section 7b.

- Digital Tachograph Card – ensure that the card number matches the number declared on the form and is not due to expire before the next check. If this number does not match then a query should be raised immediately with a Transport Manager.

- CPC – Check that the dates and categories match those declared on the form and that the entitlements are not due to expire before the next check.

- Entitlements – check that the driver holds the required licence entitlements to drive the vehicles they are required to drive. Record the expiry dates of the non-vocational (i.e. category B, car licence) and vocational licence (i.e. lorry or bus licence) in section 7b).

- Restrictions – if a category says "restrictions apply" ensure that you check the restrictions, record them in section 7b and make adjustments to the drivers duties if necessary.

Digital Tachograph Card – Further to the check detailed above, if the driver declares that they have more than one digital tachograph card advice should be gained from a Transport Manager.

Driver Qualification Card – Further to the check detailed above, check that the administrative renewal date does not mean the card will expire before the next check. Check the number of hours training the driver has had and not how many they require prior to their card expiration.

Medical – If the driver declares any medical conditions further professional advice must be gained as to any adjustments that may need to be made.

Signature – Check that the driver has signed the form.

6. Frequency

Forms must be completed 3 monthly unless:

- The driver does not hold a LGV or PSV vocational licence, in which case they will be 6 monthly.
- The driver has more than 3 penalty points at the point of check – this will reduce the frequency by 1 month.
- The driver has more than 6 penalty points at the point of check – this will reduce the frequency to a mandatory 1 month.
- If the administrative expiry date of the licence of DQC fall before the next check then the date of the check must be brought forward to no more than 1 month before the expiry date.
- If a Licence Entitlement, DQC Entitlement or DTC expire before the next check then the date of the check must be brought forward to no more than 1 month before the expiry date.

7. Data Protection

The MP4A form is to be kept on file as evidence that the check has been completed and that the council has been given permission from the driver to complete the check.

Only one form per employee should be kept on file – any previously completed forms must be destroyed when a new one is completed.

If the MP4A is not signed, printed and dated by the driver the licence information cannot be checked.

The only identifiable information on the form is the drivers name – personal information such as full licence number, DOB, address should not be written on the form. If this information is on the form then it must be destroyed and a new form completed.

Drivers are not required to identify any specific medical conditions on the form if this information is on the form then it must be destroyed and a new form completed. Specifics of medical conditions must only be discussed when required and in line with appropriate policies.